



**TOWN COUNCIL MEETING
WITH BUDGET HEARINGS**

MONDAY, JUNE 13, 2022 AT 5:00 P.M.

COUNCIL CHAMBER, 59 MAIN STREET, ORONO, MAINE

WATCH ONLINE AT <https://us06web.zoom.us/j/92347577460>

CALL IN (312) 626-6799 Webinar ID: 923 4757 7460

MINUTES

1. Roll Call

Present: Council Chair Tom Perry, Meghan Gardner, Cheryl Robertson, Geoffrey Wingard, Sonja Birthisel, Leo Kenney, Robert Laraway, and Town Manager Sophie Wilson.

2. Agenda Review - None

3. Approval of Minutes of May 9 and May 23, 2022 *(Video record time 0:00:38 - 0:01:02)*

Moved by Cheryl Robertson and seconded by Meghan Gardner. All voted in favor, 7-0.

4. Public Hearings

- a. To consider Victualer's Licenses for: American Legion, Dysart's Travel Stop, Leadbetter's, Orono IGA, The Store/Ampersand, and Thai Kitchen.** *(Video record time 0:01:03 - 0:02:13)*

Public hearing a. opened at 5:01 p.m. Code Enforcement Officer Pat Estey stated staff has completed all the inspections and is recommending approval of the licenses. No public comments were made. Public hearing a. closed at 5:02 p.m.

- b. To discuss the 2022-2023 Municipal, Capital and WPCF budgets.** *(Video record time 0:02:14 - 0:46:24)*

Public hearing b. opened at 5:02 p.m. Town Council Chair Tom Perry stated that Council just completed a series of six budget workshops in which it reviewed and revised the draft FY23 Municipal Budget. He noted one more review will take place on June 20th, with final adoption on June 27th.

Mr. Perry stated the budget presented reflects an increase of 7.44%, however with additional State and Federal Revenue Sharing, the municipal assessment is down \$118,281 over last year.

Town Manager Sophie Wilson provided a general overview of the FY23 Municipal Budget and its potential impact on the coming fiscal year's tax rate *(see the attached PowerPoint)*. She noted that final action on the FY23 Municipal Budget is scheduled to take place at the June 27th Special Town

Council meeting. No public comments were made. Public hearing a. closed at 5:46 p.m.

c. To consider a Sewer User Fee Increase for FY2023. *(Video record time 0:46:25 - 0:50:54)*

Public hearing c. opened at 5:46 p.m.

Ms. Wilson stated the FY23 operating and Capital Budget for the Water Pollution Control Facility (WPCF) includes a rate increase of \$0.05 per every 100 cubic feet of water consumed effective for bills assessed after July 1, 2022. The increase reflects an additional \$0.60 per quarter, or \$2.40 per year for minimum use. She noted that the Town of Orono is still one of the lowest costs in the region. No public comments were made. Public hearing c. closed at 5:50 p.m.

d. To accept comments on the Proposed FY2023 Fee Schedule. *(Video record time 0:50:55 - 1:07:32)*

Public hearing d. opened at 5:51 p.m. Ms. Wilson reviewed the proposed changes to the fee schedule: the \$20 price of thumb drives increased from \$10 CDs; photocopies reduced from \$0.25 to \$0.10 per page; police response fees for large gatherings increased due to the ordinance change; municipal pool rental fees increased, sewer rates increased, non-resident notary services increased, and the genealogy search fee increased. Councilors asked clarifying questions regarding the fees. Mr. Kenney noted the significant fees for marijuana licenses that may need to be reviewed in the future. No public comments were made. Public hearing d. closed at 6:07 p.m.

e. To review the Orono Village Center District Development Program. *(Video record time 1:07:33 - 1:16:50)*

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.

Public hearing e. opened at 6:08 p.m.

Ms. Wilson noted that prior to the adoption of the Downtown and Transit Oriented Tax Increment Financing District, the Town created the Village Center District as a way to meet some of the special operational needs of the district, provide a mechanism for village business owners and residents to come together with the Town to discuss and plan for district goals and needs, and allow for the generation of revenue from within the district to fund its activities. When the TIF district was formed, the Town was able to utilize funds generated from it to pay for many of the economic development needs of the District. The Orono Village Association (OVA) served as District oversight, managed the annual funds generated by the additional tax assessed within the District, and facilitated the efforts of

residents, businesses, and the Town related to the annual District Development Plan. Currently, OVA is taking steps to dissolve and Town staff is working to evaluate the future need for oversight of the Village Development District.

At this time, the Town proposes funding the District's development plan with funds derived from the Downtown and Transit Oriented Tax Increment Financing District and is proposing that \$0.00 (zero dollars) be assessed against real and personal property within the Village Center Tax District for FY23. Ms. Wilson reviewed the focus for FY23.

No public comments were made. Public hearing e. closed at 6:16 p.m.

f. Implementation assessments to be assessed against real and personal property for the municipal development district located in the downtown area, known as the Village Center Tax District. *(Video record time 1:16:51 - 1:17:25)*

Maximum Rate of Assessments to be Extended in Any One Year: \$0.50 per thousand dollars of assessed value as of April 1, 2022. The assessment proposed to be levied for a one-year program commencing on July 1, 2022 and ending on June 30, 2023 is \$0.00 per thousand dollars of assessed value.

Public hearing e. opened at 6:17 p.m. Mr. Perry noted that there will be zero assessment for FY23. No public comments were made. Public hearing f. closed at 6:18 p.m.

5. Acknowledgments by Council Members *(Video record time 1:17:26 - 1:20:12)*

Cheryl Robertson commented that the public schools will be closing soon and kids will be out on the road. She reminded everyone to drive safely.

Rob Laraway acknowledged the work of the Beautification Committee with the beautiful flowers around town.

Tom Perry acknowledged the passing of Gary Noyes, a long term resident of Orono and a volunteer extraordinaire with the election process.

Sonja Birhisel acknowledged the Orono Middle School for their fabulous musical.

Meghan Gardner acknowledged the Public Safety personnel for their assistance with serving hotdogs during the Asa Adams School field day. She also acknowledged the Town Manager for the agenda adjustments. Ms. Gardner encouraged residents to vote at the election tomorrow.

Geoff Wingard noted that he voted through the absentee ballot process and was very impressed with the process and staff.

6. Unfinished Business - None

7. Consent Agenda *(Video record time 1:20:16 - 1:20:33)*

Order 22-95 Order, approving a Victualer's License for the American Legion, 156 Park Street.

Order 22-96 Order, approving a Victualer's License for Dysart's Travel Stop, 17 Stillwater Avenue.

Order 22-97 Order, approving a Victualer's License for Leadbetter's, 232 Main Street.

Order 22-98 Order, approving a Victualer's License for Orono IGA, 6 Stillwater Avenue.

Order 22-99 Order, approving a Victualer's License for The Store/Ampersand, 22 Mill Street.

Order 22-100 Order, approving a Victualer's License for Thai Kitchen, Park Street, 14 Park Street.

Order 22-101 Order, correcting Orders 22-59, 22-60, and 22-61, confirming the 1-year appointments of the Town Manager:

~~Alternate Electrical Inspector Patrick Estey~~

Alternate Electrical Inspector David Russell

~~Alternate Electrical Inspector~~ ~~Peter Hall~~

Order 22-102 Order, nominating Cheryl Robertson to Maine Municipal Association's Legislative Policy Committee for the 2022-2024 biennium.

Order 22-103 Order, accepting grant funds and approving their expenditure in an amount up to \$2,991.05 from MMA's Workers Compensation Fund, Ed MacDonald Safety Enhancement Grant Program for the purchase of Mats, Grips, and Signs with matching funds drawn from the approved Fire Department budget.

Order 22-104 Order, setting the date of July 11, 2022 at 5PM for a Public Hearing to consider an Amendment to the Town of Orono Ordinances, Chapter 2 Administration, Article II Town Council, to create the position of Town Council Vice Chair, and to amend the procedures for addressing the Town Council.

Moved by Meghan Gardner and seconded by Rob Laraway to approve the consent agenda. All voted in favor, 7-0.

8. New Business

Order 22-105 Order, approving an Amendment to the Town of Orono Ordinances, Chapter 18 Land Use, Sec. 18-31 Definitions, to create a definition for Fraternity and Sorority Houses. (*Video record time 1:20:34 - 1:22:44*)

Moved by Cheryl Robertson and seconded by Meghan Gardner. All voted in favor, 7-0.

Town Planner Kyle Drexler stated this ordinance has been through the public hearing process and it is ready for adoption. The ordinance amendment created a definition for fraternities and sororities to allow renting housing space to groups participating in programs, events, and activities offered on campus when fall and spring semesters are not in session. Mr. Perry noted that this amendment legitimizes the practice that has been in place for many years.

Order, 22-106 Order, approving Amendments to the Town of Orono Ordinances, Chapter 20, Chapter 20 Law Enforcement, to amend standards for recovery of costs for Police Services and Disorderly Property. (Video record time 1:22:45 - 1:46:27)

Moved by Cheryl Robertson and seconded by Meghan Gardner.

Motion to postpone by Rob Laraway and seconded by Leo Kenney. The vote failed, 3-4 (with Tom Perry, Meghan Gardner, Cheryl Robertson and Geoff Wingard opposed).

The vote on the original motion passed, 4-3 (with Rob Laraway, Sonja Birthisel, and Leo Kenney opposed).

Mr. Drexler stated over the last several years, the Council Comprehensive Plan Implementation Committee has been working through the ordinance revision aimed at providing a more flexible and easy to follow approach related to the recovery of costs for disorderly properties and events. This proposal has been through the committee and public hearing process and is ready for adoption.

Councilors had a detailed discussion about the ordinance: regarding the responsible person of a disorderly activity or event; how broadly it would be applied; how frequently it is applied; and the amount of people that make up a disorderly activity 1 and 2. Ms. Wilson spoke of the times the community has been at risk and the years of work that have gone into the ordinance amendment. Mr. Perry noted a difference between Councilors who have been through this process many times and the new Councilors who have not been through this process. Ms. Gardner commented that she is confident this is a good way to address this community problem.

Order 22-107 Order, authorizing the Town Manager to execute a Memorandum of Understanding with the Penobscot Valley Ski Club regarding the Use and Maintenance of Certain Town Owned Property. (Video record time 1:46:28 - 1:53:44)

Moved by Meghan Gardner and seconded by Cheryl Robertson. All voted in favor, 7-0.

Community Development Director Mitch Stone stated this agreement codifies the Town and Penobscot Valley Ski Club's existing operational relationship that supports maintenance and use of the cross country ski trails on the Town's High School Lot (used for open space recreation). Bob Bass of PVSC referenced a similar memorandum of understanding with RSU#26. Mr. Stone stated this agreement deals with the Town owned property. Mr. Bass noted the insurance coverage document has been provided.

Order 22-108 Order, authorizing the purchase and installation of One (1) VRS Pyramid Vehicle Repeater Systems and One (1) Mobile Radio for Engine 241 from Radio Communications Management, Inc. of Portland, for a total expense of \$8,713 to be drawn from the Public Safety Radio Reserve Fund. (Video record time 1:53:45 - 1:59:30)

Moved by Cheryl Robertson and seconded by Meghan Gardner. All voted in favor, 7-0.

Ms. Wilson stated the new engine has not yet arrived, but with many purchases backlogged, staff is recommending that the Town order the planned radio and repeater now to ensure that it is here and available to install when the engine arrives. Public Safety Director Geoff Low stated the truck has a 20-year lifespan and the lifespan of the radios is ten years due to technology upgrades.

9. Council Committee/Representative Reports *(Video record time 1:59:31 - 2:01:04)*

Comp Plan Implementation Committee - Ms. Gardner reported the Committee met last week to discuss the off-street parking standards and exploring changes. She noted the Town Planner will be working on revisions.

Environment Committee - Ms. Robertson reported the Committee met last month and welcomed Councilor Birthisel as a new member. The Committee is also working on a special weatherization project.

Community Development Committee - Mr. Wingard reported the Committee met and discussed the desire to encourage public comments for Council and Committee meetings.

10. Future Agenda Items/Items of Concern *(Video record time 2:01:05 - 2:18:10)*

Tom Perry asked about the status of the town signs. Mr. Stone stated the new signs through Davinci Signs should be up by the start of school this fall. Ms. Wilson stated details are being worked out in July for the gateway signs which will have a metal framework and would cost approximately \$,2000 each. The wayfinder signs would be approximately \$700-\$1,000 each.

Cheryl Robertson stated she would like to discuss the timing of the winter parking ban/ordinance at a future meeting.

Sonja Birthisel stated she would like to discuss the next steps for the DEI Committee at a future meeting.

Leo Kenney expressed concerns about the Brandon Silk bridge; He would like to have no jumping signs and he is also concerned about the lack of lighting on the bridge. Mr. Yerxa stated he is working on getting someone to repair the lighting. Ms. Wilson stated she would report back on the bridge signage concern.

Ms. Wilson reported on upcoming items for future agendas: June 20th - DEI Committee charge discussion and Council pay and increasing engagement in Council positions discussion with Rob Glover who will provide the research, and possible poverty abatement request. Other future items included the signage ordinance, ARPA funding, and budget adjustments.

Ms. Robertson asked what would happen if the RSU#26 budget did not pass by the voters. Ms. Wilson spoke of the timing needed for the budget approval, and if not approved right away, the old assessment amount would be paid until the budget was approved.

Ms. Wilson will be developing the Council meeting schedule for July-August. Mr. Perry noted that Council generally does not historically meet in August.

11. Public Petitions - None

12. Public Comments - None

13. Adjournment

Motion to adjourn by Meghan Gardner and seconded by Sonja Birthisel. All unanimously agreed. The Council Meeting adjourned at 7:19 p.m.

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