



TOWN COUNCIL MEETING

MONDAY, JUNE 12, 2023 AT 5:00 P.M.

COUNCIL CHAMBER, 59 MAIN STREET, ORONO, MAINE

WATCH ONLINE AT <https://us06web.zoom.us/j/81998087853>

CALL IN (312) 626-6799 Webinar ID: 819 9808 7853

AGENDA

Revised and Reposted 6/9/2023

Background material regarding agenda items will be posted [here](#) prior to the meeting.

- 1. Roll Call**
- 2. Agenda Review**
- 3. Approval of Minutes of May 8 and June 1, 2023**
- 4. Public Comments**

Those who wish to speak are asked to come to the microphone (in-person) or raise their hand (Zoom), state their name and affiliation, and then briefly address the Town Council Chair on items not on the agenda. Comments should not be repetitive and the Council Chair reserves the right to limit speaker time.

5. Public Hearings

- a. Victualer's Licenses for American Legion, Dysart's Travel Stop, Leadbetter's, Orono IGA, The Store/Ampersand, Spotlight Cinema, and Thai Kitchen.
- b. A Class I – Malt Liquor, Wine & Spirits License and Victualer's License for Chou Enterprises Inc. d/b/a China Garden, 12 Stillwater Avenue.
- c. A Class I - Malt Liquor, Wine & Spirits License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License to Wardwell, LLC, d/b/a The Family Dog, 6 Mill Street.
- d. A Class XI - Malt Liquor, Wine & Spirits 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.
- e. A Class III Wine and Class IV Malt Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for Sodexo America, LLC, 5748 Memorial Union, University of Maine.

- f. A Class I – Malt Liquor, Wine & Spirits License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer’s License for Sodexo America, LLC, 5780 Wells Commons, University of Maine.
- g. To hear comments regarding the relocation of the November Election Polling Place used for any Federal/State Elections held during 2023-2025 to the Collins Center for the Arts, University of Maine Campus, due to an infrastructure project taking place at the previous location (New Balance Field House).
- h. To discuss the 2023-2024 Municipal, Capital, and Water Pollution Control Facility (WPCF) budgets.
- i. To consider a Sewer User Fee Increase for FY2024.
- j. To accept comments on the Proposed FY2024 Fee Schedule.
- k. To review the Orono Village Center District Development Program and the Implementation of an assessment of **\$0.00** per \$1,000 of taxable real and personal property for the municipal development district located in the downtown area, known as the Village Center Tax District, from July 1, 2023 to June 30, 2024.

Boundaries of District: Said District shall include real and personal property located on land shown on Orono tax maps as follows: Tax Map 019-004, Lots 061, 062, 063, 065, 066, 067; Map 027-002, Lots 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 047, 048, 050, 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 062, 063, 119, 120, 121, 122, 123, 124, 125, 126, 139, 140, 141, 142, 143, 144, 145, 146, 148, 149; Map 027-12, Lots 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035 (maps on file in the Assessor’s Office at the Municipal Building, 59 Main Street, Orono, ME 04473). The preceding map and lot numbers encompass an area generally described as follows: most properties abutting Route 2 from 87 Main Street to Murray’s Campus Service, 5 properties on Forest Avenue, properties abutting Canal, Oak and Summer Streets, most properties abutting Mill Street from Route 2 to Byer Manufacturing, properties abutting the West side of Pleasant Street, most properties abutting Pine Street from Route 2 to Birch Street, 6 Myrtle Street and Alpenglow Adventure Sports.

6. Acknowledgments by Council Members

7. Unfinished Business

8. Consent Agenda

The consent agenda is moved and voted on as a single action with no discussion by Town Councilors or members of the public. A member of the Town Council or the public can request that an order on the consent agenda be removed and added to new business to allow for explanation and discussion prior to the vote.

Order 23-79 Order, approving a Victualer’s License for American Legion.

- Order 23-80 Order, approving a Victualer's License for Dysart's Travel Stop.
- Order 23-81 Order, approving a Victualer's License for Leadbetter's.
- Order 23-82 Order, approving a Victualer's License for Orono IGA.
- Order 23-83 Order, approving a Victualer's License for The Store/Ampersand.
- Order 23-84 Order, approving a Victualer's License for Spotlight Cinema.
- Order 23-85 Order, approving a Victualer's License for Thai Kitchen.
- Order 23-86 Order, approving a Class I – Malt Liquor, Wine & Spirits License and Victualer's License for Chou Enterprises Inc. d/b/a China Garden, 12 Stillwater Avenue, conditioned upon Code Enforcement approval.
- Order 23-87 Order, approving a Class I - Malt Liquor, Wine & Spirits License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License to Wardwell, LLC, d/b/a The Family Dog, 6 Mill Street.
- Order 23-88 Order, approving a Class XI - Malt Liquor, Wine & Spirits 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, conditioned upon Code Enforcement approval.
- Order 23-89 Order, approving a Class III Wine and Class IV Malt Liquor License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for Sodexo America, LLC, 5748 Memorial Union, University of Maine.
- Order 23-90 Order, approving a Class I – Malt Liquor, Wine & Spirits License, Special Amusement Permit for Music, Dancing and Entertainment and Victualer's License for Sodexo America, LLC, 5780 Wells Commons, University of Maine.
- Order 23-91 Order, changing the time of the July 10, 2023 Regular Council Meeting from 7PM to 5PM.
- Order 23-92 Order, setting July 10, 2023 at 5:00 p.m. as the date for a public hearing to consider an Amendment to the Town of Orono Land Use Ordinances, Section 18-106, Schedule of Uses, to reduce the minimum lot area requirement in the Commercial-2 District from 40,000 square feet to 20,000 square feet.
- Order 23-93 Order, accepting grant funds and approving the expenditure in an amount up to \$2,964.34 from MMA's Workers Compensation Fund, Ed MacDonald Safety Enhancement Grant Program for the purchase of two Workstations and five Chairs for the Fire Department.

9. New Business

After orders under New Business are read by the Council Chair, other members of the Council will move and second that they be placed "on the floor" for discussion. The Chair will recognize staff to provide background and then "open the floor" for discussion. It is at this time that members of the public can be recognized to ask questions or provide comments. Those who wish

to speak are asked to come to the microphone (in-person) or raise their hand (Zoom), state their name and affiliation, and then briefly address the Town Council Chair. Comments should not be repetitive and the Council Chair reserves the right to limit speaker time.

- Order 23-94 Order, accepting the resignation of Cheryl Robertson from Town Council (term expiring March 2024).
- Order 23-95 Order, calling a Special Election on Tuesday, August 8, 2023 to fill the vacant Town Council term expiring March 2024 to be held in the Orono Town Council Chambers located at 59 Main Street, Orono, Maine with polls open on election day from 7:00AM until 8:00PM.
- Informational: The nomination period for this election would be from Tuesday, June 13, 2023 at 8:00AM until Wednesday, July 5, 2023 at 12:00PM and absentee ballots would be available beginning Thursday, July 6, 2023.***
- Order 23-96 Order, approving the Repeal and Replacement of Chapter 18, Article VIII Floodplain Management of the Town of Orono Ordinances, to conform to the State of Maine Model Floodplain Ordinance.
- Order 23-97 Order, appointing Gabriel Frey and Arthur White to the Diversity, Equity, Inclusion, and Belonging Committee for 3-year terms, expiring April, 2026.
- Order 23-98 Order, authorizing the Town Manager to submit an application to the Secretary of State for the relocation of the November Election Polling Place used for any Federal/State Elections held during 2023-2025 to the Collins Center for the Arts, University of Maine, due to an infrastructure project taking place at the previous location (New Balance Field House).
- Order 23-99 Order, authorizing the Town Manager to execute a Municipal Quit Claim Deed to transfer the Town's ownership interest in Tax Acquired Property currently described as Map 031-002 Lot 028, 69 Margin Street, to Richard Kunkel of Jewett City, CT on behalf of the prior owner of record upon receipt of funds.
- Order 23-100 Order, approving the purchase of up Self Contained Breathing Apparatus (SCBA) Bottles from Fire Tech & Safety of Winthrop, Maine at total cost of up to \$8,475 to be paid from approved FY23 Capital Equipment Budget (HazMat Reserve).
- Order 23-101 Order, authorizing the Town Manager to enter into an agreement with Sebago Technics of South Portland, Maine for a Public Safety Building Facility Assessment at a cost not to exceed \$58,300 with funds drawn from the remaining approved FY23 Capital Budget for this project and remainder from American Rescue Plan Act Grant Funds (ARPA).

10. Future Agenda Items/Items of Concern

11. Public Petitions

12. Public Comments

Those who wish to speak are asked to come to the microphone (in-person) or raise their hand (Zoom), state their name and affiliation, and then briefly address the Town Council Chair. Comments should not be repetitive and the Council Chair reserves the right to limit speaker time.

13. Executive Sessions

Executive sessions allow the Town Council to engage in discussions on topics that are confidential by state law. Pursuant to statute, only discussion related to the noticed topic is allowed and the session will not be open for the public to attend. In order to enter an executive session, the vote must pass with three-fifths of the Councilors present and voting. No formal action may be taken in executive session.

- a. **Pursuant to 1 MRSA § 405 (6)(D) for Discussions Related to Collective Bargaining Negotiations with AFSCME Council 93**

15. Adjournment

ADA Notice - Requesting Reasonable Accommodation

Please contact the Town Manager's Office at (207) 889-6905 or swilson@orono.org prior to scheduled meetings or events to discuss auxiliary aids or services needed to fully participate in Orono Town Council activities.

The Town of Orono is an equal opportunity employer and service provider that celebrates diversity and is committed to creating an inclusive environment for our employees and those we serve.