

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, MAY 8th, 2019
SHEAD HIGH SCHOOL - BAND ROOM - 6:00 P.M.**

EXECUTIVE SESSION- 5:30 P.M. TO 6:00 P.M.

(Recording Reference WS700360)

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| <u> x </u> Personnel Matters | <i>Title 1 M.R.S.A. § 405(6)(A)</i> |
| <u> x </u> Real Property or Economic Development | <i>Title 1 M.R.S.A. § 405(6)(C)</i> |
| <u> </u> Labor Negotiations | <i>Title 1 M.R.S.A. § 405(6)(D)</i> |
| <u> x </u> Consultation w/Legal Counsel | <i>Title 1 M.R.S.A. § 405(6)(E)</i> |
| <u> </u> Poverty Abatement Application | <i>Title 36 M.R.S.A. § 841</i> |

MOTION EMERY **SECOND** SMALL **(PASSED 4-0) TIME: 5:30p.m.**

Councilor Peacock Not Yet In Attendance "On Her Way"

To go into Executive Session under *Title 1 M.R.S.A. § 405(6)(A for Personnel Matters; Title 1 M.R.S.A. § 405(6)(C) for Real Property or Economic Development* and under *Title 1 M.R.S.A. § 405(6)(E) Consultation with Legal Counsel.*

MOTION EMERY **SECOND** BRADBURY **(PASSED 5-0) TIME: 6:04p.m.**

To come out of Executive Session.

Those in Attendance: Council President, Roscoe Archer, III, Councilor Scott Emery, Councilor Hailley Bradbury, Councilor Jeanne Peacock, and Councilor, Peter Small.

Also present were City Manager, Ross Argir; City Clerk, Ella Kowal; and Legal Counsel, Dennis Mahar.

Audience Attendance: Marlene Russ, Robert Scott, Chris Vizzcarando, Marged Higginson, Megan Andrews, Robert Kierstead, Susan Coopersmith, Claudia Arroyo, and Jose Arroyo.

REGULAR COUNCIL MEETING

(Recording Reference WS700361)

I. CALL TO ORDER

Council President, Roscoe Archer, III called the meeting to order at 6:05 p.m.

II. ACTION from EXECUTIVE SESSION

MOTION BRADBURY **SECOND** EMERY **(PASSED 5-0)**

To authorize the City Manager to move forward with an advertisement for the position of Police Chief.

MOTION BRADBURY **SECOND** PEACOCK **(PASSED 5-0)**

To authorize the City Manager to advertise for bid the construction of a 10x20 fire storage unit for permanent records at City Hall to ensure compliance of the State regulations.

MOTION EMERY **SECOND** BRADBURY **(PASSED 5-0)**

To authorize the City Manager to proceed forward with the filing of a Small Claims for an amount of \$2,100.00 due the City relative to non-payment of a lease for rental space at the mill building for Timothy Tiess d/b/a Heart of Maine.

MOTION EMERY **SECOND** SMALL **(PASSED 5-0)**

To give permission to Melissa Boyd to busk down by the Mermaid Statute as done previously.

MOTION BRADBURY **SECOND** EMERY **(PASSED 5-0)**

To authorize the City Manager to sign the deed for the sale of and transfer of old City Hall at 78 High Street

MOTION BRADBURY SECOND PEACOCK (PASSED 5-0)

To authorize the City manager to utilize the funds out of the sale of old City Hall to pay for the construction of the fire storage unit for the City's permanent records and that the remaining proceeds to go into the General Fund.

III. PUBLIC HEARING(S)

Council President, Roscoe Archer, opens this portion of the meeting for the public hearings.

- **Renewal of Victualer License for Kristen Johnson d/b/a Puffin Haus Inn**

There were no questions or comments.

- **Renewal of Victualer License for Jo Sutton d/b/a Rob's Backyard Bar-B-Q**

Councilor Peacock comments to say that it is a good addition to our town and Council President comments to say that he has heard it is very good. There were no questions or comments.

- **New Victualer License for Raye's Mustard Mill Museum at 54 Water Street**

The City Manager updates Council that they are opening up downtown while renovating their facility on Washington Street. No comments other than confirmation of the location and glad to see activity downtown.

- **Sale of City Properties - Tax Acquired**

(10 Stevens Avenue - Tax Map #I7-0C1-03)

(12 Stevens Avenue - Tax Map #I7-0C1-02)

(14 Stevens Avenue - Tax Map #I7-0C1-01)

(24 Mitchell Street - Tax Map #H7-0C3-08/8A)

(32 Mitchell Street - Tax Map #H7-0C2-04)

The City Manager and the City Clerk update Council that the notice to hold this public hearing did not make the paper in time and we will need to reschedule and that this can be done under “Action on Public Hearings”.

IV. ACTION on PUBLIC HEARING(s)

- **Renewal of Victualer License for Kristen Johnson d/b/a Puffin Haus Inn**

MOTION PEACOCK SECOND SMALL (PASSED 5-0)

To approve the renewal of a Victualer License for Kristen Johnson d/b/a Puffin Haus Inn.

- **Renewal of Victualer License for Jo Sutton d/b/a Rob's Backyard Bar-B-Q**

MOTION PEACOCK SECOND SMALL (PASSED 5-0)

To approve the renewal of a Victualer License for Jo Sutton d/b/a Rob's Backyard Bar-B-Q.

- **New Victualer License for Raye's Mustard Mill Museum at 54 Water Street**

MOTION PEACOCK SECOND SMALL (PASSED 5-0)

To approve a new victualer license for Raye's Mustard Mill Museum located at 54 Water Street.

- **Sale of City Properties - Tax Acquired**

(10 Stevens Avenue - Tax Map #I7-0C1-03)

(12 Stevens Avenue - Tax Map #I7-0C1-02)

(14 Stevens Avenue - Tax Map #I7-0C1-01)

(24 Mitchell Street - Tax Map #H7-0C3-08/8A)

(32 Mitchell Street - Tax Map #H7-0C2-04)

No action needed as the request to reschedule the public hearings is covered under Item VII(e) of the agenda.

V. ADJUSTMENTS to AGENDA

MOTION BRADBURY SECOND EMERY (PASSED 5-0)

To approve an adjustment to the agenda to add (j) under Item II New Business for the scheduling of a Public Hearing on a “New” Victualer License for Dawn Guiltner d/b/a Shofar Farms for a mobile food truck for Wood Fire Pizza.

VI. UNFINISHED BUSINESS - NONE

VII. NEW BUSINESS

**a) Council Approval for an On-Premise Relocation Application
(the Liquor License for Pam Francis d/b/a Landmark 1887)**

No motion needed as the City Clerk did not receive the required paperwork/ application to be presented to the City Council. It was placed on the agenda in the event she was able to submit it, nothing required of Council at this time.

b) Scheduling of a Public Hearing for “Amendment” to the Sale of City Property Ordinance

MOTION BRADBURY **SECOND** PEACOCK **(PASSED 5-0)**

To approve the scheduling of a Public Hearing on an Amendment to the Sale of City Property Ordinance for June 12th, 2019.

c) Council Approval for the Rescinding of the Primary Election Warrant for 6/10/2019

The City Clerk explains that she jumped the gun thinking that there was a primary election coming up in June when there isn't and she extends her sincerest apologies.

MOTION PEACOCK **SECOND** SMALL **(PASSED 5-0)**

To approve the Rescinding of the Primary Election Warrant for 6/10/2019 that was voted on at the last Council meeting of 4/10/2019.

d) Scheduling of Public Hearing for the “FY2020” Municipal Budget

MOTION BRADBURY **SECOND** EMERY **(PASSED 5-0)**

To approve the scheduling of a Public Hearing for June 5th, 2019 at Shead High School in the Band Room at 6:00 p.m. on the FY2020 Municipal Budget.

e) **Re-Scheduling of Public Hearings for 24 Mitchell Street; 32 Mitchell Street; and 10, 12, & 14 Stevens Avenue (Sale of City Properties)**

MOTION BRADBURY **SECOND** PEACOCK **(PASSED 5-0)**

To approve the re-scheduling of Public Hearings to be set for June 12th, 2019 at 6:00 p.m. on the Sale of City Properties for 24 Mitchell Street; 32 Mitchell Street; and 10, 12, & 14 Stevens Avenue.

f) **Council Approval of Eastport Music Festival & Chili Cook Off for August 9th-11th**

MOTION BRADBURY **SECOND** SMALL **(PASSED 5-0)**

To approve the Eastport Music Festival & Chili Cook Off for August 9 –11 as requested by the E.D.G.E. Committee.

g) **Council Approval for Write-Off of Sewer Charges for Acct. #541 – Prince Avenue - \$100.60 (from 10/16/2018 to present)**

The City manager updates Council that 1 Prince Avenue has a private sewer line that runs across another property. There was a dispute with the property owners and resulted with the sewer line being cut on 10/16/2018 and there is language in our Sewer Ordinance that does not permit us to bill if they are not hooked into the drain system or Sewer system and we do not have the authority to commit this Sewer charge against that dwelling and the City Manager states that he pro-rated it back to the date that the house became disconnected from the Sewer system.

MOTION BRADBURY **SECOND** EMERY **(PASSED 5-0)**

To authorize the write-off of Sewer Charges to Account #541 in the amount of \$100.60 as requested and submitted.

h) **Council Liaison/Manager Update**

MOTION BRADBURY **SECOND** SMALL **(PASSED 5-0)**

To accept the Council Liaison/Manager Update as given and presented by the City Manager.

Councilor Bradbury speaks to a cleanup day scheduled for Eastport on Saturday May 11th and that volunteers are welcome and can meet at City Hall at 9:30 a.m. Lunch will be provided and held at Cony Park and hopeful for good weather. The City Manager informs that the City is providing bags and gloves and he will be helping and assisting with picking up the bags as they are filled with his truck and dropping off new supplies as they are needed. There will be a sign up sheet at City Hall to assign people in teams. This wraps up nicely with the sweeping of the streets to help with the cleanup of the community. He also updates that on May 15 the Public Works crew is going to go around and pick up sand that has been deposited in people's yards if they rake the pile to the edge of the street and he asks that it not be directly into the street as it defeats the purpose of the street sweeping just completed. Councilor Peacock asks the City Manager if he had contacted the Coast Guard to see if they are going to maintain the County Road section and he responded that he has spoken with Chief Smith and he going to bring his crew and they will be participating in the clean up day.

i) Council Approval of Consent Agenda

MOTION BRADBURY **SECOND** SMALL **(PASSED 5-0)**
To approve the Consent Agenda as submitted.

j) Scheduling of Public Hearing for New Victualer License for Dawn Guiltner
d/b/a Shofar Farms a Mobile Food Truck for Wood Fire Pizza

MOTION BRADBURY **SECOND** PEACOCK **(PASSED 5-0)**
To approve the scheduling of a Public Hearing on June 12, 2019 for a new Victualer license for Dawn Guiltner d/b/a Shofar Farms a Mobile Food Truck for Wood Fire Pizza.

VIII. COUNCIL ISSUES

Council President, Roscoe Archer, III, asks for an update on cold patch and the City Manager responds that there is some and that there is some one inch stone that they will be putting in places to help stop erosion.

IX. ADJOURN

MOTION SMALL **SECOND** PEACOCK **(PASSED 5-0)** **TIME: 6:30 p.m.**
To adjourn.