



CITY COUNCIL MEETING MINUTES of January 11, 2016

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

Mayor Walker called the Council Meeting to order.

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

Cary Colwell presented an Auditorium Rental Agreement from the Board of Trade for the Mardi Gras Ball on February 6th asking for the fee to be waived and approval for liquor to be served by Quarry Tap Room. Also to approve a parade permit for the same day.

Lapointe – Lindley - Move to approve the Board of Trade’s parade permit, liquor request and rental fee waiver but no glitter. Unanimously approved

4. PUBLIC HEARING: DANGEROUS BUILDING, 8 SAMPSONS ROW (Item 4)

Mayor Walker called the public hearing to order.

CEO AuCoin stated that she missed a step in the hearing notification process. All the interested parties were notified by certified mail and she felt confident that they all got notice. But she asked that the hearing be postponed until next month because the correct process required a Sheriff’s Service Notice to the interested parties.

Mayor Walked closed the public hearing.

5. OTHER BUSINESS: CORRECTIVE ACTION FOR DANGEROUS BUILDING

Discussion followed on how to handle dangerous building statute. Maybe a priority list could be developed. It is important to determine if properties are dangerous and not just substandard properties in need of clean-up.

6. ADJUSTMENTS TO AGENDA: None

7. CONSENT AGENDA (Items 7):

- a. City Council Minutes for the December 7, 2015 meeting and January 4, 2016 Inauguration.
- b. Roll of Accounts for January 11, 2016.
- c. Department/Office Reports: Treasurer, Public Works, Police, Code Enforcement, Fire

Harvey – McPherson – Lapointe - Move acceptance of the consent agenda as presented.

Unanimously approved

Discussion followed on whether to have paper copies of the packets.

Stearns – Lapointe - Move to discontinue delivery of paper copies of the packets unless a councilor requests it. Unanimously approved

The City Manager will email the agendas with attachments if needed to each councilor.

Stearns asked to add to the agenda Items **14A DISCUSSION ON STEVENS SCHOOL and 14B DISCUSSION ON THE CITY ATTORNEY.**

8. NON-RESIDENT REQUEST TO PURCHASE CEMETERY LOTS (Item 8):

Lindley – Lapointe - Move to approve the sale of two cemetery lots to Philip Drummond, as recommended by the Cemetery Trustees. Unanimously approved

9. ACCEPTANCE OF PROPERTY: FIRE DEPT. BOAT AND CHRISOPHER CART PAINTINGS (Item 9)

Lindley – Lapointe - Move to accept property on behalf of the City. Unanimously approved

10. ACCEPTANCE OF DONATIONS FOR PRESERVATION OF OLD TOWN HALL/FIRE STATION. (Item 10)

Lindley – Gabrion - Move to accept the donation from the Hallowell Citizens Initiative Committee on behalf of the donors shown in Item 10 in the amount of \$1041.00 for month of December 2015 and deposit in the Fire Station Androscoggin Bank reserve fund. Unanimously approved

Councilor Harvey-McPherson Chair of the Property Committee extended an invitation to the Fire Chief to attend any of the Property Committee Meetings.

11. COUNCIL COMMITTEE REPORTS (Item 11):

- Property Committee - Policy on Sale of City Property

Chair Councilor Harvey-McPherson presented a list of City owned property. This list was developed to show what properties the City owns. They identified two pieces of property that are unique – one is a lot down on the waterfront and one is a lot on outer Central Street by the overpass that was once intended to be an industrial park. The committee recommended the Council develop a policy on “Disposition of City Owned Property”. They have a policy example from the Town of Readfield that the committee thinks could be used as a guide and asked for approval from the Council to work on the policy.

Harvey-McPherson – Lapointe - Move the Property Committee be directed to develop a policy on Disposition of City Owned Property for Council consideration.

It was suggested to include in this comprehensive inventory properties that might not show up anywhere else, such as: liens, easements, tax acquired but occupied properties, CDBG loans, etc. For the long term it was suggested the tax maps be put on a software program for easier updating and sorting.

This was the intent of the Council without a vote taken.

Councilor Harvey-McPherson stated that last spring the Property Committee updated the rental fees & policy for the auditorium but there was no wording put in for the City Manager to waive the fees so each request needs to come before the Council.

Harvey-McPherson – Stearns - Move to direct the Property Committee to revisit the documents the committee approved last spring to see if there is agreement around creating a waiver framework that they would recommend for the City Manager to have to implement.

Unanimously approved

- Personnel Committee - Code of Conduct draft

Chair Councilor Lapointe stated the committee met and developed the new draft of the Code of Conduct after several comments at the previous council meeting. Some of the comments that the committee has addressed in this new draft were: need to check for consistency with ordinances, to check with City Attorney if Council approves the general tenor of the code and final approval would occur after City Attorney review, all responses to a councilor need to go to the entire council, and Councilors should not disrupt City staff while in a meeting or on the phone, etc. The

recommendation of the committee was to give the Council two weeks until January 25th to make comments and then the committee would prepare a new draft based on the comments for the February Meeting. Contacting the City Attorney piece should be a separate policy.

Lindley – Gabrion - Move to first change the name of the Council Personnel Committee to Personnel and Policy Committee and to look at the purpose and charge/mission of the other Council Committees. Unanimously approved

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

Charter Commission
Personnel and Policy Committee
Finance Committee
Property Committee

13. CITY MANAGER’S REPORT (Item 13):

City Manager Pakulski told the Council that the City received a notice of violation from DEP that was not in his written report regarding the slip line culverts on Central Street and he will be meeting with them to talk about a possible after the fact permit for any corrective action they might seek from the City. Sidewalk work being captured in a five year capital plan was suggested.

14. MAYOR’S APPOINTMENTS/REPORT (Item 14):

Mayor Walker stated that he and the City Manager met with Frank O’Hara Chair Parking/Alternative Transportation Committee and he is going to develop a strategy and set meetings. This committee has two functions – Water Street reconstruction and permanent parking solutions.

New appointments to this committee: Chair Frank O’Hara, Carolyn Manson, Lynn Irish, Ray Hicks, Kim Gleason, Amy Cole Ives, Ruth LaChance, Councilor Gabrion

Arts and Cultural Committee – Chair Deb Fahy; Sam Webber; Bob McIntire; Cary Colwell; Bruce Mayo; Richard Bostwick; Ellen Gibson; Jim McKenna; Mark Blythe, Hubbard Library; Jonathan French; Donna DeBlois; Judy Skehan

Solid Waste Advisory Committee – (5 Members - 2 year staggered terms)

Chair Susan Farnsworth – 18; Richard Seymour – 18; Jennifer McGowan – 17; Clyde Williams – 17; Dana Leeper – 18; Councilor Lindley and City Manager

Lapointe – Dufour - Move to approve the Mayor’s appointments. Unanimously approved

14A DISCUSSION ON STEVENS SCHOOL

Discussion followed on the Stevens School - The Mayor felt that the City needs to move things along in the best way it can and so instead of reappointing the Stevens School Committee, the Mayor felt that as there are already committees - Ordinance Rewrite Committee, TIF Committee, Planning Board and the Council that will all be involved on this subject, that maybe it makes more sense to have an alternative proposal.

Councilor Stearns stated that even though BGS has not taken action yet it is worthwhile for the City to start, and with this motion the City Manager will be the point of contact to get the Council up to speed monthly.

Stearns – Lapointe - Move the following:

- Directing the City Manager and his designees to be the primary liaison between the City and any new owner of the Stevens School parcel, and to report to the Council at least

monthly for the next twelve months on Stevens School issues, or until this resolve is replaced by different direction.

- Should the City Manager determine employment of consultants or commissioning of work product to advise and advance the City's goals at the Stevens School is needed the Council directs the City Manager to put together that proposal in a broad framework for presentation to the Council for approval then he is authorized to move forward with flexibility on that concept.
- Directing the City Manager and his designees to present his independent recommendations to the Council on the structuring or restructuring or convening of committees, boards, councils, or forums, with various goals:
 - To provide clear points of contact for the developer, reducing the expense of redundancy or duplication
 - To provide clear points of contact for the public, maximizing public input
 - To streamline assignments for the City Manager and City staff, streamlining the number of meetings and amount of staff time
 - To streamline assignments for decision-makers including City Councilors, expecting necessary Council decisions on ordinances, plan review, acceptance of streets and open space, TIF and general investments, and more.
- Directing the City Manager and his designees to present to the Council and relevant committees on a timely basis flow charts, data, and analysis to increase public and Council awareness of emerging Stevens School issues or analyses, including but not limited to:
 - City fiscal posture, such as TIF projections and TIF policy, and tax base and school funding or municipal expenditure implications irrespective of TIF
 - Legal or procedural analysis, such as possible limitations on ex parte communications by Council and/or Planning Board members during plan review
 - The manager's recommendations for pragmatic opportunities to facilitate development, including changes in ordinance or policy
 - The manager's analysis of developer or public requests, and recommendations for response or action or reference to committeeUnanimously approved

14B DISCUSSION ON THE CITY ATTORNEY.

Mayor Walker stated that the goal is to put the services of the City Attorney out for bid.

Discussion followed

Councilor Harvey-McPherson added to the record that the Council's desire should be to have these go out every four years.

Stearns – Lindley - Move to put out to bid both Auditing and Legal Services with a focus on both cost but also references and quality and the desire is to have these go out every four years as a good government practice. Unanimously approved

15. EXECUTIVE SESSION FOR PROPERTY NEGOTIATIONS

Lapointe – Harvey-McPherson - Move to enter executive session pursuant to 1 M.R.S.A § 405, 6.C. for discussion of acquisition of real property for City parking. Unanimously approved

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

Meeting adjourned.

Deanna Mosher Hallett, City Clerk