

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

MONDAY, JULY 8, 2019 AT 7:00 P.M.

MINUTES

1. Roll Call

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

2. Agenda Review

Ms. Mehnert requested a motion to add Order 19-131 to the agenda. Moved by Tom Perry and seconded by Meghan Gardner to add Order 19-131 to the agenda. All voted in favor, 4-0.

3. Approval of Minutes of June 24, 2019

Moved by Tom Perry and seconded by Meghan Gardner. All voted in favor, 4-0.

4. Public Hearings

- a. To consider a Victualer's License for Hospi Foodservice, Inc., d/b/a Subway, 53 Main Street.**

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

- b. To Consider a Victualer's License for CAMREP, Inc. d/b/a Spotlight Cinemas, 6 Stillwater Avenue.**

Public hearing b. opened at 7:03pm. Mr. Milan reported that all inspections have been completed. He stated that the personal property taxes have not been paid and staff recommends approving the license conditioned on the taxes being paid before the license is issued. Ms. Wilson stated approximately \$13,764 is owed for FY19 personal property taxes. No public comments were made. Public hearing b. closed at 7:04pm.

- c. To consider a Class I – Malt, Spirituous and Vinous Liquor License and Victualer's License for ZRKM, LLC, d/b/a Tacorita, 2 Mill Street.**

Public hearing c. opened at 7:05pm. Mr. Milan reported that this is a new business, all inspections have been completed to date, and staff recommends approval of the licenses, conditioned on satisfactory final inspection by the Code Enforcement Officer and Life Safety

Inspector. He noted the business is scheduled to open mid-August. No public comments were made. Public hearing c. closed at 7:06pm.

d. To discuss acceptance of a \$45,000 Micro-Enterprise Assistance CDBG Grant. The purpose of the grant is to provide funding for façade improvements to the Byer Manufacturing Building located at 74 Mill Street.

Public hearing d. opened at 7:07pm. Mr. Milan reported that Council held a public hearing (April 8, 2019), the Town applied for (and received) \$45,000 in Community Development Block Grant (CDBG) funds to assist with facade improvements to the Byer Manufacturing building on Mill Street. He noted this public hearing is an opportunity for the public to speak in support (or not) of acceptance of the grant.

Councilor Perry noted that the funds are non-local and Mr. Shields (owner of Byer Manufacturing) previously spoke of the improvements he would be making to the building. Mr. Milan commented that the grant is federally funded through the State on a dollar for dollar match; no funds are required from the Town.

Roberta Bradson stated that she lives next door to the property and would like to view the proposed improvements before they are made. Mr. Milan spoke of the local advisory committee that will review the plans and the public process that will take place for public involvement. Mr. Milan clarified that the only changes will be to the exterior of the building; there will be no changes to the lighting and parking lot.

Ms. Wilson spoke of the guidance documents adopted with the previous CDBG grant. She stated that anyone interested in being on the committee should let Mr. Milan know. Public hearing d. closed at 7:13pm.

5. Acknowledgments by Council Members

Terry Greenier acknowledged the Brandon Silk Memorial Bridge dedication that took place June 28, 2019 and that Councilor Perry and the other speakers did an amazing job. He commented that he is proud to be part of this community.

Meghan Gardner added that the bridge memorial signs are very nice, and the dedication was wonderful and peaceful. Ms. Gardner also acknowledged the U.S. Women's Soccer Team for winning the World Cup.

Tom Perry commented that he was honored to speak at the Brandon Silk Memorial Bridge dedication. He acknowledged the University Inn for hosting the dedication and reception at their facility.

Mr. Perry asked about the new traffic signs around town. Police Chief Josh Ewing explained that the signs are to direct traffic on and off the Interstate, in case of an emergency.

6. Unfinished Business – None

7. Consent Agenda

Order 19-121 Order, approving a Victualer's License for Hospi Foodservice, Inc., d/b/a Subway, 53 Main Street.

Order 19-122 Order, approving a Victualer's License for CAMREP, Inc. d/b/a Spotlight Cinemas, 6 Stillwater Avenue, conditioned upon the Treasurer's receipt of payment of outstanding personal property taxes and sewer use fees as required by Town of Orono Ordinance Chapter 29, Section 34 (b).

Order 19-123 Order, approving a Class I – Malt, Spirituous and Vinous Liquor License and Victualer's License for ZRKM, LLC, d/b/a Tacorita, 2 Mill Street, conditioned upon satisfactory final inspection by the Code Enforcement Officer and Life Safety Inspector.

Order 19-124 Order, approving a Driving Policy for Town of Orono employees.

Order 19-125 Order, approving a Gift Policy covering Town of Orono employees and operations.

Order 19-126 Order, approving a Town of Orono Americans with Disability Act Grievance Procedure.

Moved by Terry Greenier and seconded by Meghan Gardner. All voted in favor, 4-0.

8. New Business

Order 19-127 Order, authorizing and directing the Town Manager to submit an application for the Micro-Enterprise Assistance Grant Program requesting \$45,000 from the State of Maine's CDBG Program, to the Department of Economic and Community Development on behalf of the Town of Orono, substantially in the form presented to this Council; and

- 1) Is authorized to make assurances on behalf of the Town of Orono required as part of such applications; and**
- 2) Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing said program(s), consistent with the Charter of the Town of Orono and the laws and regulations governing planning and implementation of community development programs in the State of Maine.**

Moved by Tom Perry and seconded by Terry Greenier. All voted in favor, 4-0.

Mr. Milan stated he was prepared to answer any questions. He also asked the audience to sign the attendance sheet.

Order 19-128 Order, authorizing the purchase of one (1) 2020 Ford Utility Police Interceptor from Augusta Ford, of Augusta in the amount of \$38,001; plus \$6,600 for equipment purchase and set-up through Custom Installations LLC, of Levant and additional cruiser preparation services at \$399. The total cost is \$45,000 to be drawn from the FY20 Capital Equipment Budget.

Moved by Terry Greenier and seconded by Meghan Gardner. All voted in favor, 4-0.

Police Chief Josh Ewing stated that the FY20 budget includes the purchase of one new police cruiser. He stated that the low bid was from Augusta Ford, Augusta and the order also includes the equipment purchase, changeover and graphics.

Ms. Wilson noted that one cruiser will be leaving the fleet. Chief Ewing stated that with this purchase, all the fleet will be Fords.

Order 19-129 Order, approving the transfer of any portion of the Defendant in Rem \$2,161.00, namely \$1,836.85, as set forth in Penobscot Court Criminal Action Docket No. CR-19-421, State v. Jacob Joiner, pursuant to 15 M.R.S.A. Sec. 5824(3) & Sec. 5826(6).

Moved by Meghan Gardner and seconded by Tom Perry. All voted in favor, 4-0.

Chief Ewing explained the situation where the police officer arrested the person and found evidence of illegal drug sales, illegal drugs, and \$2,161 in cash. The defendant was found guilty of the crime and the District Attorney's Office is moving for asset forfeiture related to the funds, of which 15% will go back to the DA's Office, leaving the Town \$1,836.85.

Order 19-130 Order, authorizing the Town Manager to accept and expend funds from the Maine Emergency Management Agency (MEMA) for expenses related to Hazardous Material Response Team operations; and, further, limiting this authority to those expenditures that are within the current scope of services provided by the Team, conform to the Town purchasing policy, and do not exceed \$15,000 in total for FY20.

Moved by Meghan Gardner and seconded by Tom Perry. All voted in favor, 4-0.

Ms. Wilson explained that each year, the State of Maine (through MEMA) contributes \$15,000 to Orono HazMat Team operations. These funds are provided on a reimbursement basis for goods and services related to the team's operation. She stated in the past this flow of funds and reimbursement have happened at the staff level and the annual operating budget developed based upon this practice. Based upon a review of Hazmat operations and finances, management has identified this as a practice that should be formally approved by the Town Council.

Ms. Wilson stated that with GASB and GAP tightening restrictions, this order seeks to define a scope of purchasing that allows for efficient operation while still providing for Council control. In the event the Team required capital equipment or a special request to MEMA, staff would need to bring these requests for individual consideration to the Town Council.

Order 19-131 Order, authorizing the Town Manager to sign a Marketing and Sponsorship Agreement between Orono / Old Town Economic Development Group and Black Bear Sports Properties, LLC.

Moved by Tom Perry and seconded by Terry Greenier. All voted in favor, 4-0.

Mr. Milan stated this is the third year in a 3-year arrangement that Orono, Old Town and Black Bear Sports Properties to support a marketing program for local businesses. As of July 8th, the following Orono businesses were signed on to participate again: OHOP; Margarita's; The Family Dog; and The Common Loon. Black Bear Sports Properties continues to market this opportunity to businesses within the community.

Mr. Milan noted that he expects that additional businesses will sign on for this third year of the pilot program. (The \$5,000 cost to the Town has been budgeted as part of the approved FY20 Economic Development Operating Budget with funds coming from the Downtown & Transit Oriented TIF District.)

9. Council Committee/Representative Reports

Tom Perry reported that the Finance Committee met on July 18th and the following items were discussed: Adjustments and assignments for FY19, FY19 carry forwards, assignment of Undesignated Fund Balance, respectful work environment policy and review of the financials.

Meghan Gardner stated that the Comp Plan Committee and the Orono Historical Society did not meet this month.

Cindy Mehnert stated there would not be a formal Council Meeting in August.

10. Future Agenda Items/Items of Concern - None

11. Public Petitions - None

12. Public Comments

Jim Bird, Director of the Orono Board Bog Walk stated that they have completed the construction of the bog walk with the help of many volunteers and financial support, including funds from the Town of Orono. He thanked Town Manager Wilson and the Town Council.

Ms. Wilson stated that a Special Council Meeting will be needed before September to consider formal lease agreements with the Orono Land Trust, Orono Historical Society and the Orono Health Association as a requirement of the Town's insurance company.

Ms. Wilson requested any information from the public on the 99-year lease agreement between the Boy Scouts and the Town for use of the Old Fire Station building on North Main Avenue. She noted that there are significant issues with the building.

Ms. Wilson noted the upcoming meeting schedule:

- Council Community Development Committee - July 18th at 6pm
- Council Workshop - July 29th at 6pm
- Council Finance-Operations - July 30th at 8am
- Council Comp Plan Implementation Committee - August 5th at 6pm

13. Adjournment

At 7:37pm, Terry Greenier moved, and Tom Perry seconded to adjourn. All voted in favor, 4-0.

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