

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 13th, 2017
SHEAD HIGH SCHOOL - BAND ROOM - 6:00 P.M.**

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

(Reference WS700305 & 700306)

<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. § 495(6)(E)</i>
<u> </u> Poverty Abatement Application	<i>Title 36 M.R.S.A. § 841</i>

Those in Attendance: Councilor Scott 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. **Those Absent:** Councilor Hailley Bradbury and Councilor Shannon Emery.

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

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0) TIME: 5:31 P.M.**
To go into Executive Session for Personnel Matters under *Title 1 M.R.S.A. § 405(6)(A)*; Real Property or Economic Development under *Title 1 M.R.S.A. § 405(6)(C)*; and for Consultation with Legal Counsel under *Title 1 M.R.S.A. § 405(6)(E)*.

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0) TIME: 5:50 P.M.**
To come out of Executive Session.

Council President, Gilbert Murphy, reads a proclamation recognizing Councilor Mary Repole's tenure as City Councilor for the City of Eastport.

REGULAR COUNCIL MEETING

(Reference WS700307)

Those in Attendance: Councilor Scott 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. **Those Absent:** Councilor Hailley Bradbury and Councilor Shannon Emery.

Attendees in the Audience: Officer Mark Emery, Officer David Chapais, Officer Ethan Stevens, Jamie Bacon, Bill Condon, Robert Scott, Lora Whelan, Gordon Smith, Peter Repole, and Jon McNerney.

I. CALL TO ORDER - Council President called the meeting to order at 6:00 p.m.

II. ACTION from EXECUTIVE SESSION

MOTION REPOLE SECOND SCOTT EMERY (PASSED 3-0)

To approve and authorize the City Treasurer to cut a refund check to the homeowner of real estate account #1020, referencing tax map J7-0A1-05, for an amount of \$385.14 which is a result of an overpayment.

III. PUBLIC HEARING(s)

Council President opens this portion of the meeting for the public hearings at 6:02 p.m.

New Victualer License – Bill Condon – Leasing of Seaview Campground

Bill Condon from the audience addresses the Council and informs them that this is for the restaurant portion of the campground. Council President calls for comments from the Council and the audience. There were none.

New Victualer License – Jamie Bacon – d/b/a Moose Isle Inn – Bed & Breakfast

Ms. Bacon introduces herself to the Council. Council President calls for comments from the Council and the audience. There were none.

Disadvantaged Business Enterprise – Re: Airport

The City Manager explains that the “DBE” plan is part of the United States Department of Transportation and that it is a program that is meant to level the playing field between disadvantaged counties and “for profit” businesses as it relates to federally funded projects. She further explains that the City has had a “DBE” in place for years and that it needs to be renewed every three years and this is the purpose of this public hearing. Council President calls for comments from the Council and the audience and there were none.

Recreational Marijuana Ordinance

Council President calls for comments from the Council and the audience. Gordon Smith of the audience addresses Council for clarification of the meaning and purpose of the Ordinance, should it be passed, in terms of where things are right now. Council explains that this Ordinance will protect the City so that it does not get out of hand. Legal Counsel, Dennis Mahar, further comments to say that it may need tweaking once State has decided what it is going to do that and they have until February 1st, 2018. There were no other comments brought forth.

Council President declares the public hearings closed at 6:05 p.m.

IV. ACTION ON PUBLIC HEARING(s)

New Victualer License – Bill Condon – Leasing of Seaview Campground

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To approve and authorize a new Victualer License for Bill Condon for the restaurant portion of the Seaview Campground.

New Victualer License – Jamie Bacon – d/b/a Moose Isle Inn – Bed & Breakfast

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To approve and authorize a new Victualer License for Jamie Bacon d/b/a Moose Isle Inn a Bed and Breakfast.

Disadvantaged Business Enterprise

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To approve and authorize the renewal of the Disadvantaged Business Enterprise program for the City of Eastport.

Recreational Marijuana Ordinance

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To approve the Recreational Marijuana Ordinance as presented and submitted.

V. ADJUSTMENTS TO AGENDA - NONE

VI. UNFINISHED BUSINESS - NONE

VII. NEW BUSINESS

a) Council Approval to Put Out to Bid LED Lighting for City Hall

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To approve and authorize putting out to bid for LED lighting for City Hall.

b) Council Approval for the Purchase of a Police Cruiser

Jon McNerney from the audience asks why we are buying a truck. Council President reaffirms that it is not a pickup truck and that it is an SUV Ford Explorer. McNerney further asks why the submission from the two dealers are not the same and if there were specifications sent out to them.

City Manager, Elaine Abbott, answers the second portion of the questions in that those vehicles are what they have on the lot and not a special order.

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To authorize the purchase of a 2017 Ford Explorer police cruiser and to trade in the City's 2013 Ford Taurus police cruiser to Darling's for the amount of \$4,500.00 to be used towards the purchase price of new cruiser, and to also accept a \$5,000.00 donation from the Eastport Port Authority to be utilized to equip the new police cruiser and the remaining funds are to be put towards the principal on the new loan of the new cruiser of an amount of \$27,989.00 financed through The First bank at 2.45% over four years.

c) Council Approval to Accept Donation from AARP Maine/Age Friendly - \$3,500

The City Manager updates that she has written a grant with AARP for assistance with help for resurfacing our tennis courts of which they have given us \$3,500.00.

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To approve and accept a donation from AARP Maine/Age Friendly for an amount of \$3,500 to assist with the cost of resurfacing the City's tennis courts.

d) Set Interest Rate for Past Due Invoices Related to Airport Billings

The Council looks to the City Manager as to what is being asked as the Airport Manager, Steve Trieber, is not present. Elaine Abbott, the City Manager, comments to say that it is her understanding that there are times when the card reader does not work and they call Steve Trieber and he then goes out and manually overrides and will generate and send out a bill. Thus, he would like to establish an interest rate should a bill not be paid within thirty days. Council Scott Emery asks if Mr. Trieber has specified any type of rate. The City Manager informs Council that she reached out to the City's legal counsel to see if we are limited to interest rates that the State dictates. A comment came that first and foremost it should be looked into to get the card reader working properly. Other discussion took place about interest rates vs. a late fee. Legal Counsel informs Council that a late fee is a finance charge and that it requires a signature. The City Manager will confer with Legal Counsel and they will reach out to the Airport Manager.

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**

To table.

e) COUNCIL LIAISON/MANAGER UPDATES

The City Manager reports that between the regular deer season and the special hunt the unofficial total of the deer taken was 61 and she is very pleased to announce that there were no ticks found on any of them.

She continues further to update that the boat ramp has been under construction and that they are hopeful that it will be finished and open by Wednesday as they are just waiting for warmer weather for the final coating of the sealant.

She extends out a thank you to Leo Kowal for a panoramic picture which he took with his drone of the breakwater and the fish pier that he has given to the City and she welcomes everyone to come see it at City Hall.

The City Manager also updates Council that the City is in receipt of a letter from the Commissioner of Aeronautics of Oklahoma who visited Eastport as a pilot and was very impressed with the airport and their volunteers.

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**
To accept the reports as presented and given by the City Manager.

f) COUNCIL APPROVAL of CONSENT AGENDA

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0)**
To approve the consent agenda as submitted.

VIII. COUNCIL ISSUES

Discussion of Port Operation (*requested by Councilor Shannon Emery*)

Councilor Shannon Emery not in attendance, this discussion did not take place.

IX. ADJOURN

MOTION REPOLE **SECOND** SCOTT EMERY **(PASSED 3-0) TIME: 6:20 P.M.**
To adjourn.