

**TOWN OF ORONO
COUNCIL WORKSHOP**

**COUNCIL CHAMBER - MUNICIPAL BUILDING
MONDAY, JANUARY 27, 2020 AT 6:00PM**

MINUTES

1. Roll Call

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

2. CITIZEN REQUEST: Town Funding Orono Farmers' Winter Market RSU 26 Building Rental Expense

Resident, Connie Carter, spoke with Council regarding a request she sent for funding for the winter Farmers' Market building rental. She said that 37 people came forward and donated funds to cover the cost of five of the remaining six markets scheduled for this winter. A majority of Councilors expressed support for the Market as well as concern about the Town providing direct support, as opposed to working to create the environment where the Market can occur. It was also expressed by a Councilor that the Farmers' Market benefits other businesses and should be helped.

Councilors all agreed that it was a Council priority to find a more permanent home for the Farmers' Market.

3. ORDINANCE IMPLEMENTATION

a. Next Steps for Opting In to Allow Commercial Marijuana (Adult Use and Medical) Activity

Six of the seven Councilors indicated support to send this issue out for public referendum. Council discussed the timing of said election and decided that the earliest the question would be on the ballot would be November, 2020.

Council expressed unanimous support for staff to send the current ordinance language to the Planning Board for its public hearing and referendum.

b. Consideration of Sending Contract Zone Amendment for 117-121 Mill Street to Council Public Hearing

Town Planner, Kyle Drexler, reviewed the contract zone amendment as well as the public hearing and recommendations of the Planning Board. Council seeks to hear from the public

about 1) the five unrelated people in the units and 2) limiting roof access. Council briefly discussed parking.

Councilors agreed to move it forward for public hearing at the February Council meeting.

c. Consideration of Sending Proposed Amendment to Orono Land Use Ordinance to Amend Excavation, Removal, and Filling of Lands to the Planning Board for Public Hearing and Recommendation

Town Planner, Kyle Drexler, reviewed the third proposed revision to the ordinance (attached). Council discussed revising the last sentence of section 5 to reflect “other evidence to the Code Enforcement Officer’s satisfaction that confirms the earth moving activity met the permit requirements”. Councilors discussed the limits of the Town’s authority of holding individuals or entities responsible for the quality of the fill used and decided it is limited to the property owner.

Council expressed unanimous support for staff to send the current ordinance language to the Planning Board for its public hearing and referendum.

4. COUNCIL WORK PLAN REVIEW

Council reviewed the work plan update (attached) and discussed progress on reaching goals. Councilors expressed significant progress had been made, but there was much work left to be completed. After brief discussion, Councilors indicated no additional items should be added or priorities tabled at this point.

5. NEW ITEMS FOR COUNCIL CONSIDERATION

a. Council Support for State Legislative Action Related to Implementing a Product Packaging Stewardship Program (Councilor Robertson)

Councilor Robertson briefly reviewed progress in Augusta on enacting legislation that creates producer extended responsibilities related to product packaging. Councilor discussed solid waste and recycling regulation pending in Augusta and agreed that it would be important to continue to follow these efforts.

6. Brief Council Chair Report

Council Chair reported on her progress with inviting representatives from the Wabanaki Center and Penobscot Nation to begin dialogue with Town Council about Chief Joseph Orono, our community’s rich history, and ways that we might be able to recognize this history in the ways we depict and promote Orono.

7. Brief Town Manager Report

The Manager reported on the following items:

- **Webster Point Notice of Default** - Ongoing conversations with the developer prompted another conversation with former staff responsible for negotiating the credit enhancement agreement which resulted in clarification of the shared intent of the project. Given this new information, management and the Town's legal advisors concur that the agreement is not clear cut and could be interpreted to support ongoing credit enhancement payments to the developer. As such, staff is recommending that the notice of default not be sent. Staff will review the Council order on this matter and bring it back to Council if the order needs to be formally reversed.
- **DEP Comments on UMaine SSES** - The Town received comments from MDEP regarding the sanitary sewer evaluation study conducted over the last year on the UMaine campus. Staff reminded Council that this study was part of the Town's previous Combined Sewer Overflow (CSO) Master Plan and had not been completed. Staff indicated concern about DEP's comments related to the Town's structure for assessing sewer user fees - specifically, the recommendation that UMaine be charged differently than all other customers (based on metered outflow as opposed to metered water usage). Also, staff expressed concern regarding DEP's suggestion that the five-year capital investment plan identified by UMaine be folded into the Town's CSO Master Plan given that the Town has no control over construction on University property. UMaine Facilities and Town staff would be meeting later this week to discuss the comments with an intent to hold a joint meeting with DEP.
- **Tax Abatement** - Staff reported that the Town and CD Park 7 (The Avenue) have reached informal resolution on the FY19 tax appeal currently pending before the State Board of Property Tax Review. As soon as the agreement is finalized, staff will review the financial implications of the resolution.
- **Staff Changes** - Staff reported that the position at the front counter has been filled with the new person starting in the coming weeks. The shared PW/WPCF Laborer position has been offered to an individual with a start date before April 10th. WPCF Operator and Police Patrol Officer positions remain open with efforts ongoing to find the right person.

At 8:10pm, Council Perry moved, and Councilor Robertson seconded to adjourn. All voted in favor, 7-0.

Minutes are summary only. An audio-recording is available on the Town's website at orono.org.

Respectfully submitted,

Nancy W. Ward
Executive Assistant