

TOWN OF ORONO

COUNCIL VIRTUAL MEETING MONDAY, JULY 13, 2020 AT 4:00 P.M.

WATCH ONLINE AT
<https://zoom.us/j/91803415767>
(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.

2. Agenda Review - None

3. Approval of Minutes of June 15, 2020 (revised) and June 29, 2020

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

4. Public Hearings

a. 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 a. opened at 4:01pm. Community Development Director Dave Milan reported that staff reviewed this application, no concerns were identified, and staff recommends approval of the license. All property taxes and sewer fees assessed to the applicant for this location have been paid. No public comments were made. Public hearing a. closed at 4:02pm.

5. Acknowledgments by Council Members

Terry Greenier acknowledged the Council for their hard work and efforts during the last several months.

Meghan Gardner acknowledged her daughter Ella’s birthday.

Cheryl Robertson acknowledged the two Councilmembers, Meghan Gardner and Laurie Osher, who are running for State office and wished them good luck. She also acknowledged the business and community members for seeing the value of wearing face coverings.

Sam Kunz echoed the previous comments made by Councilors. He thanked the community members for coming together during these difficult times and expressed his appreciation.

Laurie Osher acknowledged the staff for the Facebook posts regarding voting and the Town Clerk and staff for processing a record number of absentee ballots. She stated staff has done a great job and it will be a big day tomorrow (Election Day).

Tom Perry acknowledged Council Chair Cindy Mehnert for the time and effort she puts into reviewing the issues with the Town Manager before they come to Council.

Cindy Mehnert reminded everyone that voting is tomorrow in the Council Chamber and residents can also drop off their absentee ballots.

Ms. Gardner acknowledged the unexpected passing of Judy Mateja.

Ms. Osher stated that residents can still register to vote and vote tomorrow. Ms. Ryder noted residents can also request an absentee ballot tomorrow and return it by 8pm in person or in the drop box.

6. Unfinished Business - None

7. Consent Agenda

Order 20-116 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.

Order 20-117 Order, appointing Ashlyn Edes to the Library Board of Trustees as an Associate Member (2-year term, expiring April 2022).

Order 20-118 Order, appointing Janet Goodrich (Republican) and John Beckett (Alternate Republican) to the Voter Registration Appeals Board (filling unexpired 3-year terms, until 2022).

Order 20-119 Order, authorizing the Chair to sign the Findings of Fact and Decision for Poverty Abatement 2020-001 which was heard and approved on Monday, June 29, 2020 on behalf of the Town Council.

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

8. New Business

Order 20-120 Order, creating a Special Ad Hoc Committee of the Town Council focused on the Environment and matters that impact the environment with an initial charge to develop a draft comprehensive plan for Council consideration that would provide guidance for policy and operational decision-makers related to decreasing Orono’s environmental footprint and increasing its ability to withstand the impacts of climate change; appointing Councilor Robertson as the Chair of this special Environment

Committee; and, in accordance with Town of Orono Ordinances Section 2-30(b), authorizing the Council Chair to appoint up to one additional Council member and community experts to serve on said Committee.

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

Councilor Robertson proposed the creation of a Council Committee focused on issues and operations in Orono that impact the Environment. She proposed a group comprised of up to two Councilors, staff, and community experts (likely from the University) to work over the next several months to develop a comprehensive plan for the full Council's consideration that creates a framework (or guidance) for staff and policy makers related to decreasing Orono's environmental footprint, improving its ability to withstand the impacts of climate change, and continue or improve our environmental stewardship as a community.

Ms. Wilson reviewed the group's makeup as two Councilors, staff as needed and citizen experts. The group would start with issues staff is encountering with a focus of developing a comprehensive plan regarding the environment. Ms. Wilson described three or more Councilors on the committee making it a public meeting with proper notification required.

Ms. Gardner noted it will be great to have a formal framework that also takes work off the staff's plate. Ms. Osher supported advertising the meeting in advance for the public to watch and engage the community. Ms. Robertson stated that would be a next step. Ms. Mehnert stated she was excited about the committee and possible financial grant options.

Order 20-121 Order, adopting a 6-Month Moratorium Ordinance on Commercial Solar Projects to Regulate Large Scale Solar Facilities.

Moved by Terry Greenier and seconded by Cheryl Robertson. All voted in favor, 7-0.

Ms. Wilson stated staff received an inquiry about citing a large-scale commercial solar project in Orono. Staff reviewed the current ordinances and learned the town does not have the regulations it needs. Staff recommends Council consider adopting the moratorium to prohibit commercial scale projects while the Town considers ordinance language to address the site plan concerns inherent with this type of development. The moratorium would be in effect until January 9, 2021

While the process of considering this ordinance was undertaken in a manner that allows the Town Council to adopt this moratorium retroactively, staff was made aware that a resident was in the process of planning a project that, while much smaller in scale than others, would classify as commercial. Staff accepted the permit application for this project and has adjusted the ordinance language to be retroactive to July 11, 2020. This will allow this smaller project to proceed while all other commercial projects will have to wait until the land use ordinance is revised. Staff anticipates this discussion will begin at the July 16th Community Development Committee meeting.

Order 20-122 Order, authorizing the Town Manager to make necessary budget adjustments and expend up to \$141,500 from the Capital Infrastructure Reserve for the following projects:

Harrison Ave	\$20,000	Gardner Rd	\$60,000
Riverdale Dr	\$ 8,500	Maxfield Dr	\$ 7,000
Streetlights	\$31,000	Signal (I95)	\$15,000

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

Public Works Director Rob Yerxa stated the projects listed, with the exception of the Signal (I-95) project, were originally funded in the FY20 budget and needs to be authorized by Council to be paid for with reserve funds. Mr. Yerxa described the work to be completed.

Mr. Yerxa stated the traffic signals at the I-95/Stillwater Avenue intersections were hit by lightning and will cost \$10,000-\$15,000 to repair. Staff is exploring insurance coverage for the repair, but it is likely that it will be a local expense with possible reimbursement to the reserve fund.

Order 20-123 Order, awarding a contract for Hot Mixed Asphalt Paving Services to Wellman Paving, LLC of Winterport in the amount of \$72.77/ton for hot mix asphalt in place for approximately 3,555 tons or \$258,697.35 estimated for 2020 construction season including projects on Forest Avenue, Godfrey Drive, Myrtle Street, Juniper Street, Harrison Avenue, Gardner Road, Riverdale Drive, and Maxfield Drive.

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

Mr. Yerxa stated seven bids were received on July 1, 2020 ranging from \$103/ton to \$72.77/ton. The low bidder, Wellman Paving, LLC, is well known and Mr. Yerxa stated he is confident in their work. Due to the low bid price, Mr. Yerxa described the expanded scope of work to include more of Forest Avenue and the sidewalk. Mr. Yerxa noted the Westwood Drive project will wait until the school project is completed.

Mr. Yerxa stated letters will be sent to the affected residents prior to paving stating that questions can be directed to him.

Order 20-124 Order, awarding the bid for a Medium Duty Dump Body for the 2004 International to F3mfg of Waterville for \$10,794 to be drawn from the approved FY21 Capital Equipment Budget.

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

Mr. Yerxa stated the 2004 truck is extensively used by the Public Works crew and is important to maintain in the fleet. In an effort to save money, staff is recommending the body be replaced as the cab/chassis still has 4-5 years of useful life remaining. When the truck needs to be replaced, the aluminum body can be placed on a new cab/chassis.

Since F3mfg is the only provider of this type of body and the Town has had very positive experience with their work and customer service, staff is requesting that Council consider this sole source award.

9. Council Committee/Representative Reports

Comp Plan Committee - Meghan Gardner stated the Committee met on July 9th to discuss a Village Residential Overlay District and creating a transitional mixed use district. Ms. Gardner stated the Committee was interested and will meet again to fine tune the ideas and get public feedback.

Pride Across Maine - Ms. Gardner stated that Orono will be featured in the Pride Across Maine pride passport in August. Orono's Pride Zoo will be featured in the passport. She noted that businesses will keep their window painting and sculptures up to highlight the work Orono's been doing this summer to promote Pride and the LGBTQ celebration. She encouraged Councilors to have their photo taken at the Pride giraffe for the passport. Ms. Wilson offered to have staff take the high quality photo of Councilors.

Environment Committee - Cheryl Robertson asked anyone interested in the Environment Committee should contact her, the Town Manager or Council Chair.

10. Future Agenda Items/Items of Concern

Council/Committee Meeting Changes - Sam Kunz expressed concern for residents that were unaware the meeting last Monday was postponed to Thursday and how to get the word out in the future. Ms. Wilson explained the ways in which the meeting change was communicated: website alert banner with email/text notice, agenda center update, and Facebook updated message. She also explained how to sign up for agenda notices by going to the homepage and click on "How do I? Sign up for" feature. Mr. Kunz suggested, in the future, having someone open the Zoom meeting to inform the public of a meeting change.

Crosswalk Painting changes - Ms. Wilson explained that Rob Yerxa received an email from MDOT about inaccurate policy information given to him about painting crosswalks. She read the email from MDOT apologizing for the misinformation and acknowledging the updated policy of April 2019 which allows the painting of crosswalks. She stated, with the new information and guidelines, the Town will work to get some crosswalks painted this summer. Rob Yerxa noted the guidelines allow the crosswalks to be painted with non-reflective paint in a 25mph or less zone. Ms. Wilson suggested having the original group help select the colors and sidewalks to paint. Ms. Mehnert spoke in support of that idea. Councilors expressed support to the staff for operating with the information they knew at the time and for being responsive for correcting the error. Mr. Yerxa supported using August as the target date.

11. Public Petitions - None

12. Public Comments

Bailey McLaughlin asked for confirmation of when Council (July 20?) would be discussing the racial justice topic. She requested publishing the date well in advance of the meeting to keep the

community informed. Ms. Mehnert confirmed it would not be July 20, but the public would be informed when the date is known.

Sarah Marks thanked Council for the Pride crosswalk follow up. Ms. Marks provided feedback on the meeting date change not being updated soon enough for people tuning in. She requested posting the agendas a week ahead of the meeting. Ms. Wilson stated the Council agenda stays open until Thursday at noon before the meeting per the Ordinance. She suggested a 2-tiered agenda; one a week before and an updated one later. Ms. Mehnert stated if meeting changes are made, someone will come online to announce it.

Alex Collins asked about the progress on posting Police Department policies on PowerDMS. Assistant Town Manager Belle Ryder stated some of the policies have been uploaded to the website. The Police Department Administrative Assistant will be uploading more of them soon. A notice will be sent on Facebook when they are published.

Sonja Birthisel was glad to hear about the Environment Committee and asked about the civil rights committee and requested having the agenda published in advance of the meeting. Ms. Wilson stated it would be discussed at a Council Workshop in July or August. Ms. Mehnert stated information would be provided online as soon as possible.

13. Adjournment

At 5:35pm, Tom Perry moved and Terry Greenier 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