



Sanford City Council

City Council Meeting Minutes – June 20, 2023

The Sanford City Council met on Tuesday, June 20, 2023 in person in the City Council Chambers and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure as amended June 6, 2023.

MAYOR: Becky A. Brink; **DEPUTY MAYOR:** Maura A. Herlihy; **COUNCILORS:** Councilor Ayn M. Hanselmann, absent with notice; Councilor Robert G. Stackpole; Councilor Jonathan L. Martell; Councilor Peter E. Tranchemontagne, Councilor Nathan H. Hitchcock. **CITY STAFF:** City Manager Steve Buck; Executive Assistant Lorisa Ricketts; Assistant Police Chief Eric Small; Systems Administrator Ben Gore; City Clerk Sue Cote; Fire Chief Scott Susi; Codes Officer Alix Horr; Lead Code Enforcement Officer Jamie Cole

Others present in the Council Chambers: Shelby Smith;

Others Present via Zoom: Airport Manager Allison Navia; Public Works Director Matt Hill; Community Development Director Ian Houseal; Treasurer Erin McMann; Police Major Matt Gagné; Zendelle Bouchard – Sanford/Springvale News; Daniel Bowden; Bruce Knight

Meeting Format

Mayor Brink called the meeting to order at 6:45 PM.

This meeting was conducted in person and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure as amended June 6, 2023.

Pledge of Allegiance

Moment of Silence

Roll Call:

Mayor Brink performed the roll call of Councilors present: Councilor Hitchcock, present; Councilor Tranchemontagne, present; Councilor Martell, present; Councilor Hanselmann, absent with notice; Councilor Stackpole, present; Deputy Mayor Herlihy, present.

Minutes

23-262-01 Ordered, to approve the minutes from the regular City Council Meeting held on June 6, 2023.

Councilor Hitchcock moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 5-0 with Councilor Stackpole abstaining because he was not present at the June 6 meeting.

23-263-01 Ordered, to approve the minutes from the Executive Session of the City Council held on June 6, 2023 at 4:00 PM.

Councilor Martell moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 5-0 with Councilor Stackpole abstaining because he was not present at the June 6 meeting.

23-264-01 Ordered, to approve the minutes from the Executive Session of the City Council held on June 6, 2023 at 5:00 PM.

Councilor Martell moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 5-0 with Councilor Stackpole abstaining because he was not present at the June 6 meeting.

Mayor's Report/City Council Sub-Committee Reports

Mayor Brink reminded everyone that the first City Council meeting in July will be on July 11; the second meeting will be on July 18. Subcommittees will be held on July 11.

Zoning Subcommittee discussed the rental licensing portion of the ordinance changes being brought forward tonight. A lot of discussion happened around a proposed ordinance regulating recreational vehicles and campers.

Public Safety Subcommittee report is attached. The Peer Center on Washington Street has temporarily closed but is actively looking for a new location so they can reopen soon.

City Manager's Report

Senator Collins will be visiting Sanford on Friday, June 23. He wants to talk with the Senator about the public-public and public-private partnerships that the City has entered into, and the projects that are underway because of them now that partnerships have been formed, including the RAISE Grant and Safe Streets for All grant projects. Wants to talk about the key role of Portsmouth Naval Shipyard and the Joint Land Use Study that has been undertaken with Kittery and other communities, leading to a planned park and ride facility to be built in Sanford with grant funds; workforce development and the partnership between the high school and community college; use of ARPA funds to obtain land for two fire stations, bolstering of MHU within the police department and hiring of a licensed clinical social worker within that unit; and use of funds for Dispatch and for police training; use of EDA funds for SanfordNet Fiber and the difficulty of using those funds; resources, time and effort put into Workforce, Low to Moderate Income and Market Rate housing projects and the use of Federal Historic tax credits and New Market tax credits, as well as HUD funding; CDS (congressional discretionary spending) applications; and impacts on the community of asylum seekers.

Communications/Presentations

23-229-01 Notice of Activity: Sanford Airport Fireworks July 1, 2023 orchestrated by Pilot's Cove Café.

Airport Manager Allison Navia presented on this item. This will be the third annual fireworks show at the airport – in addition to the show that the City puts on. Date is July 1; rain date is July 8. Seats in the café will be available with a country band playing – tickets are almost sold out. Free to just observe fireworks.

Public Participation

Shelby Smith of 33 Sam Allen Road mentioned that the crack-filler used on the roads is slick under motorcycle tires – is there a way to make it grippier so it is safer? Noise from the shooting range in S. Sanford. He is a gun-owner but the constant noise makes it difficult to do his work. Strange that the range is not subject to the noise ordinance – shooting happens as early as 6:30 AM. Was any kind of noise study done before the range was opened? Is there some sort of noise remediation that could be put in place?

Manager Buck asked for clarification about the timing of the noise. Mr. Smith responded that the noise is constant some days, and 6:30 a.m. is very early for it to begin.

Public Hearings

- 23-251-01 A public hearing to receive comments in favor or against the NEW application submitted by Sunshine Gardens LLC, for a Medical Cannabis Grower/Cultivation license at 72 Emery Street, Unit 403, Sanford, ME.

Public Hearing opened at 7:08 PM

No one spoke in favor or against this item.

Public Hearing closed at 7:08 PM

- 23-253-01 A public hearing to receive comments in favor or against the NEW Restaurant Liquor license application with Malt and Vinous privileges submitted by MGILL Enterprises, LLC D/B/A River Junction Brewing Co., 1491 Main Street, Sanford, ME.

Public Hearing opened at 7:08 PM

This is in the old Shain's restaurant. It will be a taproom for the brewery, which is currently in the applicant's garage. There will be beer and non-alcoholic beverages as well. They make the Smitty's Screentime IPA and have had their beer on tap at the Publick House as well.

Public Hearing closed at 7:12 PM

Consent Agenda

- 23-250-01 Ordered, to approve the following license requests:

1. Sunshine Gardens LLC, 72 Emery St, Unit 403, Sanford Me., for a NEW Medical Cannabis Grower/Cultivator License.
2. MGILL Enterprises, LLC D/B/A River Junction Brewing Co., 1491 Main Street, Sanford, ME., for a New Restaurant Liquor license with Malt and vinous privileges.
3. An off-premise license application from Cruisin' Infusions for July 15, 2023 for the Mainers Ball Game at 38 Roberts Street, Sanford, ME.

Mayor Brink sought questions or comments from the Council on the Consent Agenda items. Seeing none, the Consent Agenda was approved.

Old Business

- 23-77-01 Ordained, amendments to City Code §149-5, Licensing Rental Housing, and other sections of the Code to establish additional requirements for

short term rentals and requirements for documenting property insurance for all rental housing, and including amending the fee schedule for lodging establishments. (This item must be read on two separate dates; this is the second reading.)

Director Houseal presented on this item. It went back for additional discussion at Zoning Subcommittee last week. If an opportunity for a short-term rental came up in the downtown that was something special, it might be licensed individually.

Deputy Mayor Herlihy moved to approve. Councilor Stackpole seconded the motion.

Councilor Herlihy commented that after seeing what Portland does, can see that without appropriate oversight, issues can arise. She believes Sanford is starting out well with this ordinance.

Motion passed 6-0.

- 23-77-01 Ordered, to review and approve ordinance changes making permanent the emergency measures previously approved regarding management of public parking in the School Street parking lot and provision of alternate off-street parking during snow emergencies. (This item must be read on two occasions. This is the second reading.)

Councilor Martell moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 6-0.

New Business

- 22-283-01 Ordered, to receive from the City Treasurer tax acquired property due to the nonpayment of 2020/2021 real estate tax liens.

The property is 46 High Street.

Councilor Tranchemontagne moved to approve. Councilor Stackpole seconded the motion.

Motion passed 6-0.

- 23-249-01 Ordered, to authorize the City Manager, on behalf of the City Treasurer, to execute an Agreement between Camden National Bank and the City of Sanford to extend our current banking service agreement for an additional three years expiring June 30, 2026.

Manager Buck presented on this item and noted that the banking relationship has been exceptional.

Councilor Stackpole moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 6-0.

- 22-479-01 Ordered, to affirm a fixed price electricity supply contract with Maine Power Options at \$0.1021/kWh for the 16-month period beginning July 2023 for new accounts and the 12-month period beginning November 2023 for existing accounts.

Facilities Director Alex Hammerle presented on this item. Pricing for both electricity and fuel oil has been dropping since early spring. In May, it started to level out and pricing has been flat. The current prices are about 1/3 lower than the previous contracts; only locking in for 12-month contracts because it is uncertain where pricing will go. Both of these contracts were discussed at Property Subcommittee on June 13.

Mayor Brink moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 6-0.

- 22-499-01 Ordered, to affirm a fixed price fuel oil contract with Dead River Company for 25,000 gallons of #2 heating oil at the fixed price of \$2.6714/ gal.

Councilor Hitchcock moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 6-0.

- 23-259-01 Ordered, to authorize the City Manager to institute through its Code Enforcement Officer and Corporation Counsel, in the name of the City, any and all actions, legal or equitable, against the property owner and parties in interest of the property found at 11 Kimball Street, that may be appropriate or necessary, including injunctions of violations and the imposition of fines and penalties that may be appropriate or necessary to enforce, pursuant to City Code § 90, Building and Building Regulation, § 149-5, Rental Housing, and § 280-3-5, Enforcement and Ordered, to continue the dangerous building hearing regarding 11 Kimball Street, to July 18, 2023, pending this ordered enforcement action pursuant to Court Rule 80-K.

Community Development Director Ian Houseal presented on this item. He commented that the City has been dealing with the property since last

August when the property was posted against occupancy. There have been three hearings at the Board of Appeals. Enforcement action of this type against a property is done infrequently and only when necessary. This is only the third time it has been done. He thanked Codes Officers Jeannie Wood and Aaron Lederer for all their efforts on this enforcement action.

Councilor Tranchemontagne moved to approve. Councilor Stackpole seconded the motion.

Motion passed 6-0.

- 23-255-01 Ordered, to authorize the City Manager to enter into a subscription agreement for Granicus EngagementHQ software for project development and dissemination of information to the public, to include a one-time implementation fee of \$2,500.00 and an annual subscription fee of \$11,250.00, to be taken from marketing funds.

Communications Coordinator Jordan Wilson presented on this item, which was discussed at Property Subcommittee on June 13.

Councilor Tranchemontagne moved to approve. Councilor Martell seconded the motion.

Motion passed 6-0.

- 23-233-01 Ordered, to approve a contract extension for the City of Sanford's Pay-as-You-Throw (PAYT) orange bag manufacturer and distributor, Waste Zero.

Manager Buck presented on this item, which was discussed at Solid Waste Subcommittee on June 13. The current contract has expired; they are looking to re-engage for three years. There would be a rate increase to the City, but there would be no increase in the sleeve prices this year. The net cost of single sort recycling has reduced, so can maintain the same pricing. Quality of the bags was discussed.

People always ask why the bags are so expensive. The bags aren't the expense – the City has already purchased them. When you pay the sleeve price, you are paying the per-ton cost for the curbside collection, disposal of MSW, and pick-up and disposal of recyclables. It is a fee for service instead of the cost being included in tax bills. Only those who generate the waste are paying for the disposal. The orange bags are a trash metering mechanism.

The City does not make any money off the bags. Because of this system, taxes aren't impacted by the cost of solid waste disposal.

Waste Zero has been responsive to any issues that are brought up.

During Covid, there was an issue with one of Waste Zero's manufacturing lines, so it was taken off-line. Staff couldn't come across overseas to repair/replace because of Covid restrictions. That is back on-line now. If there are quality issues, return the bag to Public Works for a replacement at no cost.

Councilor Martell requested a copy of the report of the quality complaints that Waste Zero compiles.

Councilor Stackpole moved to approve. Councilor Tranchemontagne seconded the motion.

Motion passed 5-1 with Councilor Martell opposed.

- 23-267-01 Ordered, to ratify a 3-Year Collective Bargaining Agreement with the Sanford Police Association, Maine Association of Police, for the period of July 1, 2023 to June 30, 2026.

City Manager Buck presented on this item. The recommendation is to use half of the \$362,941 Overlay from this year's budget to cover the Police Department contract over and above what is currently in the budget, and to use the other half of the overlay amount to do the same for the Fire Department contract.

Mayor Brink moved to ratify the agreement with the recommended use of the Overlay funds as presented. Councilor Stackpole seconded.

Motion passed 6-0.

- 23-268-01 Ordered, to ratify a 3-Year Collective Bargaining Agreement with the Sanford Fire Fighters Association Incorporated, Local 1624 of the International Association of Fire Fighters, for the period of July 1, 2023 to June 30, 2026.

Deputy Mayor Herlihy moved to ratify with the following clarifications: On Article 14, Educational Incentive Pay, the Council is accepting the red-line changes presented to the Council this evening, adding a 15-year step to the educational incentive. The Council do not want to accept the proposed changes to Article 9B; they want the language to remain as written in the prior contract with no changes or additions. The Council also wants to use half of the \$362,941 Overlay from this year's budget to cover the Fire Department contract over and above what is currently in the budget.

Councilor Tranchemontagne seconded the motion.

Motion passed 6-0.

23-265-01 Ordered, to adopt an Emergency Ordinance: An Act to Amend City Ordinances Pursuant to the Elimination of the Office of the Fire Marshal Chapter 149 Licensing and Chapter 128 Fire Prevention, pursuant to Charter Section 214.1.

Mayor Brink moved to adopt the Emergency Ordinance as presented with the following additional amendments:

128-6 remove duplication of the word "City"
128-8 remove "Fire Marshal" and replace with "Fire Chief or designee"
128-10-AHJ – correct spelling of "their"
128-34-E – Change "Fire Marshal" to read "Code Office" throughout the section
128-36-P – Change "Fire Marshal" to read "Building Official"
128-20 – Replace "Fire Marshal" to "Sanford Building Official" throughout
128-26B – Replace "Fire Marshal" with "Fire Chief or designee"
128-34A 6C – "Fire Marshal" should change to "State Fire Marshal"

Councilor Tranchemontagne seconded to adopt the Emergency Ordinance as amended.

Motion passed 6-0.

Council Member Comments

Councilor Hitchcock: Sanford Mainers season started last week. Visiting teams commented that they really like the sense of community support for the team in Sanford.

Councilor Tranchemontagne: To the kids: enjoy the summer but be good.

Councilor Martell: None.

Councilor Hanselmann: Absent with Notice.

Councilor Stackpole: None.

Deputy Mayor Herlihy: Sanford Mainers are still looking for volunteers – lucky ticket table. You get free admission and food and beverages. Today is her dad's 85th birthday.

Mayor Brink: None.

Future Agenda Items

Councilor Hitchcock: None.

Councilor Tranchemontagne: None.

Councilor Martell: None.

Councilor Hanselmann: None.

Councilor Stackpole: None.

Deputy Mayor Herlihy: None.

Mayor Brink: None.

Adjournment

Meeting adjourned at 8:05 PM.

Respectfully submitted by Lorisa Ricketts, Executive Assistant to the City Manager.

6/13 Public Safety Subcommittee Meeting Report

Police Department Update:

- We welcomed new officers to the Department
- Sargent Adams reported out on the Mental Health Unit and shared the following with us for year to date 2023:
 - There have been 91 unhoused individuals so far of which 30 have found shelter
 - 34 of the unhoused were unhoused for 2 or more years
 - There are 61 people living outside currently
 - 55 of the people living outside have known Comorbidities (diseases)
 - Only 6 people are unhoused for financial reasons only
 - There continues to be a lack of beds state wide
- Sargent Adams shared that the Peer Support Center has temporarily closed and that folks no longer have a place to go during the day because of that and we are seeing an uptick of unhoused community members in the parks during the day
- Chief Anderson shared recent success of our neighborhood watches and recommends anyone interested in forming a neighborhood watch attend a citizens advisory board meeting or request to be connected with existing watch leaders.
- DC Small shared a reminder that the Citizens Advisory Board meets the 4th Tuesday of the month at 6pm at the Police Department and that all are welcome and encouraged to attend.
- New electronic signs have installed throughout the City with help from Public Works who installed the posts

Fire Department Update:

- AC Smith shared an update on data from the Fire Department
 - 71% of calls this year have been EMS calls
 - 35% of calls were overlapping calls, meaning the Department has multiple calls at one time
 - Chris Gay was the busiest employee of the month
 - There are 4 open positions that are currently accepting applications
 - Significant training of staff continues

Dispatch Update :

- Staff level dropped to 21 but one new hire will be onboarded shortly to bring us up to fully staffed
- We are still waiting for a neighboring City to share the CAD software choice they went with and why as we gather information in preparation for our future upgrade