

**TOWN OF ORONO
COUNCIL MEETING
COUNCIL CHAMBER - MUNICIPAL BUILDING**

MONDAY, JULY 11, 2016 AT 7:00 P.M.

MINUTES

1. Roll Call

Present: Council Chair Cindy Mehnert, Sam Kunz, Tom Spitz, Geoff Gordon, Judy Sullivan, Tom Perry, Clint Relyea and Town Manager Sophie Wilson.

2. Agenda Review - None

3. Presentation

Police Chief Ewing presented Lee Cookson with a Volunteer Appreciation Award for 21 years of volunteer service to the Orono Police Department. He spoke of how fortunate the Town was to have a dedicated volunteer like Mr. Cookson who was willing to help in any way needed.

4. Approval of Minutes of June 13, 2016

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

5. Public Hearings

- a. To consider authorizing the Consolidation of Voting for Federal/State Elections for Ward 1, Precincts 1, 2, 3 to One Central Voting Place (UMaine Field House) while the college is in regular session. All local Elections and June Referendum Elections shall be held in the Council Chambers as historically practiced; pending final approval from the Secretary of State.**

Public hearing a. opened at 7:05 p.m. Ms. Wilson stated that the consolidation of the polling places has been discussed twice at Council Committee meetings. Ms. Wilson provided background on the prior voting locations, the increase in student housing, and the recent location change to the Orono Middle School location. She stated that staff had received several concerns related to poor traffic flow and lack of parking at the Orono Middle School. After a full review of available buildings in Orono and ADA accessibility, staff determined that the only buildings large enough with appropriate parking are located on the University of Maine campus. After working with University of Maine officials, staff has identified the most appropriate location to be the Field House. Staff has worked with State Elections officials and received preliminary approval to move forward to evaluate this site for compliance with state election law, building codes, and accessibility requirements.

Ms. Wilson commented that staff has heard the concerns of Council with voting on campus. In regarding to parking, the Community Connector will be adding a bus to assist voters. She noted that the UMaine Field House is not perfect, but it is the best option available with limited resources to provide a one stop voting location. No public comments were made. Public hearing a. closed at 7:12 p.m.

- b. To consider authorizing the Consolidation of Ward 1, Precincts 1, 2, 3 to One Centralized Voting District for any and all Federal/State/Local Election which shall be named W1, Precinct 1. This proposed change will not change any of the current designated district seats for Federal/State offices. [This public hearing to be tabled.]**

Public hearing b. opened at 7:13 p.m. Ms. Mehnert noted that this public hearing has been recommended to be tabled. Ms. Wilson commented that the Committee discussed the State's suggestion that the Town consolidate Wards and Precincts to one single district (Town boundaries); however, the Committee has deferred further discussion and a decision on this matter until after the November, 2016 election in order to evaluate how well the single polling location performs. Public hearing b. closed at 7:14 p.m.

Motion by Geoff Gordon and seconded by Tom Perry to table public hearing b. All voted in favor, 7-0.

- c. A proposed Land Use Amendment to Section 18-138 to allow the renting of an accessory dwelling unit in an accessory structure as well as in the single-family dwelling itself.**

Public hearing c. opened at 7:15 p.m.

Town Planner Evan Richert provided background stating that accessory dwelling units have been allowed in Orono in single family homes that are owner-occupied since 1999. Through the Comp Plan process it has been recommended to expand accessory dwelling units in accessory structures as long as the property is owner-occupied. With Planning Board review, additional setback requirements were recommended. The Amendment was further modified by Council to require a minimum lot size of 0.2 acres (8,712 sq. ft.) to be registered with the Town and at the Registry of Deeds.

Judy Sullivan asked if there were any grandfathering of existing accessory apartments in accessory units. Mr. Richert stated that there is no grandfathering with this use. Mr. Richert stated that if the accessory structure meets the guidelines, the resident would register the apartment and sign an agreement. Mr. Sullivan expressed concern about some properties by not being able to meet the requirements.

Susan Whitmore asked is a garage space would qualify as an accessory dwelling unit. Ms. Wilson stated that it currently is not permitted, but would qualify with this new amendment (if it meets the requirements). Public hearing c. closed at 7:28 p.m.

- d. To consider Victualer's Licenses for: Big Shoe, Inc., d/b/a Subway, 10 Stillwater Avenue; Hospi Foodservice, Inc., d/b/a Subway, 53 Main Street; Orono House of Pizza, Inc., 154 Park Street [OHOP Continued to August 8, 2016 Council Meeting]; and CAMREP, Inc. d/b/a Spotlight Cinemas, 6 Stillwater Avenue.**

Public hearing d. opened at 7:29 p.m. Economic Development Director Dave Milan reported that all inspections have been completed and State licenses are current. Staff recommends approval of the licenses. No public comments were made. Public hearing d. closed at 7:30 p.m.

- e. To consider a Victualer's License for Orono Trampoline Park, 6 Stillwater Avenue. [Continued to August 8, 2016 Council Meeting]**

Ms. Mehnert stated that this public hearing will be continued to August 8, 2016.

6. Acknowledgments by Council Members

Tom Perry acknowledged the departure of RSU#26 Superintendent Joanne Harriman. He noted that she has elected to take a principal position in another community. He wished her well and noted that she is leaving Orono better than before her arrival. Geoff Gordon echoed Mr. Perry's sentiments.

Tom Spitz complimented everyone involved with the beautiful flower around town.

7. Unfinished Business - None

8. Consent Agenda

Order 16-119 Order, approving a Victualer's License for Big Shoe, Inc., d/b/a Subway, 10 Stillwater Avenue.

Order 16-120 Order, approving a Victualer's License for Hospi Foodservice, Inc., d/b/a Subway, 53 Main Street.

Order 16-121 Order, approving a Victualer's License for CAMREP, Inc. d/b/a Spotlight Cinemas, 6 Stillwater Avenue.

Order 16-122 Order, casting votes for Thomas Perry and Charles Pray for Maine Municipal Association's (MMA) Legislative Policy Committee.

Order 16-123 Order, casting votes for the nominated slate of candidates for Maine Municipal Association's (MMA) Election of Vice President (Linda Cohen) and Executive Committee Members (James Gardner, Christine Landes and Mary Sabin).

Order 16-124 Order, confirming a Lease Purchase Agreement with Transco Business Technologies for a Library Photocopier.

Order 16-125 Order, confirming approval of the Town Manager’s execution of an Agreement with MDOT for the Route 2/Rangeley Road Roundabout Project.

Order 16-126 Order, committing a true list of sewerage service assessments to Jessie Daniels, Treasurer, in the amount of \$131,024.85.

Moved by Geoff Gordon and seconded by Tom Perry to approve the consent agenda. All voted in favor, 7-0.

9. New Business

Order 16-127 Order, authorizing the Consolidation of Voting for Federal/State Elections for Ward 1, Precincts 1, 2, 3 to One Central Voting Place (UMaine Field House) while the college is in regular session. All local Elections and June Referendum Elections shall be held in the Council Chambers as historically practiced; pending final approval from the Secretary of State.

Moved by Clint Relyea and seconded by Tom Perry. All voted in favor, 7-0.

Ms. Wilson stated that staff will be back to Council with a final evaluation. Mr. Perry and Cindy Mehnert noted that this is not a perfect solution and they would rather have voting within the municipality; however, it is the best solution available.

Order 16-128 Order, approving Ordinance Amendments to the Land Use Section 18-31 Definitions (to define “House Guest” and add a reference to this definition under the definition of “Family”) and Land Use Section 18-81 Violations, (h) Documentation of number of unrelated persons in a dwelling unit.

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

Mr. Richert stated that this amendment has been discussed several times. He noted that it is a small piece of a much larger puzzle to balance housing in neighborhoods. This provision will help to provide staff with tools necessary to better enforce regulations related to unrelated persons habituating in a dwelling unit. (The proposed revision to Orono’s Land Use Ordinance seeks to define a house guest, limit the number of days that a house guest can stay at a residence, and make landlords responsible for providing documentation related to the occupants of a rental unit.) Mr. Richert explained that if the Code Enforcement Officer has reason to believe there are too many people in the dwelling, he can request copies of leases to verify residency.

Ms. Mehnert noted that it also gives landlords direction and assistance with this issue.

Order 16-129 Order, authorizing the Town Manager to sign a renewal 3-Year Contract with Medical Reimbursement Services for EMS Billing Services.

Moved by Tom Perry and seconded by Clint Relyea. All voted in favor, 7-0.

Fire Chief Rob St. Louis stated that in the past all EMS billing went through the Bangor Fire Department. He noted that last year Council approved a one-year trial period with Medical Reimbursement Services (MRS) of Windham, Maine. He stated that collection have increased to a 70-85% collection rate. Chief St. Louis recommended continuing the EMS Billing Service with MRS. He noted that MRS receives 6% of what they collect, which may be reduced due to a referral of services.

Order 16-130 Order, authorizing the purchase of a 2017 Ford Utility Police Interceptor from Darling's Ford, of Bangor in the amount of \$29,206; plus \$7,000 for equipment purchase and set-up through Custom Installations LLC, of Levant and graphics work done through Graphix Design of Old Town for \$700. Total cost is \$36,906 to be drawn from the FY17 Capital Equipment Budget.

Moved by Sam Kunz and seconded by Clint Relyea. All voted in favor, 7-0.

Police Chief Josh Ewing provided background on the police vehicle replacement plan to maintain the quality of the fleet. He noted that this year the Capital Budget (approved by Council) allows for the purchase of one new police cruiser along with associated equipment purchase and changeover and vehicle graphics performed by Custom Installations, LLC, of Levant and Graphix Design of Old Town. Both the equipment purchase and installation, and the graphics application are sole sourced due to previous satisfaction with cost, work quality, and efficient turn-around times.

Order 16-131 Order, authorizing the Town Manager to sign and execute an Agreement with Vaughn Thibodeau II, Inc. of Bangor for the Pine Street, Mill Street, Municipal Parking Lots and Electrical Improvements Project in the amount of \$360,565 to be drawn from the Downtown & Transit-Oriented TIF Funds.

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

Public Works Director Rob Yerxa stated that he has been working with Olver Associates regarding the rehabilitation of the Pine Street, Town Office and Mill Street parking lots. He noted that the approved budget was for \$465,000. The low bid of \$360,565 was submitted by Vaughn Thibodeau and is significantly under budget due to lower paving prices and an aggressive contractor bid. Mr. Yerxa stated that the Town has worked with Vaughn Thibodeau in the past with good results.

Mr. Gordon asked if there was going to be a conduit for fiber optics. Mr. Yerxa noted that it was not included in the price. Ms. Ryder stated that the Town just received information on conduit

specifications which was not in the bid package. Mr. Yerxa noted that the Town can work with the contractor now that we have the specifications. He commented that the conduit should not be a significant cost.

Order 16-132 Order, authorizing the Town Manager to sign and execute an Agreement with Sebago Technics for a Phase II Environmental Review of the old Public Works Garage property in an amount not to exceed \$16,000 from FY17 Capital Facilities Budget.

Moved by Clint Relyea and seconded by Sam Kunz. All voted in favor, 7-0.

Public Works Director Rob Yerxa stated that the Town has been working with Sebago Technics for the past several years on the New Public Works Facility project. This project included evaluation of the old public works garage and a Phase I Environmental Review. The next step is to do a more complete environmental analysis of the property (building and land) in order to document any hazards and develop a plan to address these hazards in order to apply for a Voluntary Response Action Plan (VRAP) from the Environmental Protection Agency which will remove any liability the Town may have for a Brownfield Site at the historic industrial site.

Ms. Mehnert asked how long the property had been a public works site. Mr. Yerxa stated that the facility was built in 1962.

Order 16-133 Order, authorizing the purchase of a 2016 F150 XL 4x4 Extended Cab Pickup Truck, from Darling's Bangor Ford in the amount of \$24,591 to be drawn from the FY17 Capital Equipment Budget.

Moved by Tom Perry and seconded by Sam Kunz. All voted in favor, 7-0.

Ms. Wilson stated that this vehicle will replace a 1996 regular pickup truck used by the Parks and Recreation Department, with a 4-wheel drive extended cab. She noted that \$25,000 was budgeted in the capital budget for this purchase. Three quotes were received and Darling's Ford Bangor was the low bidder at \$24,591.

10. Future Agenda Items/Items of Concern

Geoff Gordon requested a future discussion about laying conduit in the streets for fiber optics.

Tom Perry requested having a discussion about the taping of Council Committee meetings. Mr. Perry also asked Councilors to complete a form for the MMA Policy Committee on what the legislative priorities should be.

Clint Relyea asked about discussing the Disorderly Events Ordinance in September.

11. Public Petitions - None

12. Public Comments

Susan Whitmore referenced the recent tragedies that have occurred on rivers and trails and cautioned people to be safe outdoors and when encountering wild animals.

Ms. Wilson spoke of upcoming meetings:

- July 18, 2016 – Council Committee Meeting/Special Council Meeting at 5:30 p.m.
- July 28, 2016 – Council Committee – Comp Plan Implementation Meeting at 6:00 p.m.
- She noted that August meetings will be limited due to Council and staff vacations.

Ms. Wilson announced that the Town's new website was launched on June 30, 2016. She noted that the Town will be able to adapt and grow with the website. Ms. Wilson acknowledged the time that Belle Ryder and other staff members have put into its development.

Ms. Ryder stated that the new site offers a lot of new functionality: people will be able to sign up for an account and their different notifications along with online payment and feedback abilities.

13. Adjournment

At 8:10 p.m., Sam Kunz moved and Tom Perry seconded to adjourn. All voted in favor, 7-0.

Respectfully submitted,

Nancy W. Ward
Administrative Assistant