

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

MONDAY, JANUARY 14, 2019 AT 7:00 P.M.

MINUTES

1. Roll Call

Present: Council Chair Cindy Mehnert, Tom Perry, Meghan Gardner, Sam Kunz, Laurie Osher, Cheryl Robertson, Tom Spitz and Town Manager Sophie Wilson.

2. Agenda Review - None

3. Approval of Minutes of December 10, December 20 and December 27, 2018

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

4. Public Hearings

- a. **To consider a Victualer's License for Global Montello Group Corp., d/b/a Alltown, 103 Park Street.**

Public hearing a. opened at 7:02 p.m. Community Development Director Dave Milan reported that all inspections have been completed, personal property taxes and sewer have been paid and staff recommends approval of the license. No public comments were made. Public hearing a. closed at 7:03 p.m.

- b. **To consider a Victualer's License for DMCP, LLC, d/b/a Dunkin Donuts, 103 Park Street.**

Public hearing b. opened at 7:03 p.m. Mr. Milan reported that all inspections have been completed, personal property taxes and sewer have been paid and staff recommends approval of the license. No public comments were made. Public hearing b. closed at 7:04 p.m.

- c. **To consider a Class I-A Malt, Spirituous & Vinous Hotel Liquor License, Special Amusement Permit for Music, Dancing and Entertainment, and Victualer's License for University Inn Academic Suites, 5 College Avenue.**

Public hearing c. opened at 7:04 p.m. Mr. Milan reported that all inspections have been completed, personal property taxes and sewer have been paid and staff recommends approval of the licenses. No public comments were made. Public hearing c. closed at 7:05 p.m.

d. To consider Ordinance Amendments to the Town of Orono Ordinances, Chapter 18 Land Use, to Implement Standards for Parcels located in the C-2 District with Frontage along Park Street (Route 2).

Public hearing d. opened at 7:06 p.m. Town Planner Kyle Drexler provided background on the proposed amendments. He stated that a Moratorium Ordinance has been in place since September 2017 for development of Park Street. During that time, staff researched the influx of student housing and traffic pressure on the corridor. The Comp Plan called for a transportation management plan and a Park Street Transportation Study was performed with three main recommendations: improvements to the street system, transportation management strategies, and changes to the Land Use Ordinance. The proposed amendment deals directly with the third recommendation, however, also lays the foundation for the other recommendations to take place.

Mr. Drexler stated that the goals of the amendment are to make Park Street a connector rather than a divider, set the foundation for human scale development, and create an outdoor room effect on the corridor to allow for a safer experience. The amendment sets to accomplish the above goals by making several changes. The biggest of those is changing the setback requirements for parcels with frontage on Park St. Other changes proposed in the amendment include limiting driveway widths, increasing the distance between driveways, and better aligning the Town's standards with those of MDOT.

Ms. Wilson clarified that the driveway distance will only affect unpermitted or new driveways. Mr. Drexler confirmed that there was no impact on existing driveways.

Resident Susan Whitmore asked about consideration of bike lanes. Mr. Drexler stated that the future infrastructure foundation includes bike lanes, better crosswalks, ADA accessibility, etc. noting that it is all tied together. No other comments were made. Public hearing d. closed at 7:13 p.m.

5. Acknowledgments by Council Members

Meghan Gardner acknowledged Orono native Nicole Maines who was named one of "50 Badass Women" in Instyle this month. Ms. Gardner noted that she is currently featured on TV's Supergirl and we can all be proud.

Tom Spitz acknowledged the Public Works employees for dealing with the winter weather and keeping the roads clear of ice and snow.

Tom Perry acknowledged the passing of two longtime Orono residents Carl Gridley and Don Coates. He stated that Carl Gridley was an Orono Middle School Science Teacher and had a wonderful, positive impact on students. He also acknowledged Don Coates as one of Orono's oldest residents and that he was the first modern era Superintendent of Schools in the 1970s.

Laurie Osher acknowledged the work of the Town Manager and Economic Development staff in working with Elizabeth Johns to implement the Comp Plan's long-term goal of providing an indoor space for the Farmers' Market. She noted that last Saturday was the first indoor space for

the Farmers' Market hosted in the Asa Adams School gymnasium. She thanked everyone involved in its success.

Sam Kunz echoed the comments made about the success of the indoor Farmers' Market and the passing of the Orono residents. He noted that both men were outstanding and will be missed. Mr. Kunz acknowledged the area performing arts productions that Two North Theater, Some Theater Company and the Orono High School put on for the community and what an asset it is for the Town.

6. Unfinished Business - None

7. Consent Agenda

Order 19-02 Order, approving a Victualer's License for Global Montello Group Corp., d/b/a Alltown, 103 Park Street.

Order 19-03 Order, approving a Victualer's License for DMCP, LLC, d/b/a Dunkin Donuts, 103 Park Street.

Order 19-04 Order, approving a Class I-A Malt, Spirituous & Vinous Hotel Liquor License, Special Amusement Permit for Music, Dancing and Entertainment, and Victualer's License for University Inn Academic Suites, 5 College Avenue.

Order 19-05 Order, pursuant to 29-A M.R.S.A., Sec. 2395, the Council hereby designates Bennoch Road from Main Street to the Orono-Old Town Line, Forest Avenue from Main Street to I-95, and Taylor Road from Forest Avenue to Putnam Road as being closed to vehicular traffic carrying heavy loads from January 15, 2019 until May 1, 2019 when necessary, unless solidly frozen and that said roads shall be subject to the same restrictions and definitions of heavy loads as promulgated by the Department of Transportation for State and State Aid Highways, which restrictions are incorporated herein by reference. The Town Manager shall be authorized to cause the enforcement thereof.

Order 19-06 Order, approving the Membership in the Maine Service Centers Coalition for 2019 and designating Sophia L. Wilson as the Voting Delegate Representative and designating Belle Ryder as the Alternate.

Order 19-07 Order, approving the Warrants for the March 12, 2019 Annual Municipal Election, setting the hours of voting as 7:00am-8:00pm and the polling place as the Council Chambers of the Municipal Building for Ward 1, P1, 2 & 3.

Order 19-08 Order, changing the hours that the Registrar will accept registrations of applicants who appear in person as follows: On the last five business days

before the March 12, 2019 Annual Municipal Election. [MRSA 21A, Sec. 122.6A(2) and Sec. 122.8] (Mon-Wed 8am-4:30pm, Thurs 10am-6pm, Fri 8am-2pm).

Order 19-09 Order, approving the Town Clerk's appointment of Belle Ryder and Geoffrey Gordon as Wardens and Anna Marie Caballero and Patricia Davis as Deputy Wardens for the March 12, 2019 Annual Municipal Election.

Order 19-10 Order, confirming the employment contract of Michael Noble as the Assessor for the Town of Orono, effective January 7, 2019.

Order 19-11 Order, approving the document of final findings for the denial of Poverty Abatement 2018-001 heard and decided by the Orono Town Council by Order 18-193 on December 20, 2018.

Order 19-12 Order, approving the document of final findings for the approval of Poverty Abatement 2018-002 heard and decided by the Orono Town Council by Order 18-194 on December 27, 2018.

Moved by Sam Kunz and seconded by Cheryl Robertson to approve the consent agenda. All voted in favor, 7-0.

8. New Business

Order 19-13 Order, authorizing the Town Manager to enter into an Agreement with Penobscot County for Regional Animal Control Services for one year, beginning January 1, 2019 to December 31, 2019.

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

Police Chief Josh Ewing stated that the Town shares the Animal Control Officer (ACO) with multiple communities. He explained that the Orono Police Department provides the initial response to all animal control calls and determines whether the call can be handled with internal resources or if the ACO needs to be called in. He noted that about two-thirds of the calls are handled by the Department.

Ms. Wilson stated the municipality is required to provide an Animal Control Officer and this is an economical way to share the resources of a well-trained professional.

Order 19-14 Order, proclaiming the Month of March as Science Month in the Town of Orono.

Moved by Meghan Gardner and seconded by Tom Perry. All voted in favor, 7-0.

Ms. Wilson stated that this resolution would proclaim March as Science Month in the Town of Orono and encouraged residents to attend the Maine Science Festival hosted in Bangor. She noted this would be the second year of the resolution.

Ms. Osher spoke in support of the resolution and the Maine Science Festival, that it highlights the University of Maine and brings many people into the Greater Bangor area.

Order 19-15 Order, authorizing the Town Manager to contract with Penobscot Cleaning Services, Inc. of Brewer, Maine for the cleaning of the air handling systems in the Public Safety and Municipal Buildings at an amount not to exceed \$11,000 with funds drawn equally from the FY19 approved Municipal/Public Safety Facility budget and the contingency account.

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

Assistant Town Manager Belle Ryder explained that complaints were received from staff in the Public Safety and Municipal Building about particles in the air causing eye and respiratory irritation. She noted that staff investigated and found an excessive build up of dust in the ducts and vents of the air handling systems in both buildings. She stated that except for regular filter changes, the system had not been cleaned since 1996.

She stated that staff reached out and identified two companies in the region that provide industrial duct cleaning and described the different vacuuming systems: the use of a truck mounted industrial system for longer runs and the portable vacuum system that is not commercial grade. Staff recommended using the industrial system with Penobscot Cleaning Services and evaluating the system every 2-3 years to see if it needs cleaning.

Order 19-16 Order, directing the Town Manager to solicit proposals for an installation of municipal solar photovoltaic system(s) for Orono from three solar installers, with each proposal to include a cost-benefit analysis and the installer's suggestion for the optimum system for the Town; further, directing the Town Manager to compile and provide the solar installers data required to prepare the proposals; and further, directing the Town Manager to report the results of the solicitation to the Finance and Operations Committee of the Council at its February 5, 2019 meeting.

Moved by Laurie Osher and seconded by Tom Perry. The vote failed, 1-6 (with Councilors Kunz, Perry, Mehnert, Spitz, Gardner and Robertson opposed).

Laurie Osher described the request of the Town Manager to get data to, and proposals from, the three municipal solar installers: Insource Renewables, Sundog Solar and Revision Energy. She spoke of an upcoming State municipal solar bill, that if approved, could cover half the cost. She provided details and stated that the goal is to lower electricity costs and reduce our carbon footprint.

Councilors discussed the timeline of the request and staff's workload and schedule. Ms. Osher commented that solar installers have time right now and the information would be important for the budget process.

Ms. Gardner spoke of the process that Council follows to work on issues through committees and workshops to be able to thoroughly research and examine the purpose and consequences. Ms. Gardiner stated that the order should not pass because it has short circuited the process and Council is not ready for this phase. She noted that she was not speaking against solar power, but the timeline is not appropriate and some of the work with the vendors is already being done. Other Councilors agreed.

Ms. Osher provided a list of people who have signed the petition saying they support solar. Ms. Osher spoke in support of this issue. Ms. Gardner spoke of the workplan and process.

Conversation ensued among Councilors regarding the project and Council process. While Council acknowledged that identifying ways to be more environmentally sound and reduce operating costs are worthwhile goals, they expressed concern that this issue was not ripe for formal Council action.

Ms. Mehnert stated that the solar installers will be coming forward with information and she would like to see what the State does about grant funding. She noted that the Town is embarking on energy efficiencies and has started with LED streetlights.

Kathy Lyons spoke in support of solar panels and Ms. Osher's efforts. She understood that the process takes time but encouraged Council to continue to think big and stay positive.

Ken Fox expressed concern in the method and process of the petition. He noted from a businessman's perspective, to make sure the proposals tell the true costs of the solar panels.

Sally Brooker expressed concern about being manipulated by a petition and press conference. She commented that taxes cannot continue to increase, and school improvements should be priority before solar panels. She noted that solar panels require maintenance and their efficiency decreases over time. She supported Council being fiscally responsible and not being pressured.

Tom Spitz noted that the school is not fiscally connected to the town, that Council will look at the information and that taxes have increased due to cuts in State Revenue Sharing.

9. Council Committee/Representative Reports

Finance and Operations Committee – Chair Tom Perry reported that the Committee met January 8th and reviewed the following: Police CALEA vs.ME-LEAP, renewal of Animal Control Officer contract with Penobscot County, scope and budget of North Main Avenue, converting streetlights to LED lighting and the replacement of Public Works trucks in FY20 and FY21.

Orono Historical Society (OHS)– Ms. Gardner stated that OHS did not meet the month of December due to the holiday.

Comp Plan Implementation Committee – Chair Meghan Gardner reported that the Committee met January 7th and reviewed short term rental classifications with the Town Planner.

Legislative Policy Committee – Tom Perry stated that the MMA Legislative Policy Committee will be meeting January 31st.

10. Future Agenda Items/Items of Concern

Ms. Gardner asked about Candidates Night. Ms. Wilson stated that Candidates Night will be held on February 7th in Council Chambers and streamed live on Facebook. Questions can be emailed in ahead of time.

Ms. Wilson stated that Jason Bolton concluded his term on the Orono-Veazie Water District and the Town is still seeking candidates to fill the vacant seat. Staff will re-advertise the vacancy.

11. Public Petitions - None

12. Public Comments

Judy Sullivan stated she was pleased to see the Charter changes and specifically the number of signatures required for petitions. Ms. Sullivan expressed concern about a Councilmember speaking on behalf of the Council. She commented that Councilors should not come with their own agendas and expressed the need for a Council written code of conduct.

Kathy Lyons asked how to get solar panels in Town. Ms. Wilson spoke of the public's voice through the formal petition process, the capital budget, Council's workplan and by submitting emails to Councilors. Ms. Lyons stated that she is excited about solar panels. Meghan Gardner stated that the process is already underway, noting that it is about staff resources and funding.

Susan Whitmore complimented her neighbors for their seasonal decorations.

Stuart Dexter asked why the air cleaning didn't go out to bid. Ms. Wilson spoke of the urgency of the situation, the available in the region and the costs.

13. Adjournment

At 8:50 p.m., Tom Perry moved and Cheryl Robertson seconded to adjourn. All voted in favor, 7-0.

Minutes are not verbatim. A video-recorded version is available on the Town's website at www.orono.org.

Respectfully submitted,
Nancy W. Ward, Executive Assistant