

CITY OF HALLOWELL, MAINE
City Council Meeting Minutes of July 11, 2016
Web Site: <http://hallowell.govoffice.com>

PRESENT: MAYOR WALKER, COUNCILORS-AT-LARGE LAPOINTE & STEARNS, WARD COUNCILORS DUFOUR, GABRION, LINDLEY, & HARVEY-MCPHERSON
ABSENT: COUNCILOR CIRCO

Mayor Walker called the Council Meeting to order.

3. COMMENTS / QUESTIONS FROM THE PUBLIC CONCERNING MATTERS NOT RELATED TO ITEMS ON THE AGENDA:

Crystal Lavallee of Brews & Views requested an extension of permit for Saturday July 16th, from 11am to 4pm. This will give Brews & Views addition outdoor space to serve alcohol on Old Hallowell day only.
Lapointe- Lindley – Move to approve request of extension of liquor license. Unanimously approved.

Dawn Gallagher, RSU#2 Director advised the Council that the RSU Board is presently working on a parking policy for parking at the high school by the tennis courts at the second trail site of Vaughan Woods. RSU does not object to public parking from dawn to dusk.

John Merrill expressed his concern that Old Hallowell Day festivities are becoming more than a one day celebration. He objects to a variance to the noise Ordinance allowing the Quarry Tap room to have excessive live outdoor music on all days other than Saturday OHD.

4. OTHER BUSINESS:

Lindley – Harvey McPherson - Move to approve a request for an extension of floor plan of the present license and renew the liquor license for The Quarry Taproom which expires August 31, 2016.
Unanimously approved

Harvey-McPherson – Lapointe -Move to approve a request from the Quarry Tap Room to have live outdoor music Friday July 15th & Saturday July 16th nights during Old Hallowell day weekend from 9pm to 1am. Council received input from Solicitor Stumpfel concerning this request found in the special amusement permit Section 7-501of the City's Ordinance.

4 Yea (Harvey-McPherson, Lapointe, Gabrion, Stearns) 2 Nay (Dufour, Lindley) Motion passed

Request from Summit Natural Gas of Maine for a road opening permit at 5 Summer Street and 14 Summer Street because Sacred Heart Church needs to replace their failed oil boiler and the propane furnace with and a gas boiler and burner for the church and parish hall buildings. Having been recently paved, the road is currently under moratorium and under Section 6-261-3-A-1 of the Revised Code of Ordinances, City of Hallowell (1997), thus only Council can approve the permit application. Stearns – Lapointe - Move to approve opening permits at 5 Summer Street and 14 Summer Street. Unanimously approved

5. ADJUSTMENTS TO AGENDA:

Harvey-McPherson - Lapointe – Motion to move Property Committee Report to Item 6D

Unanimously approved

6. CONSENT AGENDA:

- a. City Council Minutes for June 13, 2016 and special meeting on June 30, 2016.
- b. Roll of Accounts for July 11, 2016.
- c. Department/Office Reports: Treasurer, Public Works, Police, and Code Enforcement.

Lapointe-Lindley-Move acceptance of the consent agenda as presented.

Unanimously approved

6D. Property Committee Report –Disposition of Fish & Game Road Easements

Councilor Harvey-McPherson stated that the City Council accepted the property committee’s recommendation not to approve an easement on the Fish & Game road. The interested parties are present at tonight’s meeting and would like to propose a compromise that the City grants a simple year-to-year license to allow the access.

Harvey-McPherson – Gabrion -Move to approve the request of interested parties and move this discussion back to the Property Committee. Unanimously approved

7. SECOND READING OF PROPOSED AMENDMENTS TO SECTION 9-388 AND 9-390 AND SUBSECTION 2 OF SECTION 9-392 OF THE REVISED CODE OF ORDINANCES, CITY OF HALLOWELL (1997):

Mayor compliments the Planning Board & the chairperson for a great job.

The Planning Board held a public hearing on June 30, 2016 on the proposed amendments relating to permitted uses and dimensional requirements in the Stevens School Planned Development District. As a result of testimony at the hearing and further discussion of the proposed amendments during the course of the hearing, the Planning Board recommends that the City Council adopt the revised amendments to Chapter 9 as shown on the attached document (on file in the city clerk’s office). The recommended amendments are consistent with the intent of the original amendments to allow some reuse of the existing buildings and limited residential development prior to the approval of a “master plan” for the entire parcel.

Attorney Tom Federle spoke that the meeting was a constructive dialog and we were able to collectively work at a very good rewrite. We endorse these recommendations. We had a very positive experience working collaboratively with the Planning Board and we believe that the City is working with Matt to create a good product in the City’s interest.

Libby McCullum voiced her concern as why is the City is avoiding requiring the developer to provide a master plan for the Stevens School development property.

Lapointe – Harvey- McPherson - Move to approve the second reading of the changes to Section 9-388 and 9-390 and Subsection 2 of Section 9-392 of the Revised Code of Ordinances, City of Hallowell (1997), as amended. 5 Yea – 1 Nay (Gabrion) Motion approved

Stearns – Harvey-McPherson - Move to suspend rules to allow for Third Reading of Said Amendments. 5 Yea – 1 Nay (Gabrion) Motion approved

8. THIRD READING OF PROPOSED AMENDMENTS TO SECTION 9-388 AND 9-390 AND SUBSECTION 2 OF SECTION 9-392 OF THE REVISED CODE OF ORDINANCES, CITY OF HALLOWELL (1997):

Stearns – Lapointe - Move to approve the third reading of the changes to Section 9-388 and 9-390 and Subsection 2 of Section 9-392 of the Revised Code of Ordinances, City of Hallowell (1997).

5 Yea – 1 Nay (Gabrion) Motion approved

9. CITY ACCOUNTS FOR DONATIONS ACCEPTED TO ADVANCE PUBLICALLY FUNDED PROJECTS:

Lapointe – Lindley - Move to direct City staff to create sub-accounts for donations accepted to advance Council-approved, publically funded projects that may occur in public spaces and / or on City property, and to refer to the Finance Committee further discussion of fiscal policy around accepting and managing these and future donations. Unanimously approved

10. FIRST READING OF PROPOSED AMENDMENT TO FARMER’S MARKET ORDINANCE LANGUAGE:

Harvey-McPherson – Gabrion - Move to approve first reading of amendment to reduce fee from \$125 to \$25 per vendor of the farmer’s market on private property.
Councilor Dufour requests this fee be retroactive to May 1st, 2016. Unanimously approved

11. COUNCIL COMMITTEE REPORTS:

- **Finance** -Budget update

Total expenses of the proposed FY 2017 Budget for the second reading is \$5,664,023, a 4.01 percent increase. Total revenues of the proposed FY 2017 Budget for the second reading is \$5,313,745, an increase of 4.05% from FY16. The second reading does not include a tax revenue increase at this time because the assessing process is not yet completed, Property tax revenues are an estimate of a one percent increase recommended by staff.

The Finance Committee joined councilors, planning board members and others for a site visit of Stevens School complex.

- **Personnel + Policy**

- Recommendation to fund seasonal, part time grounds maintenance and part time parking enforcement position – Committee recommends the city manager post these positions.
- Whistleblower Protection policy – Councilor Dufour asked the Council for direction for a whistleblower policy to be added to the Personal policy. Consensus of the Council is for the Committee to draft a whistleblower policy for employees/city officials and a policy for citizen complaints against the City.
- David Wood – Hallowell Bicycle/Pedestrian Advisory Committee request that the crosswalks and bike pathways Downtown be repainted. They were painted last year in early July. There will be a bike event traveling through Hallowell July 30th – August 6th.

- **Property + Lands** – See 6D

- **Protection** -Recommendation to institute a parking ban on roads and streets around the entrance to the Vaughan Woods.

Lindley – Dufour – Move first reading of proposed parking ban Ordinance amendment (Section 4-405) to include language and diagram in item 11d.

This Ordinance change will eliminate parking on the north and south sides of Litchfield road west to the turnpike, and both sides of Second Street, Summer Street, and Middle Street to Grove Street. These streets would be posted no parking. Councilor Harvey-McPherson would like to hear public comment before the second reading. Vaughan Homestead will be providing the Council data on this summer’s visitors and parking to the Homestead. Expansion of the off street parking area at the trailhead only accommodates 12-14 cars. There is a second trailhead for Vaughan Woods adjacent to the Hall-Dale HS tennis courts. The Homestead currently has permission to utilize parking at the high school after school hours and during the summer.

5 Yea – 1 Nay(Stearns) Motion approved

12. COUNCIL COMMITTEE MEETINGS TO BE HELD PRIOR TO AUGUST MEETING:

- Cemetery
- Health & Welfare
- Claims
- Highway
- Property
- Finance

13. CITY MANAGER'S APPOINTMENTS/REPORT:

- **Administration Staffing Update** - Diane Polky has become City Clerk and Dan Kelley is her Deputy. The City will not fund the Assistant Clerk position at this time. Maureen AuCoin an independent contract is currently finishing the assessing work to be done so the Board of Assessors will be ready for the FY 2015-2016 tax commitment. We will post the CEO position immediately.
- **Public Works safety enhancements around crosswalks on Water Street** – Two parking spaces Downtown next to a crosswalk have been blacken over (eliminated) by the City at two separate occasions to increase visibility at the intersection. Someone has remarked the parking lines. After a brief discussion of blacken over spaces on Water Street for pedestrian safety, the consensus of the Council is that these spaces be no parking and stripe these spaces yellow.

14. MAYOR'S APPOINTMENTS/REPORT -MMA Legislative Policy Committee Nominations

Lindley-Lapointe -Move to elect Managers Scott Morelli and Curtis Lund to MMA Legislative Policy Committee. Unanimously approved

15. ACCEPTANCE OF DONATIONS FOR PRESERVATION OF OLD TOWN HALL / FIRE STATION:

Lindley – Lapointe -Move to accept a donation from Terry Berry in the amount of \$100 per month for a full year (\$1,200) and deposit in the Fire Station Androscoggin Bank reserve fund. Unanimously approved

16. EXECUTIVE SESSION FOR DELIBERATION REGARDING ECONOMIC DEVELOPMENT ACTIVITY:

Lapointe – Gabrion -Move to enter executive session pursuant to 1 M.R.S.A § 405(6)(C) Economic Development. City Manager Nate Rudy, City Solicitor Eric Stumpf, City Treasurer Dawna Myrick, and City Clerk Diane Polky were invited to join the executive session. Unanimously approved

Lapointe – Gabrion - Move to come out of executive session. Unanimously approved

17. Lapointe – Lindley – Move that the City Council will concur with the Finance Committee and seek a bond up to 2.1 million dollars with the Maine Bond Bank conditional upon voter approval. Unanimously approved

Items that will be covered under this bond will be under negotiation. November rates are 3.4 percent for 20 years, 3.7 percent for 25 years and 3.2 percent for a 30 year loan. Council will try to be ready to participate in the Fall Maine Bond Bank program which has a deadline of August 3rd.

18. SECOND READING OF ORDER 16-0, ADOPTION OF THE FY 2016/2017 MUNICIPAL EXPENDITURE BUDGET:

Lapointe – Lindley -Move Council approves second reading of Order 16-0, adoption of the FY 2016/2017 municipal expenditure budget as amended. Unanimously approved

19. SECOND READING OF ORDER 16-0, ADOPTION OF THE FY 2016/2017 MUNICIPAL REVENUE BUDGET:

Lindley – Lapointe - Move Council approves second reading of Order 16-0, adoption of the FY 2016/2017 municipal revenue budget as amended. Unanimously approved

20. EXECUTIVE SESSION FOR LEGAL CLAIM:

Lapointe – Lindley- Move to enter executive session pursuant to 1 M.R.S.A § 405(6)(E) for discussion of a legal matter related to Personnel. Unanimously approved

Lindley-Lapointe - Move to come out of executive session. Unanimously approved

21. Gabrion - Lindley- Motion to Adjourn Unanimously approved

*Diane D Polky
City Clerk*