



Sanford City Council

City Council Meeting Minutes – December 20, 2016

The Sanford City Council met at 6:00 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, December 20, 2016. **COUNCILORS:** Deputy Mayor Maura A. Herlihy, Councilor Joseph Hanslip, Councilor Fred W. Smith and Councilor John L. Tuttle, Jr. **CITY STAFF:** City Manager, Steven Buck; Executive Assistant, Sherry Lord.

Mayor Cote called the meeting to order at 6:02 pm.

The session began with the Pledge of Allegiance followed by a moment of silence dedicated to Gilles Auger of Sanford.

Roll Call:

Deputy Mayor Herlihy performs the Council Roll Call: Councilor Tuttle, present; Councilor Lanigan, absent w/notice; Councilor Smith, present; Councilor Hanslip, present, and Mayor Cote, absent w/notice.

Minutes

Regular Meeting: December 6, 2016: Councilor Smith moved to approve, seconded by Councilor Hanslip. The City Council voted 3-0-2. This item will be tabled to the next Council meeting for a quorum vote.

Mayor's Report/City Council Sub-Committee Reports

City Manager's Report

(see attached)

Communications/Presentations

Audit Presentation – MacPage LLC: Christian Smith presented the Municipal & School Audit to the City Council.

Public Participation

Public Hearings

The City Council will take public comment on the following:

1. A public hearing for an application for liquor license renewal for VFW Post #9935, 1 Hutchinson Street, Sanford, ME. Mayor Cote declared the public hearing open at 6:33pm. There was no one to speak for or against. The public hearing was closed at 6:33pm.
2. A public hearing for an application for liquor license renewal for the Back

Street Grill, Inc., D/B/A: Back Street Grill, 16 School Street, Sanford, ME. Mayor Cote declared the public hearing open at 6:33pm. There was no one to speak for or against. The public hearing was closed at 6:33pm.

3. A public hearing for the determination of dangerous building – pursuant to 17 M.R.S. §§ 2851-2859, Property at 9 Kirk Street, Springvale/Sanford Maine, identified as Tax Map L14, Lot 23. Mayor Cote declared the public hearing open at 6:34pm. Shirley Sheesley, Code Enforcement Officer addressed the Council. Dianne Connolly, Springvale stated that two years ago when she sat on the Council this property was being talked about. Gary Lamb spoke about the poor condition of this building. Dianne McCaul, owner of the house stated that she has had multiple companies in there since October to fix all the issues with this house. There was no one else to speak for or against. The public hearing was declared closed at 6:52pm.

Consent Agenda

16-160.01 Ordered, to approve the following license requests:

1. An application for liquor license renewal and application for blanket letters to operate three (3) Games Of Chance (1-Daily Pool, 2-Sealed Tickets, 1-Meat Raffle) for VFW Post #9935, 1 Hutchinson Street, Sanford, ME.
2. An application for liquor license renewal for the Back Street Grill, Inc., D/B/A: Back Street Grill, 16 School Street, Sanford, ME.
3. An application for blanket letters to operate Game of Chance for a Dice Game for the AMVETS Post #3, 169 School Street, Sanford, ME.

Old Business

16-149.07 The City Council of the City of Sanford hereby ordains amendments to Chapter 245-89: Parking prohibited during certain hours on certain streets. (This item must be read on two separate days. This is the second reading). Deputy Mayor Herlihy moved to approve, seconded by Councilor Hanslip. The City Council voted 5-0 to approve.

16-158.07 The City Council of the City of Sanford hereby ordain amendments to Chapter 280: Zoning as follows: (This item must be read on two separate days. This is the second reading). Deputy Mayor Herlihy moved to approve, seconded by Councilor Lanigan. The City Council voted 5-0 to approve.

1. Clarify fee requirements for all permit, escrow, and construction compliance reviews and for other zoning fees the City Council deems appropriate, including management of escrow accounts and fee disputes.

2. Clarify that the zoning of the Margaret Chase Smith School is Residential Development (RD).
3. Clarify the method of measuring the setback requirement for medical marijuana production.

16-159.08 The City Council of the City of Sanford hereby ordain amendments of the proposed creation of Chapter 35: Exemptions and Local Option Exemptions: §1-2 Exemption eligible Military Personnel from Vehicle Excise Tax. (This item must be read on two separate days. This is the second reading). Councilor Halship moved to approve, seconded by Councilor Lanigan. The City Council voted 5-0 to approve.

New Business

16-161.02 Ordered, to accept the annual audit conducted by MacPage, LLC. Councilor Smith moved to approve, seconded by Councilor Lanigan. The City Council voted 5-0 to approve.

16-162.03 Ordered, to make a determination of nuisance or dangerous building against the property at 9 Kirk Street, Springvale/Sanford Maine, Tax Map L14, Lot 23 pursuant to 17 M.R.S.A §2851. Councilor Smith moved to discuss, seconded by Deputy Mayor Herlihy. Councilor Smith voiced his concerns that there has been no progress on this property since it was before the City Council last year. He feels that it needs to be declared dangerous. Deputy Mayor Herlihy moved to declare 9 Kirk Street a dangerous building for reasons as follows: Based on their testimony and other evidence presented and made part of the record, the Municipal Officers find the following facts: An inspection was done via an Administrative Warrant issued by District Court Docket No. CV-16-202 on November 9th, 2016. The inspection found the following violations of the *2003 International Property Maintenance Code* adopted by the City of Sanford and hereby attested by the Sanford City Council as follows:

- Overgrown shrubs and lawn **Section 302.4**
- Shingle siding is curling and popping off building **304.6**
- Holes in eaves and trim missing **304.1, 304.7**
- Holes in roof and roof sagging **304.7**
- Broken front steps, rear steps and deck. **304.10**
- No electric power to building – meter removed. **604, 605**
- Chimney needs repair **304.11**
- Broken windows **304.13**
- Trash, mattresses on porch **307**
- Much water damage, including:
 - Sagging and water-soaked ceilings/floors **305.2**
 - Walls stained and peeling **305.1, 305.3**
 - Stairwell deteriorating **305.4, 305.5**

- Dangling and fallen ceiling tiles **305.1, 305.3**
- Apparent mold **305.3**
- Broken baseboard heating system **602, 603.1**

Pursuant to an inspection performed on November 15th, 2016 by Geoffrey R. Aleva, PE-Structural Engineer Maine License No. 9679 found:

- The building (9 Kirk Street) has been left vacant for many years and has substantial deterioration due to lack of maintenance and repair.
- There is a significant amount of mold and decay present inside the structure.
- The roof has been compromised on the north side for what appears to be many years. Water has entered the building and has destroyed the adjacent roof and floor systems. Access to the second floor was denied due to safety predicated by the structural conditions.
- The building is not a viable candidate for renovation due to the extreme damage and environmental moisture issues. The structure is not safe for occupancy or entry.
- If the structure is not addressed soon, it will become a safety issue for the neighboring properties.

, seconded by Councilor Hanslip. The City Council voted 5-0 to declare 9 Kirk Street as a dangerous building.

16-163.04 Ordered, to accept the Downtown/Mill Redevelopment Strategy. Councilor Smith moved to approve, seconded by Councilor Hanslip. Beth Della Valle addressed the Council. The City Council voted 5-0 to approve.

16-164.05 Ordered, to authorize the City of Sanford to study and review a potential traffic signal relocation from Sanford Plaza and Route 109 to Old Mill Road/Route 109/Alumni Drive with a third party Traffic Engineer Consultant for a defined scope of affirming the necessity of the relocation, final design, and coordination and compliance with Traffic Signalization Improvements within Sanford currently under design by the Maine Department of Transportation. Councilor Smith moved to approve, seconded by Councilor Hanslip. Matt Hill, Public Works Director addressed the Council. The City Council voted 5-0 to approve.

16-165.06 Ordered to re-appoint Susan Cote as the City of Sanford Registrar of Voters for the period of January 1, 2017 through December 31, 2018. Councilor Hanslip moved to approve, seconded by Councilor Smith. The City Council voted 5-0 to approve.

16-166.07 Ordered, to make appointments to various City Boards and Committees. Deputy Mayor Herlihy moved to approve appointments, seconded by Councilor Hanslip.

Council Member Comments

Councilor Tuttle: absent w/notice

Councilor Lanigan: Merry Christmas & Happy New Year

Councilor Smith: Wished everyone a happy holiday season. Proud of the people that volunteered this past year in this community.

Councilor Hanslip: Thanked all the employees of Sanford and elected and appointed officials. He wished everyone a happy holiday season. Voiced his concerns with the audio issues. He feels it has been going on too long and it needs to be straightened out.

Deputy Mayor Herlihy: None

Mayor Cote: Need to look into the audio system. Happy New Year!

Future Agenda Items

Adjournment

Deputy Mayor Herlihy moved to adjourn regular meeting at 7:20 pm
Respectfully submitted by Sherry Lord, Executive Assistant