

**TOWN OF ORONO
COUNCIL VIRTUAL MEETING
MONDAY, MAY 11, 2020 AT 4:00 P.M.**

WATCH ONLINE AT
<https://zoom.us/j/94573012273>

(LINK AVAILABLE AT ORONO.ORG)

*Comments can be submitted via email before the meeting at info@orono.org
and during the meeting by using Zoom comment features.*

MINUTES

1. Roll Call

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

2. Agenda Review

Ms. Mehnert requested a motion to add Order 20-72 to the agenda.

Moved by Sam Kunz and seconded by Tom Perry to add Order 20-72 to the agenda. All voted in favor, 7-0.

3. Update on Public Health Emergency and Town Services

Chief Low provided a brief general update on the state of the public health emergency and local impacts. He commented that Maine has a total of 1,462 confirmed cases, 872 people have recovered and there have been 65 deaths.

Ms. Wilson stated that Town services continue to be available to residents in remote ways. She reviewed each department's transition plan to return to "new" normal operations, noting that public safety, public works and WPCF are fully operational. The Town Office, library and Community Development departments will phase in over the next couple of months.

When asked about car registration expectations, Ms. Wilson noted the Governor has extended the registration due date to 30 day after the civil emergency.

4. Approval of Minutes of April 13, 2020

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

5. Public Hearings - None

6. Acknowledgments by Council Members

Cheryl Robertson acknowledged the Orono High School Seniors and the profiles of each one on Facebook. She noted the school is working on a virtual graduation ceremony. She wished everyone a Happy Mother's Day.

Tom Perry acknowledged the Orono High School Seniors and stated he has enjoyed seeing their signs and recognition of teachers. He also acknowledged Public Works for the brush clean up.

Laurie Osher acknowledged the trail clean up crew that has done a great job.

Terry Greenier acknowledged his mother-in-law who is battling stage 4 cancer. He commented she is a strong woman.

Meghan Gardner acknowledged Orono resident Cass Clemmer for starting the Maine Coronavirus Community Assistance Facebook page.

Sam Kunz acknowledged the community spirit that looks after each other with public art, an easter egg hunt, brush pick up, honoring Orono High School Seniors, UMaine graduates and teachers.

Cindy Mehnert acknowledged staff for their work on the budget.

7. Unfinished Business - None

8. Consent Agenda

Order 20-54 Order, changing the date of the Regular Council Meeting from June 8, 2020 to June 15, 2020.

Order 20-55 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing to discuss the 2020-2021 Municipal, Capital and WPCF budgets.

Order 20-56 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing to consider a Sewer Rate for FY2021.

Order 20-57 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing to accept comments on the Proposed FY2021 Fee Schedule.

Order 20-58 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing for reviewing the Orono Village Center District Development Program.

Order 20-59 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing on the estimating and assessing of assessments upon all lots or property

within the Village Center Tax District (Municipal District) and establishing a tax rate for Fiscal Year 2021. (Recommendation for FY21 is \$0.00/\$1,000 taxable value)

Order 20-60 Order, proclaiming May 21, 2020 as the official day for the celebration of Arbor Day in the Town of Orono.

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

9. New Business

Order 20-61 Order, approving a Class XI Malt, Spirituous & Vinous Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for Orono Football Pub Co., LLC d/b/a The Common Loon Public House, 36-38 Main Street.

Moved by Tom Perry and seconded by Sam Kunz. The vote was in favor, 6-0-1 (with Meghan Gardner abstaining).

Community Development Director Dave Milan stated staff has not conducted in person inspections, but based on previous inspections and interactions with the business, staff is recommending approval of the licenses. Mr. Milan noted the business is not assessed for any of the personal property tax that it utilizes because it belongs to the landlord.

Order 20-62 Order, approving a Class I – Malt, Spirituous and Vinous Liquor License and Victualer's License for Chou Enterprises Inc. d/b/a China Garden, 6 Stillwater Avenue.

Moved by Cheryl Robertson and seconded by Laurie Osher. All voted in favor, 7-0.

Mr. Milan stated staff has not conducted in person inspections, but based on previous inspections and interactions with the business, staff is recommending approval of the licenses.

Order 20-63 Order, approving a Class IV – Tavern Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's for Timothy Gallon, d/b/a Black Bear Brewery, 19 Mill Street, Suite 4.

Moved by Sam Kunz and seconded by Laurie Osher. All voted in favor, 7-0.

Mr. Milan echoed the same comments as the previous order and stated staff is recommending approval of the licenses.

Order 20-64 Order, approving a Class XI Malt, Spirituous & Vinous Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for Margs Mex Orono, LLC d/b/a Margaritas Mexican Restaurant, 15 Mill Street.

Moved by Tom Perry and seconded by Laurie Osher. All voted in favor, 7-0.

Mr. Milan echoed the same comments as the previous order and stated staff is recommending approval of the licenses.

Order 20-65 Order, approving a Class I – Malt, Spirituous & Vinous Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for The Bear's Den, Memorial Union, University of Maine.

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

Mr. Milan echoed the same comments as the previous order and stated staff is recommending approval of the licenses.

Order 20-66 Order, approving a Class I – Malt, Spirituous & Vinous Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for Wells Catering, University of Maine.

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

Mr. Milan stated staff is recommending approval of the licenses.

Order 20-67 Order, approving the purchase of a Public Safety and Municipal Building Fire Alarm Panel from Eastern Fire Protection in the amount of \$5,996 with funds drawn from the Facilities Budget.

Moved by Tom Perry and seconded by Laurie Osher. All voted in favor, 7-0.

Ms. Wilson stated the fire alarm panel that serves the Public Safety and Municipal buildings was failing and needed to be replaced. The cost will be covered in the current facilities budget.

Order 20-68 Order, authorizing the implementation of a Loan Guarantee Program for eligible Orono businesses; and further to authorize the Town Manager to encumber up to \$150,000 from the Downtown and Transit Oriented Tax Increment Financing District and execute such agreements necessary with University Credit Union to support said program.

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

Dave Milan stated the Downtown and Transit Oriented TIF District Development Program

allows for the implementation of a revolving loan program. Staff has received permission from the State of Maine Department of Economic and Community Development (DECD) to implement a loan guarantee program for businesses directly impacted by the current public health emergency.

UCU has agreed to underwrite and manage these loans with the Town guaranteeing repayment of up to 80%. At this point, the plan would be to allocate up to \$150,000 to the program to guarantee 0% interest micro-loans of between \$5,000-\$10,000 for Orono businesses.

Mr. Milan described the UCU loan repayment period as a 6-month no payment period and a 6-month minimum payment period. Council recommended 6-month no payment period and a 12-month minimum payment period. Mr. Milan noted a provision in the policy to reimburse the application fee (\$250) if the loan is paid in full in the first six months.

Currently, the only eligibility requirements would be that the applicant must: (1) Be a business based in Orono; (2) Demonstrate it was impacted by the current public health emergency; and (3) Satisfy the underwriters that it was a sustainable business prior to the public health emergency.

Councilors discussed details of the program and business qualifications. Councilors agreed that businesses housed in Orono or whose primary place of business is Orono should be eligible. The objective is to take care of Orono businesses. Council agreed to the amended language.

Order 20-69 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing to consider a 6-Month Moratorium Ordinance on Commercial Solar Projects to Regulate Solar Farms.

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

Ms. Wilson stated staff fielded a general inquiry about construction of a commercial solar project that led it to identify that the current process used to regulate personal solar installations would not adequately address site implications of a larger commercial installation. The Town Attorney has provided a draft moratorium ordinance on these commercial installations to allow Council to revise the land use ordinance to appropriately regulate these projects. Council's public declaration of its intent to consider this moratorium allows the ordinance to reach back to today's date when there were no pending applications for this type of development.

Order 20-70 Order, setting June 15, 2020 at 4:00 p.m. as the date for a public hearing to consider renewing the Envisionet Tax Increment Financing (TIF) District.

Moved by Sam Kunz and seconded by Cheryl Robertson. All voted in favor, 7-0.

Ms. Wilson stated the Envisionet TIF District is scheduled to sunset on July 13, 2020. Given the capital infrastructure investment needs associated with the Maine Tech Park and general economic development needs in the Town, staff strongly recommends that the TIF District be renewed.

Order 20-72 Order, authorizing the Town Manager to expend up to \$3,000 from the Library Construction Reserve for the purchase and installation of a curbside delivery locker and related accessory equipment.

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

Ms. Carpenter stated staff continues to work through a plan to open safely and staff has suggested the implementation of curbside delivery (facilitating book pick-up and drop off without entering the building). The pedestal locker would be permanently installed and allow for staff to place ordered material in locked cubicles that can be accessed by the patron who has ordered the materials. Material would be placed by staff through an access door in the back with the front secured by a lock that can be opened by an individual bar code provided to the patron electronically (or by using their library card barcode).

While the public health emergency continues, staff would be able to fill electronic and telephonic orders and make appointments for patrons to pick up their materials without any in-person contact.

Ms. Wilson recommended using up to \$3,000 from the Library Construction reserve fund which currently has a balance of \$14,970 for this expense. The only other known need for these funds will be projects related to retrofits necessary for health and safety when the Library re-opens for in-person services - like glass partitions at the front desk and alterations to allow for more efficient and easy to use self-checkout.

10. Council Committee/Representative Reports - None

11. Future Agenda Items/Items of Concern

Cheryl Robertson would like to see the idea of an Environmental Committee as a future agenda item, after the budget process.

Sam Kunz asked about the Pride Week crosswalk painting idea. Ms. Wilson explained why painting the sidewalk would not be allowed due to State and Maine DOT rules. Other ideas for visible Pride Week displays included rainbow flags on the Silk Memorial bridge flag poles and painting artwork in the windows of downtown businesses.

Laurie Osher encouraged residents to vote absentee ballots (July 14, 2020) during the health crisis.

12. Brief Discussion regarding Unanticipated TIF Infrastructure Project

Ms. Wilson described an important catch basin that was found between Pine Street and Mill Street that is contributing a lot of water to the sanitary sewer system during rain events. She

stated staff has a construction design to disconnect the stormwater from the sewer system that is being fast tracked for a late summer project. She noted the estimated \$110,000 expense can be drawn from the Downtown & Transit-Oriented TIF District. Council showed support of going forward with the project with next year's reserves. This item will be brought forward to the next Council meeting.

13. Public Petitions - None

14. Public Comments - None

15. Executive Session pursuant to 1 MRSA § 405(6)(D) To Discuss Collective Bargaining Negotiations with International Association of Firefighters, AFL-CIO Local 3106

At 5:58pm, Tom Perry motioned and Cheryl Roberston seconded to move into executive session to discuss collective bargaining negotiations with International Association of Firefighters, AFL-CIO Local 3106. All voted in favor, 7-0.

At 6:15pm, Cheryl Robertson motioned and Tom Perry seconded to move into regular session. All voted in favor, 7-0.

Order 20-71 Order, ratifying the agreement between the Town of Orono and the International Association of Firefighters, AFL-CIO Local 3106 from July 1, 2019 to June 30, 2022, and authorizing the Council Chair and Town Manager to sign.

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

16. Adjournment

At 6:24pm, Cheryl Robertson moved and Tom Perry 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