

**TOWN OF ORONO
SPECIAL COUNCIL VIRTUAL MEETING
COUNCIL CHAMBER - MUNICIPAL BUILDING
MONDAY, JUNE 29, 2020 AT 4:00 P.M.**

**WATCH ONLINE AT
<https://zoom.us/j/97625608280>
(LINK AVAILABLE AT ORONO.ORG)**

*Comments can be submitted via email prior to the meeting start time
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.

Councilors agreed to hold the Council Virtual Workshop at a later date due to needing more time to prepare the Council Work Plan.

2. Agenda Review - None

3. Update on Wildland Urban Interface Fire Danger (Fire Chief Geoff Low)

Fire Chief Geoffrey Low stated all outdoor burning has been suspended due to extremely dry conditions statewide. He commented that Orono has a lot of trees and shrubs around their properties which creates a problem with the dry conditions. Chief Low stated he will be watching the weather conditions and if the predicted rain helps the situation, he will lift the ban.

He commented on a public awareness campaign that he will be working on to get the word out about simple steps for removing the “fuel” (brush, trees and leaves) around people’s homes. Chief Low reminded residents that Orono has a no fireworks ordinance.

4. New Business

Order 20-91 Order, approving the Fiscal Year 2020-2021 Municipal Budget.

Operating Expenses	\$7,886,139	
Capital Debt Service (P&I)	709,295	
Capital Expenses	<u>942,180</u>	
Total Municipal Expenses		\$9,537,614
General Revenues	\$2,593,970	
Revenue Sharing	1,248,160	

Use of Unassigned Fund Balance	400,000	
Revenue to Offset Capital Expenses	<u>321,500</u>	
Total Municipal Revenue		\$4,563,630

**Total Amount to be Raised by Taxes for the Municipal Budget
\$4,973,984**

Moved by Cheryl Robertson and seconded by Tom Perry. All voted in favor, 7-0.

Town Manager Wilson stated that given the economic uncertainty surrounding the State Municipal Revenue Sharing Distribution Forecast, the Town Council will be reviewing the budget later this summer with the hope that revised projections are published by the State Revenue Forecasting Committee prior to the annual property tax commitment in mid-August, and may revise the adopted budget.

Ms. Wilson highlighted the expense line cuts in the budget that allow the municipality tax rate to remain flat. The overall tax rate is projected to increase by \$1.64/\$1,000 (*\$0.00 Municipal, \$1.56 RSU26 and \$0.08 Penobscot County*) taxable value to \$28.09/\$1,000 taxable value (*35.7% Municipal, 58.7% RSU26, and 5.6% Penobscot County*). See the attached presentation. She also explained that the slides presented were an approximation of the net cost for each cost center based upon the operational and capital (non-infrastructure, which is shown separately) expenses as a percentage of the net municipal commitment. Ms. Wilson explained that Council can pass the budget and still make adjustments up until the taxes are committed.

Order 20-92 Order, approving a Fiscal Year 2020-2021 Economic Development budget totalling \$873,575 funded by the following Tax Increment Financing District Development Programs:

- **Downtown & Transit Oriented** \$660,125
- **Webster Point** 35,125
- **Penobscot Valley Dermatology** 51,245
- **Dirigo Pines Inn** 124,580
- **Orono Basin** 2,500

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

Ms. Wilson explained this is a new order to reflect the economic development expenses being funded from the TIF programs. She noted there is a later order to adjust for the Credit Enhancement Agreement changes.

Order 20-93 Order, approving the Water Pollution Control Facility budget for Fiscal Year 2020-2021 in the amount of \$1,604,664 for Operations and \$190,400 for Capital Improvements for a total of \$1,795,064.

Moved by Terry Greenier and seconded by Sam Kunz. All voted in favor, 7-0.

Ms. Wilson noted revenues are down \$23,000 from last year due to declining consumption. She noted there is no rate increase this year. Staff will continue to evaluate the fee structure.

Order 20-94 Order, approving the Five-Year Capital Investment Forecast 2020-2024 for the Town and Water Pollution Control Facility.

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

Ms. Wilson stated this is the 5-year capital investment strategy that will have to be re-evaluated if revenues shrink or additional revenues are found.

Order 20-95 Order, approving the Fiscal Year 2020-2021 Fee Schedule effective July 1, 2020.

Moved by Tom Perry and seconded by Terry Greenier. All voted in favor, 7-0.

Ms. Wilson stated the FY20-21 Fee Schedule does not include a lot of changes. She noted an increase to the RAD Summer Day Camp fee, landfill stickers will be valid for 18 months (until December 31, 2021) and the Fire Department EMS billing fees have minor changes.

Order 20-96 Order, awarding a bid for Kell Street, Mill Street, and Margin Street Sewer Improvements to Granite Inliner, LLC of Fairfield, Maine in an amount not to exceed \$204,450 with funds drawn from the WPCF Infrastructure Reserve Fund (approximately \$129,450) and the Downtown and Transit Oriented Tax Increment Financing District (approximately \$75,000).

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

Ms. Wilson stated the bid combines three projects (Kell Street, Mill Street and Margin Street sewer improvements). Staff presented a video clip of the condition of the pipes and WPCF Superintendent Joe Madigan described the pipe relining process.

5. Consent Agenda

Order 20-97 Order, confirming the Town Manager's 1-year appointment of Robert St. Louis as Alternate Code Enforcement Officer, Alternate Building Inspector and Alternate Local Plumbing Inspector.

Order 20-98 Order, creating an Capital Infrastructure Reserve Fund for the purpose of funding capital projects to create, maintain, repair, or formally plan for public, non-sanitary sewer related, infrastructure investments; and, further, to authorize the Town Manager to fund said reserve with those unspent appropriations remaining at the end of the fiscal year (June 30,

2020) in the approved FY2020 Capital Infrastructure Budget.

Order 20-99 Order, creating a Police Tuition Reimbursement Reserve for the purpose of funding contractually obligated educational reimbursements to Maine Association of Police Orono Unit members; and, further, to authorize the Town Manager to fund said reserve with up to \$15,000 from the remaining balance of the FY2020 Police Department Budget.

Order 20-100 Order, moving \$16,000 appropriated in the FY2020 Capital Facilities Budget for the Town Office Cabling Project to IT/AV Reserve as the project will not begin until FY21; and, further, authorize the Town Manager to expend up to \$16,000 from said reserve as previously approved by Council Order #20-90.

Order 20-101 Order, authorizing the Town Manager to adjust the FY2021 Tax Increment Financing District expense budgets and use of restricted funds to reflect the changes in Credit Enhancement Agreement payments from Restricted Tax Increment Financing District Program Development Funds which were previously approved by Council as estimates, but will be determined by the commitment of FY2021 property taxes.

Order 20-102 Order, authorizing the Town Manager to pay the 2020 Penobscot County Tax Assessment in the amount of \$705,010.

Order 20-103 Order, authorizing the Town Manager to pay the FY2021 RSU#26 Tax Assessment currently estimated to be \$7,386,565.

Order 20-104 Order, adopting the Orono Village Center District Development Program and establishing the boundaries of the 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.

Order 20-105 Order, establishing the amount of the implementation assessments of the Village Center Tax District for the July 1, 2020 to June 30, 2021 Fiscal Year at \$0.00 (zero dollars and zero cents) per thousand dollars of valuation on all real and personal property located within the District as of April 1, 2020 and hereby committing said assessments to the Tax Collector of the Town of Orono for collection in accordance with the authority established under 30-A M.R.S.A., Section 5255(5).

Order 20-106 Order, establishing the due dates for FY21 Real Estate and Personal Property Taxes of September 24, 2020 and February 11, 2021, the rate of interest at 8% per annum, and for interest to begin accruing on said tax balances remaining as of September 25, 2020 and February 12, 2021.

Order 20-107 Order, that the Tax Collector be, and hereby is, authorized to accept money prior to the tax commitment in prepayment of taxes, to issue receipts for the same and pay no interest on prepaid taxes.

Order 20-108 Order, that the rate of interest to be paid by the Town for the overpayment of taxes be set at 4% per annum.

Order 20-109 Order, authorizing the Tax Collector/Treasurer, pursuant to Title 36, M.R.S.A., Sec. 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill.

Order 20-110 Order, authorizing the Tax Collector/Treasurer, pursuant to Title 36, M.R.S.A., Sec. 906, to apply any payment received from an individual as payment for any sewer use fee against outstanding or delinquent fees due on said account in chronological order beginning with the oldest unpaid bill.

Order 20-111 Order, setting the rate of interest to be collected on delinquent sewer accounts at the same annual rate as established by the Town Council for delinquent taxes for the July 1, 2020 to June 30, 2021 Fiscal Year of the Town of Orono. Interest will be charged on unpaid balances after the due date.

Order 20-112 Order, confirming the employment contract of Joshua Ewing as the Police Chief for the Town of Orono, effective July 1, 2020 to June 30, 2024.

Order 20-113 Order, confirming the employment contract of David Milan as the Economic Development Director for the Town of Orono, effective July 1, 2020 to December 31, 2021.

Order 20-114 Order, confirming the employment contract of Robert Bass as the Senior Staff Accountant for the Town of Orono, effective July 1, 2020 until separation of employment.

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

6. Public Comments

Sarah Marx thanked everyone involved for their work on the budget. She asked about the planning process for the community liaison group with the police. She asked about the planning process and having people of color take the leadership on the planning of this group.

Ms. Mehnert stated Council is still in the planning process and will be discussing it further. She noted Council will want to hear from all different races, religions, etc. Ms. Gardner commented she has talked with the University's Office of Diversity and Inclusion to include people of color in the planning and conversations. The public will be updated/informed about a future Council Workshop on this topic.

Sonja Birthisel asked about examining policies that are in place regarding antidiscrimination and whether they are on the website for the public to view. Ms. Wilson noted the policies are not currently on the website; however, she encouraged anyone to contact the Police Chief (jewing@orono.org) for information on policies and/or procedures. She noted, as part of the Town's accreditation process, the Town has purchased PowerDMS software that will allow the Police Department to constantly log and track the latest policies and training. It is an integrated system that will allow for more public engagement with the policies and procedures. Ms. Birthisel applauded the Town for its transparency. Ms. Ryder explained that it should be on the website by the end of July.

Sarah Marx questioned how the community liaison groups would be led or structured to not retraumatize people of color so that it is a positive experience. Ms. Mehnert confirmed it is a big concern for Council and they will be discussing how to appropriately address it. Ms. Gardner stated the Town will be actively seeking a facilitator. Ms. Robertson stated they are also looking for a facilitator from Restorative Justice.

With the influx of a lot of emails, Ms. Mehnert reminded Councilors to send any operational emails to the Town Manager. If Councilors receive policy or political emails that they respond to, they should copy all Councilors and the Town Manager.

Ms. Osher noted the Council received an email from a resident regarding putting up flags on the bridge that she responded to directly. Ms. Ryder noted the American flags will be going up for July. Mr. Greenier agreed with not responding to emails without getting the Town Manager's input. Ms. Wilson noted the Town does not own flags or the bridge. She explained the process of bringing a proposal to Council to consider, but cautioned that the University has limited time and resources for putting up and taking down flags. She noted it was her job to run daily operations.

7. Brief Town Manager Update

Ms. Wilson provided a brief update on the following items:

- 4th of July holiday will be celebrated on Friday, July 3rd
- The Municipal Review Committee (MRC) reached an agreement with PERC for waste to be incinerated versus landfilled in the interim. She noted MRC will not be taking further legal action. MRC is seeking a buyer for the waste plant to reopen.
- Staff received a \$23,000 grant from Keep Maine Healthy for special police details or a 3rd party security service for social distancing at Nadeau-Savoy Park.
- WPCF is having issues with flushable/non-flushable wipes in the system. She urged people to only flush the three "p"s.
- The landfill will be closed on the 4th of July due to the holiday.
- 1100 absentee ballots have been received. The postage for absentee ballots is \$0.70. Regardless, all ballots will be delivered to the Town Office. Staff will conduct the July 14th election. The polls will be open from 7am-8pm, face coverings must be worn.
- The French vs. the Town of Orono case is in a holding pattern.

8. Executive Session pursuant to 36 MRSA, § 841 et seq., to Consider a Request for Poverty Tax Abatement Based on Poverty and/or Disability #2020-001.

At 5:30pm, Tom Perry motioned and Cheryl Robertson seconded to move into executive session to consider a Request for Poverty Tax Abatement Based on Poverty and/or Disability #2020-001. All voted in favor, 7-0.

At 5:42pm, Tom Perry motioned and Terry Greenier seconded to move into regular session. All voted in favor, 6-0 (Cheryl Robertson was absent).

Order 20-115 Order, to consider a Request for Poverty Tax Abatement Based on Poverty and/or Disability #2020-001.

Motion to Approve Poverty Abatement request #2020-001 by Terry Greenier and seconded by Tom Perry. All voted in favor, 6-0 (Cheryl Robertson was absent).

9. Adjournment

At 5:45pm, Terry Greenier moved and Tom Perry seconded to adjourn. All voted in favor, 6-0.

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



Orono Town Council Special Meeting

Monday, June 29, 2020



Order 20-91: Adopting a Municipal Budget

- Total Municipal Expenses \$9,537,614
- Total Municipal Revenue \$4,563,630
- Net Municipal Budget \$4,973,984



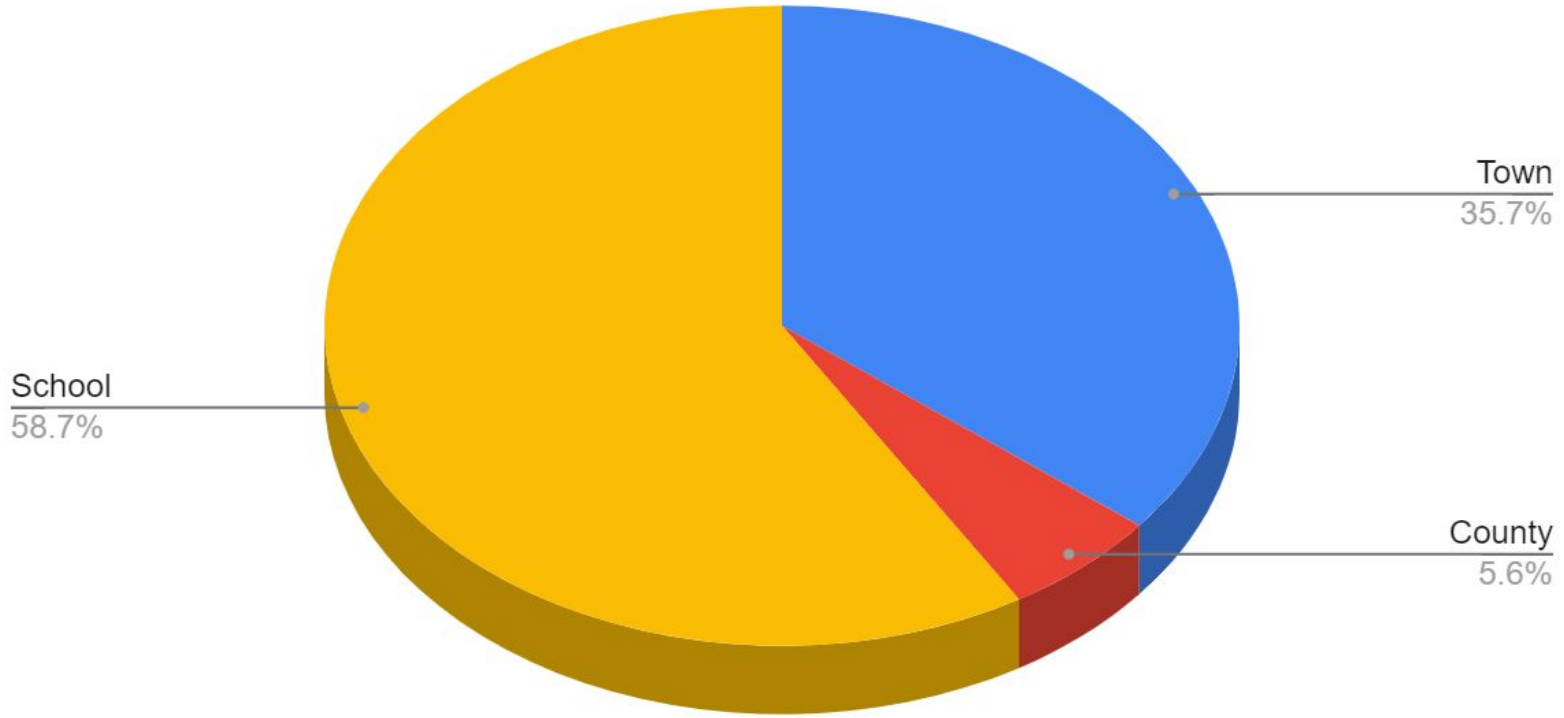
Order 20-91: Adopting a Municipal Budget

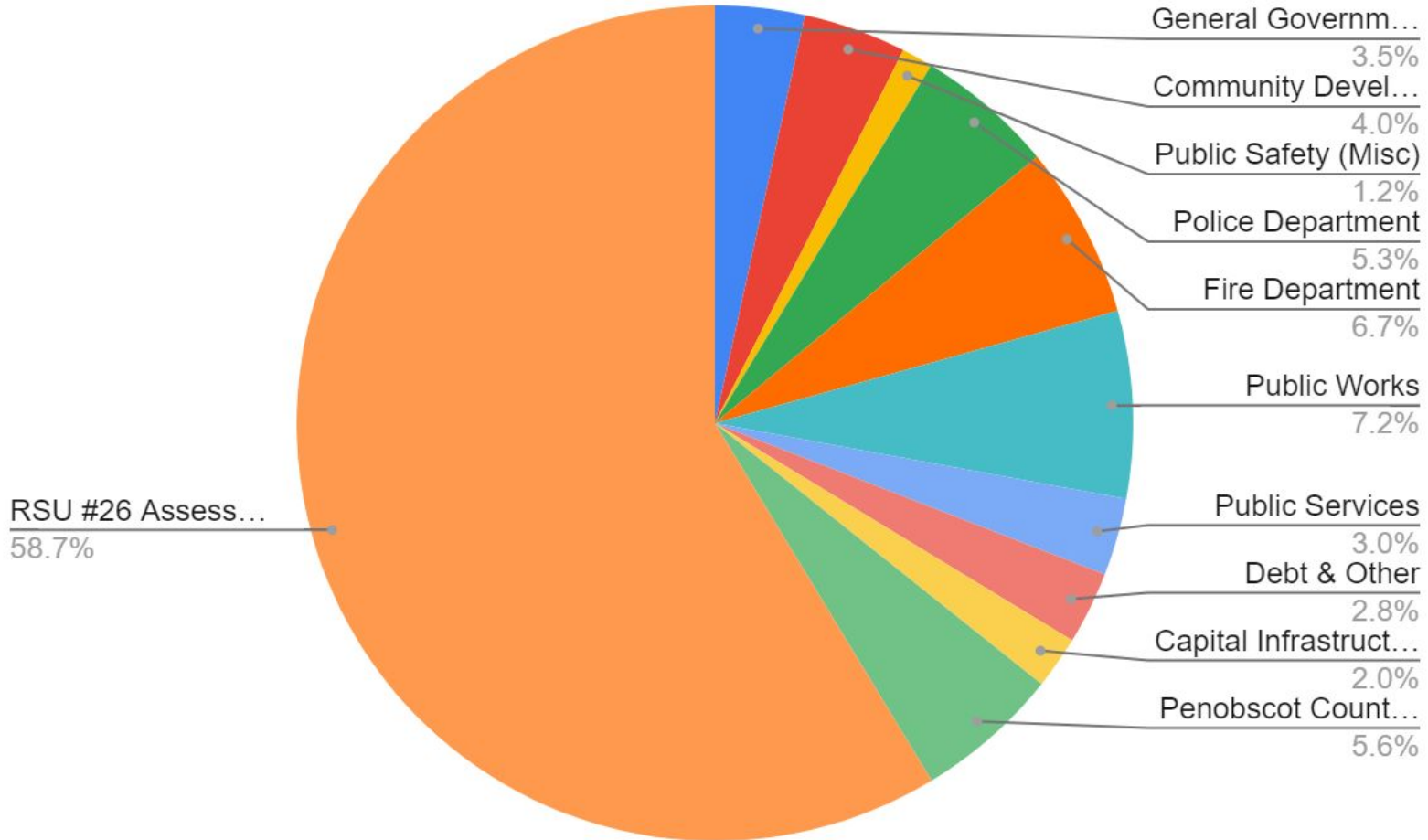
- Uncertain Revenue Projections
- Cuts to Expense Budget Impacting Services
 - Pool Closed Summer 2020
 - Staff Reductions: Library & Public Works
 - Town Clerk's Office Open 4 Days/Week
 - Infrastructure Project Delays



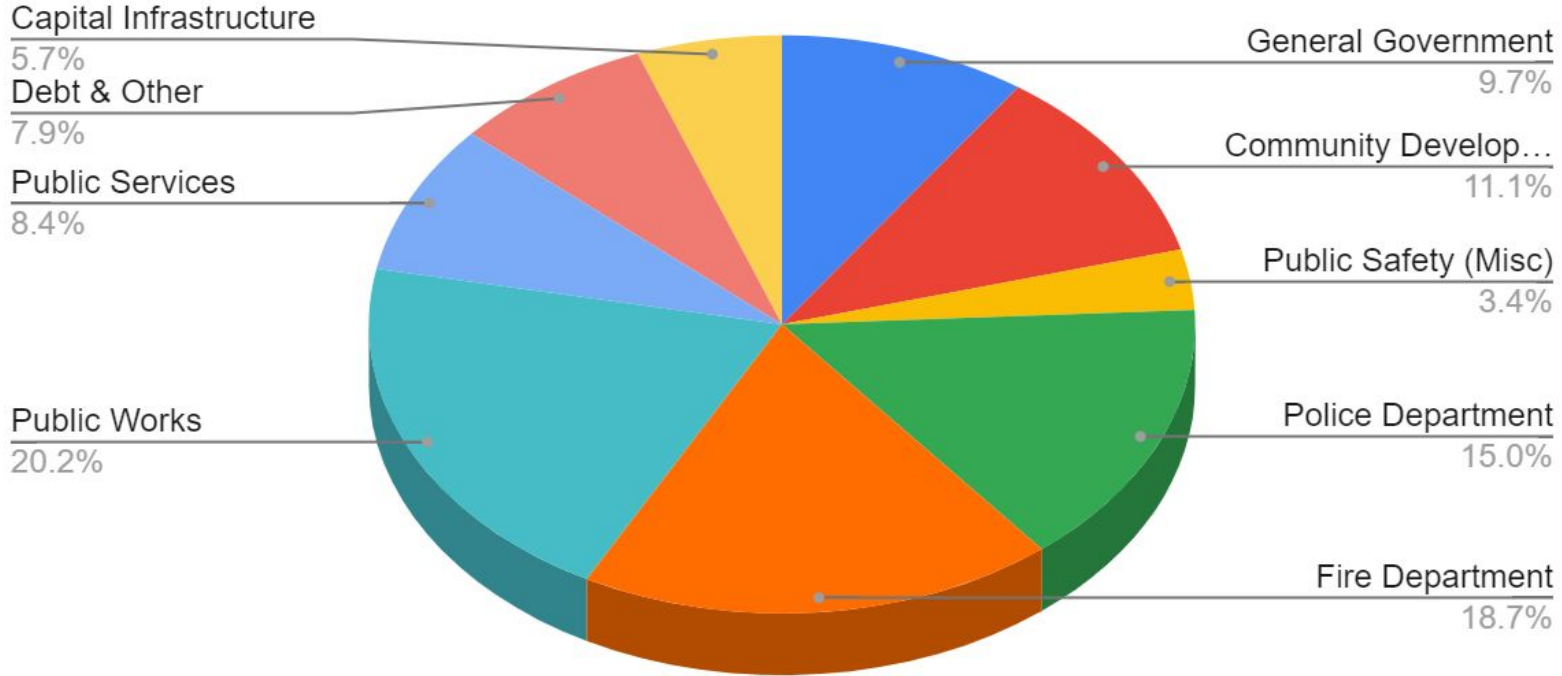
Order 20-91: Adopting a Municipal Budget

- Projected to Hold Tax Rate for Municipal Services Flat
 - \$10.04/\$1,000 of Taxable Value
 - Homestead Exemption Rate Increasing by \$5,000
- Overall Tax Rate Projected to Increase
 - By \$1.64/\$1,000 Taxable Value
 - To \$28.09/\$1,000 Taxable Value





Tax Dollars Collected for Municipal Services





Order 20-92: Authorizing Use of TIF Funds

● Downtown & Transit	\$660,125
● Webster Point	35,125
● Penobscot Dermatology	51,245
● Dirigo Pines Inn	124,580
● Orono Basin	<u>2,500</u>
TOTAL	\$ 873,575



Order 20-93: Adopting WPCF Budget

- Operating Budget \$1,604,664
 - Decrease From FY20 \$ 23,439
- Capital Budget \$ 190,400
- No FY21 Rate Increase Adopted at this Time
 - Will be Evaluated this Fall



Order 20-94: Adopting 5 Year Capital Plan for Town and WPCF

- Will Likely be Revised as Part of FY21 Council Work Plan



Order 20-95: Adopting FY21 Fee Schedule

- Minor Changes
 - EMS No Transport Fees & Lift Assists
 - Increase RAD Day Camp Fee
 - Makes Landfill Permits 18-Months



Order 20-96: Awarding Construction Contract for WPCF Capital Projects

- Kell Street & Margin Street Sewer Improvements & Mill Street Sanitary Sewer Separation Projects
- Granite Inliner, LLC of Fairfield, Maine
- Total Price = \$204,450
 - \$129,450 Sewer Infrastructure Reserve
 - \$ 75,000 Downtown & Transit Oriented TIF District