

**CITY OF EASTPORT
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 20th, 2019
SHEAD HIGH SCHOOL - BAND ROOM - 6:00 P.M.**

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

(Recording Reference WS700351 & 352)

X Personnel Matters

Title 1 M.R.S.A. § 405(6)(A)

X Real Property or Economic Development

Title 1 M.R.S.A. § 405(6)(C)

 Labor Negotiations

Title 1 M.R.S.A. § 405(6)(D)

X Consultation w/Legal Counsel

Title 1 M.R.S.A. § 405(6)(E)

 Poverty Abatement Application

Title 36 M.R.S.A. § 841

The City Manager and City Clerk informs Council there is no longer a need for Personnel Matters in Executive Session.

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

To go into Executive Session under *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** PEACOCK **(PASSED 4-0) TIME: 6:00p.m.**

To come out of Executive Session

Those in Attendance: Council President, Roscoe Archer, III, Councilor Scott Emery, Councilor Hailley Bradbury, and Councilor Jeanne Peacock. Also present were City Manager, Ross Argir, City Clerk, Ella Kowal; and Legal Counsel, Dennis Mahar. **Those Absent:** Councilor Peter Small.

Audience Attendance: Jana Sutherland, Jesse Sutherland, Will Bradbury, Meg McGarvey, Michael Morse, Lora Whelan, Howie Johnson, Elizabeth Hastings-Renner, and Dana Malare-the Rep with Nortrax.

REGULAR COUNCIL MEETING

(Recording Reference WS700353)

I. CALL TO ORDER

Council President, Roscoe Archer, III called the meeting to order at 6:01 p.m.

II. ACTION from EXECUTIVE SESSION

MOTION PEACOCK **SECOND** EMERY **(PASSED 4-0)**

To authorize and approve the City Manager, Ross Argir, to extend Samra Kuseybi's listing contract as realtor for the City to November 24th, 2019.

MOTION BRADBURY **SECOND** EMERY **(PASSED 4-0)**

To **approve an increase** to the the rental rate at the mill building, *exclusive of and not to include the vehicle storage*, from .14 cents per square foot to .20 cents per square foot.

MOTION PEACOCK **SECOND** BRADBURY **(PASSED 4-0)**

To *extend the purchase and sale agreement* for the sale of 78 High Street out by sixty days.

III. PUBLIC HEARING(S) - THERE WERE NONE

IV. ACTION on PUBLIC HEARING(s) - NOT APPLICABLE

V. ADJUSTMENTS to AGENDA

The City Clerk and the City Manager address the Council with a request brought forward by Michael Morse to make an adjustment to the agenda to *add (i) “Renaming” of the Eastport Downtown Development Committee* under Item VII - New Business.

MOTION PEACOCK **SECOND** EMERY **(PASSED 4-0)**

To approve an adjustment to the agenda to add “i” under Item VII New Business for the Renaming of the Eastport Downtown Committee.

VI. UNFINISHED BUSINESS - NONE

VII. NEW BUSINESS

a) “Raise the Floor Initiative” - Mark Robinson

The City Manager, Ross Argir, updates Council that he has reached out several times to Mr. Robinson within the last two weeks but has been unable to make contact with him. Mr. Argir addresses the audience and he was not in attendance. Mr. Argir updates Council that Mr. Robinson had previously reached out to the City to address them relative to various types of school funding.

b) Council Approval for Purchase of Backhoe

The City Manager, Ross Argir, addresses Council and informs that the City's current backhoe is a 2005 and has become unreliable and that we have expended \$19,000 out in repairs on said backhoe in this current fiscal year. He also makes reference to two quotes received. One from Beauregard for a "Case" backhoe and the other from Nortrax for a "John Deere" backhoe with both quotes reflective of a trade-in of our current backhoe. He further comments to say that the "John Deere" quote comes in at \$74,000.00 with the trade-in factored into the quote and that it also comes with, at no extra cost, a 36-month extended warranty on the power train and hydraulics of the backhoe. The City Manager emphasizes that the Public Works Director, Howie Johnson, affirms that both of these quote are comparable machines and that the only difference in them is the color. He continues to say that the initial quote received was for \$76,700.00 and they recontacted us with a new quote of \$71,700.00.

Councilor Jeanne Peacock asks what warranty comes with the "Case" machine. The City Manager responds it is a one full year warranty, bumper to bumper.; 2-year power train; and a 3-year GS monitoring system.

Council President asks where they gained the extra \$5,000.00. The City Manager responds that it was through a municipal discount that was not erroneously applied on their first quote. He further comments to say that the Public Works Director wanted to be sure that Council know that the John Deere comes with a set of spare tires whereas the "Case" does not. The City Manager also informs the Council that our current backhoe is a "Case" and that we have a set of spare tires and in used condition.

Councilor Jeanne Peacock asks for the cost of new tires, and the City Manager responds that he understands it to be between \$2,000.00 and \$3,000.00.

Public Works Director, Howie Johnson, addresses the Council to let them know that the representative for Nortrax is here for any questions that the Council may have.

Dana Malare with Nortrax addresses Council and introduces himself and notes that they are based out of Bangor. He also updates that their quote for the "John Deere" has an offer of a 5-year GPS which allows the Public Works Director or an Administrator to track the machines health which will also be done conincidingly with Nortrax. If there were to be a problem with the machine, there would be an alert, that would go to the Public Works Director, by way of an email to his phone as well as one would go out to the dealership as well of the problem. He also notes that the GPS gives the ability to track fuel. He informs that the "John Deere" comes with two open doors as opposed to one.

The City Manager addresses the Council to say that the Passamaquoddy Water District has a "John Deere" and that they have expertise and knowledge. Councilor Jeanne Peacock has Council President, Roscoe Archer, III, if he ever operated that machine and he responded he did and liked it. He notes also that the "Case" is good too but the controls are backwards and it takes some getting use to and that the boom had to be locked into also.

The City Manager informs Council the purchase, for whatever machine is decided, would be financed through The First at 3.02% for a period of five years with the first payment to be made in November of 2019 which would be into the new budget year. The Council President asks what the payment would be. The City Manager responded it would be approximately \$6,500.00 per month, and if we were to carry the loans to term, the total cost would be \$80,800.00 for the "John Deere" and approximately \$74,000.00 for the "Case".

Councilor Bradbury asks if there is a municipal discount with the "John Deere". Mr. Malare with Notrax responds that he did go to bat and that initial discount was provided in the January quote. He also reminds Council that this quote includes the two spare tires. Councilor Bradbury asks if he can give an exact value for the four spare tires. He clarifies that the quote is for two spare tires and the rims, one front and one rear, which he believed to be approximately \$2,700.00. Council President comments to say that it isn't always good to go with the cheapest. Councilor Scott Emery asks the Public Works Director, Howie Johnson, what his thoughts are. He responds to say that he hasn't dealt with the John Deere office directly but has called the Case office and he generally is told that they will get back to you and do not hear from them until we make the return call.

MOTION PEACOCK SECOND EMERY (PASSED 4-0)

To authorize the purchase of a backhoe and to accept the bid from Nortrax, Inc. for a John Deere 310L EP Backhoe for an amount of \$74,000.00 as submitted to approve the financing with The First bank over a period of five years at an interest rate of 3.02% with the first payment due in November of 2019 and to come out of the capital reserve fund.

c) Council Authorization to Store School Buses at the Mill (requested by Councilor Bradbury)

Councilor Hailley Bradbury addresses Council in that this is a request that she is bringing forward and the reason we rent space at the mill is to offset the tax burden. She comments to say that we spend tax dollars to maintain the buses which a part of that goes towards heating them daily for several hours with block heaters to bring them to a temperature that is usable. She feels this would be a good utilization of space, which is temperature controlled, to help relieve the tax burden. She continues to say that there are a few school board members in attendance who may want to speak to this. Will Bradbury responds to say that they are all there for different reasons. Will Bradbury speaks to that they do have to hook the buses up to a block heater at night to charge them and then run them for about a half hour. To store them it would help with the time it takes to clean them off and that it just makes sense and it really doesn't matter if they pay .20 cents per foot as it all comes out of the same pocket. He continues to say if there is space in the mill, it would help their program to keep them there during the winter. He comments that Keith Hallowell who services the buses is very interested in this and said that he has done a lot of research as to whether rest is inhibited or not by keeping it at a warmer temp, but they would like to try it as there are other a lot of other factors other than just rust.

Councilor Peacock if there is space. The City Manager clarifies that we have our seasonal vehicle storage of the mill which is the Tex-Shield portion and he believes he understands that this is what the request is being made for. There is space but with challenges. One of which is another area for the Public Works to keep that area clear for when school is not cancelled and with they already have to take care of, it would be another location that requires a demand to get to in a timely fashion. That space is normally kept shut up during the winter. He also notes that heating the mill is a concern and with the opening of the overhead door there would be an amount of heating costs lost. He also notes that this space is a secured area and with additional access, it would devalue the space.

Will Bradbury speaks to that he believes those who have vehicle storage are taxpayers and that we do plow out the school buses at the Fire Department as it is. Council President expresses concern with the cement floor heat. Howe Johnson, the Public Works Director, has asked if Elaine has mentioned whether or not someone had an interest in renting the whole side. The City Manager responded that she had not mentioned it to him. Howie suggests checking as he thought there was interest in renting that entire side. Council President emphasizes his concern with the concrete floor and the amount of salt that would be coming in and then water and if it freezes and we do lose the heat when the overhead door is open frequently. The salt and water will eat away at the floor. Councilor Jeanne Peacock notes that the City of Calais uses power washers and maybe that is something to consider. Will Bradbury responds to say that the main thing is to cut out the block heaters which will cut down the costs to the taxpayers and to start up the buses and to increase the busing more to have an increase to the enrollment here which will in turn bring in more revenue. He notes that busing outside the City brings in about \$10,000.00. Ross Lawrence from the audience comments to say that the cost of the rental is hardly comparable to the cost of the power. Councilor Hailley Bradbury speaks to the space being currently available to rent and that it is not a loss of rental money. She further comments to say that the City spends money to heat that space whether the vehicles are in it or not and she emphasizes that they are not speaking of space that is currently being rented and is space that is not being used right now. Howie confirms for the Council that vehicle space is charged for storage at \$.55 cents per square foot. Will Bradbury states that the school can pay for it but that the money comes from the same pot. Councilor Hailley Bradbury speaks to the fact that taxpayers pay to replace buses, for maintenance of the buses, as well as to heat the space. She feels it makes sense to utilize taxpayer's dollars on both ends. It would help to maintain the buses and save money in the long run. She comments to say that she is simply suggesting that it is something that they try and feels that it is an opportunity to try given the time of year and to take a look at what several months does in terms of savings. It wouldn't necessarily be required to store them in the summer time. The opportunity would allow us to see what it does do to the cement floor and the impact it will have overall. Councilor Scott Emery comments to say that if it does something to the cement floor then it would be too late then and Council President agreed. Council

President reminds that for each time the big door is opened, the furnace will pound as it is radiant heat. Each time something cold comes in, it triggers the furnace to come on. Councilor Scott Emery reminds that Howie has brought to our attention that the storage of the vehicles out there now are high priced vehicles, i.e. campers, boats, trailers, etc. Councilor Hailley Bradbury asks what the revenue is that we take in for that storage. Councilor Emery responds to say that it would cost more for the opening and closing of the door at the mill than what it would cost for the block heaters. Will Bradbury comments to say that they would like to try it but that it is City space and that they would pay one way or the other. Councilor Hailley Bradbury asks how often buses are being replaced. Will Bradbury responds that they are spending about \$15,000.00 per year on buses with two payments of \$20,000.00 along with buying another bus. Typically, they last ten years. He continues further to say that if they hold on to it for fifteen years, the State will give the school a subsidy for the buses that are less than fifteen years. He also notes that they put approximately 10,000 to 15,000 miles per year on the buses. Will Bradbury asks how much revenue comes to the City off of the rental space at the mill. The City Manager responds to say that he will look at the budget to see what that figure is. He states that the vehicle storage has brought in revenue of \$13,664.00 fiscal year to date. Mr. Bradbury states that they aren't even sure if it will help save on the maintenance of the buses. He does feel it will help with starting the buses when it is cold. He states that it is the City's space but they are City school buses also and it is up to the City to decide. He makes note that the Fire Trucks are not kept outside.

**MOTION BRADBURY SECOND PEACOCK (2 VOTED "YES")
(2 VOTED "NO")**

Councilor Bradbury & Councilor Peacock Voted "YES"
Councilor Emery & Councilor Archer Voted "NO"
& 2 VOTED "NO")

To approve a trial period to store the school buses at the mill space.

Council President, Roscoe Archer, III, shares the importance of having a full board when voting and suggests bringing it back to Council when the board is in full attendance at the next meeting. The City Manager also makes a suggestion that the School Board come up with a policy to address some of the issues/concerns raised. Council President emphasizes that he does not want maintenance done in the space. Will Bradbury responds to say that the school could seal the floor. Councilor Hailley Bradbury shares with Council that she is aware that the doors are open with or without the buses being stored there. Will Bradbury will see what he can do to provide more data.

MOTION PEACOCK SECOND BRADBURY (PASSED 4-0)

To revisit the request to store school buses at the Mill at the next Council meeting on March 13th, 2019.

d) Accept \$65,000 USDA Grant – Technical Assistance & Strategic Planning

The City Manager updates Council that this is a USDA Rural Development Grant awarded to Raye's Mustard and the City of Eastport and reads the wording from the award.

MOTION BRADBURY **SECOND** PEACOCK **(PASSED 4-0)**

To approve accepting the \$65,000 USDA Grant for Technical Assistance & Strategic Planning.

e) Appointment of Earl Small to Fill the Unexpired Term (for Hollis Ferguson) as Port Authority Board member up to January 1st, 2020

MOTION EMERY **SECOND** PEACOCK **(PASSED 4-0)**

To approve the appointment of Earl Small to Fill the Unexpired Term for Hollis Ferguson as Port Authority Board member up to January 1st, 2020.

f) Authorization to Apply for a \$5,000.00 Maine Community Foundation Grant

The City Manager updates the Council that this is a \$5,000.00 grant for a community building for the park being developed out in Quoddy Village and that the deadline was last Friday and that he has applied for the grant for playground equipment as well as funding for signage. Councilor Jeanne Peacock comments to say that she is pleased to see this happening as there are children in the village and there is not much there for them now.

MOTION BRADBURY **SECOND** EMERY **(PASSED 4-0)**

To authorize and approve applying for and submitting application for a \$5,000.00 Maine Community Foundation Grant.

g) Council Liaison/Manager Updates

The City Manager updates that he and Councilor Bradbury went to the Passamaquoddy Water District for a better understanding of the processes and records. He also informs that they will be providing monthly reports of what they are doing such as the infrastructure improvements and any changes. Councilor Emery asks if the water quality is going to improve. The City Manager responds that this is out of the City's hands and comments that the reports will cover matters such as those. Councilor Bradbury responded to say that they clarified about the notices that are sent home and what those meant. She felt it was a very insightful visit and one matter discussed was potentially removing fluoride from the water and informs that we currently pay to add fluoride to the water and that we now have ample information that suggests that fluoride is not good to ingest and that this is a potential change that we would like to make to the water system. The City Manager responds that they also make note that it does cost substantial to add fluoride. We not only pay for adding fluoride to the water but for the required testing as well.

Councilor Jeanne Peacock updates that the Downtown Committee meet on Saturdays at the WACO Diner and they are looking at how to improve the downtown and that a notice was in the paper of a meeting scheduled at the Welcome Center on 2/21/2018 and welcomes anyone to attend.

MOTION EMERY **SECOND** BRADBURY **(PASSED 3-1)**
(Councilor Archer Voted "NO")

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

Council President updates Council that the last rain storm really did a hurting on the Wastewater Treatment Plant and it required us to dump over board. The City Manager speaks to the upgrades and will be looking to sealing and water proofing manholes. The City Manager shares data from Jeff Sullivan, the Plant Operator, in that a normally day it is about 80,000 gallons, and on a day of extreme rainfall, it is about 1,000,000 gallons.

h) Council Approval of Consent Agenda

MOTION EMERY **SECOND** PEACOCK **(PASSED 4-0)**
To approve the Consent Agenda as submitted.

i) Request to Rename the Eastport Downtown Development Committee to the Eastport Development & Growth Effort (EDGE)

MOTION BRADBURY **SECOND** PEACOCK **(PASSED 4-0)**
To approve the petition brought forth for the renaming of the Eastport Downtown Development Committee to the Eastport Development & Growth Effort (E.D.G.E.).

VIII. COUNCIL ISSUES

Councilor Jeanne Peacock comments to say it is an icy time of year and her concern for all if we could put out the word and make available information for any type of resource for buckets of sand. She also notes about a watchful eye for our elderly and the senior citizens.

IX. ADJOURN

MOTION EMERY **SECOND** PEACOCK **(PASSED 4-0) TIME: 7:10 p.m.**
To adjourn.