

**CITY OF EASTPORT  
CITY COUNCIL MEETING  
THURSDAY, NOVEMBER 16<sup>th</sup>, 2017  
SHEAD HIGH SCHOOL - LIBRARY - 6:00 P.M.**

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

(Ref. WS700299 & WS700300)

☐ Personnel Matters  
☒ Real Property or Economic Development  
☐ Labor Negotiations  
☒ Consultation w/Legal Counsel  
☒ Poverty Abatement Application

*Title 1 M.R.S.A. § 405(6)(A)*  
*Title 1 M.R.S.A. § 405(6)(C)*  
*Title 1 M.R.S.A. § 405(6)(D)*  
*Title 1 M.R.S.A. § 495(6)(E)*  
*Title 36 M.R.S.A. § 841*

**City Council Attendance:** Councilor Hailley Bradbury, Councilor Scott Emery, Councilor Shannon Emery, Councilor Mary Repole, and Council President, Gilbert Murphy. Also present were City Manager, Elaine Abbott; Legal Counsel, Dennis Mahar; and City Clerk, Ella Kowal.

Council President calls this portion of the meeting to order at 5:30 p.m.

**MOTION REPOLE SECOND BRADBURY (PASSED 5-0) TIME: 5:31 P.M.**

*To go into Executive Session for Real Property or Economic Development under Title 1 M.R.S.A. § 405(6)(C); Consultation with Legal Counsel under Title 1 M.R.S.A. § 405(6)(E), and Poverty Abatement Application under Title 36 M.R.S.A. § 841.*

**MOTION REPOLE SECOND BRADBURY (PASSED 5-0) TIME: 6:03 P.M.**

To come out of Executive Session.

**REGULAR COUNCIL MEETING**

(Ref. WS7000301)

**Those in Attendance:** Councilor Hailley Bradbury, Councilor Scott Emery, Councilor Shannon Emery, Councilor Mary Repole, and Council President, Gilbert Murphy. Also present were City Manager, Elaine Abbott; Legal Counsel, Dennis Mahar; and City Clerk, Ella Kowal.

**Attendees in the Audience:** Dennis Mahar, Alex Smeaton, Ed French, Hugh French, Kerry Jackson, Kathryn Lewis, Robert Scott, Gerry Morrison, Gordon Smith, and Jon McNerney.

**I. CALL TO ORDER** - Council President called the meeting to order at 6:04 p.m.

**II. ACTION from EXECUTIVE SESSION**

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

To authorize the City's Treasurer to cut a refund check back to the taxpayer in the amount of \$141.00 in lieu of Sewer being capped off and the result of pre-payment of Sewer, referencing account #251.

**MOTION** REPOLE **SECOND** BRADBURY **(PASSED 5-0)**  
To approve a partial abatement in the amount of \$450.00 for the FY2018 real estate taxes on real estate account #1251.

### **III. PUBLIC HEARING(s)**

Council President, Gilbert Murphy, opens the public hearing at 6:05 p.m.

Ed French addresses the City Council speaks to that this recommendation is brought forth in favor by both the Historic Review Board and the Planning Board. This request is to incorporate design guidelines prepared by Scott Hanson, an architect consultant, and is particular to all the buildings in the downtown historic district and it gives good suggestions and recommendations to both the building owner and the boards/committees.

Council President asks if this only applies to the local historic district and Mr. French replies that it does and it only applies to the owners who have chosen to be part of the *local* downtown historic district whereas the national historic covers all the buildings downtown.

Hugh French from the audience speaks in support of the recommendations and also comments to say that it will help strengthen the design over time.

Councilor Repole shares that it will assist the owners with clarity of what their responsibilities are and will also facilitate in terms of any facade projects.

Gordon Smith asks about the building codes old versus new. Robert Scott responds to say that there are building codes for existing and historic buildings. Ed French clarifies that this change does not affect the building codes.

Councilor Bradbury asks if there is any type of penalty should anyone not be in compliance and abiding by the new guidelines. Ed French responds to emphasize that these are guidelines and that they try to work with any building owners that come to them and are very conscious of price and they generally give them recommendations as well as options of what they can do. Should the board not be in agreement, they would issue a Certificate of Appropriateness.

Gerry Morrison from the audience asks if this will have an impact on the working waterfront. Ed French responds to say to the buildings that are currently in the local historic district.

Council President makes a final call for questions or comments, there were none.

Council President, Gilbert Murphy, closes the public hearing at 6:12 p.m.

**IV. ACTION on PUBLIC HEARING(S)**

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

To approve the proposed amendment as recommended by the Planning Board to Section 5.14.12 as submitted.

**V. ADJUSTMENT(S) TO AGENDA** - *THERE WERE NONE*

**VI. UNFINISHED BUSINESS** - *NONE*

**VII. NEW BUSINESS**

a) Opening/Award of Bid(s) for Sale of City Property – 45&47 Third Street - Tax Map I7-0D1-10/11

The City Clerk updates Council that there were no bids received.

**MOTION** REPOLE **SECOND** SCOTT EMERY **(PASSED 5-0)**

To table this matter and revisit it this Spring.

b) Opening/Award of Bid(s) for (2) 1-Ton Spanco Crane Hoists - \$1,000 Each

The City Clerk updates Council that there was one bid received. Council President, Gilbert Murphy, proceeds with the opening of the bid received.

**MOTION** REPOLE **SECOND** SCOTT EMERY **(PASSED 5-0)**

To accept and award the bid for the sale of the (2) 1-Ton Spanco Crane Hoists to Quoddy Bay Lobster of 7 Sea Street, Eastport, Maine for an amount of \$2,500.00 and acceptance of a check in the amount of \$250.00 reflective of a 10% deposit and that all monies received from this sale is to go into the mill account.

c) Council Approval to Expend \$10,000 from Special Reserves (Boat Ramp) for Dredging

The City Manager reminds the Council that they had previously voted to expend \$50,000 of the boat ramp reserve fund on doing dredging around the boat ramp and the \$50,000 is an estimate as various Councilors and fisherman have looked at the site, and it was felt by taking another couple of days of doing a little further dredging it would allow boats better access down to a -3 tide and what is needed is an official vote to expend money from the boat ramp fund for that complete dredging project.

**MOTION** REPOLE **SECOND** BRADBURY **(PASSED 4-1)**

*Councilor Shannon Emery Voted "NO"*

To authorize expending \$10,000 from Special Reserves, the Boat Ramp part of the fund, for dredging.

d) Set Interest Rate for Past Due Invoices Related to Airport Billings  
(requested by Steve Trieber)

**MOTION** BRADBURY **SECOND** REPOLE **(PASSED 5-0)**  
To table this until the next Council meeting.

e) Request from Eastport School Department – Release/Cashing of CD - \$17,000.00

**MOTION** BRADBURY **SECOND** REPOLE **(PASSED 5-0)**  
To accept and approve the request from the Eastport School Department to authorize the release/cashing of a CD with the Bangor Savings for an amount of \$17,000.00.

f) Signing of Resolution for Indigenous People's Day

**MOTION** BRADBURY **SECOND** REPOLE **(PASSED 5-0)**  
To approve the signing of the Resolution for Indigenous People's Day as submitted.

g) Council Liaison/Manager Updates

The City Manager updates that the board members of the Marion Transfer Station has voted to reduce the tipping fees from .07 cents per pound down to .05 cents per pound which is equivalent of a savings to Eastport to of approximately \$50,000 per year. This reduction in fees will be effective January 1<sup>st</sup>, 2018. Councilor Repole has about the tonnage and the City Manager responds that it has reduced compared to over the years and it is a direct result of the increase to recycling. She further comments to say although we have November and December to get through still with December being the larger of the two; she anticipates maybe about \$15,000 being left in the Solid Waste budget line.

**MOTION** REPOLE **SECOND** SCOTT EMERY **(PASSED 5-0)**  
To accept the liaison/manager updates as presented.

h) Council Approval of Consent Agenda

Legal Counsel, Dennis Mahar, refers to the Consent Agenda, Item F that it reads the scheduling of a public hearing for 12/13/2017 on a Marijuana Moratorium and that it should read "Ordinance". The City Manager confirms it should have read "Ordinance" and that it was a typing error and the City Clerk extends her apology for this oversight.

**MOTION** REPOLE **SECOND** SCOTT EMERY **(PASSED 5-0)**  
To approve the Consent Agenda as submitted.

**VIII. COUNCIL ISSUES**

THERE WERE NONE.

**IX. ADJOURN**

MOTION REPOLE

To adjourn.

SECOND BRADBURY (PASSED 5-0) TIME: 6:30 P.M.