



Sanford City Council

City Council Meeting Minutes – March 5, 2019

The Sanford City Council met at 6:00 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, March 5, 2019. **Mayor:** Thomas P. Cote **COUNCILORS:** Deputy Mayor Lucas Lanigan, Councilor Maura A. Herlihy, Councilor Joseph Hanslip, Councilor John L. Tuttle, Jr., Councilor Robert G. Stackpole and Councilor Ayn Hanselmann **CITY STAFF:** City Manager, Steven Buck; Executive Assistant, Lorisa Ricketts; Director of Public Works Matt Hill; Director of Community Development, Ian Houseal; City Clerk, Sue Cote; Director of Planning, Beth Della Valle; Code Officer, Jeannie Wood; Code Officer Aaron Lederer.

Mayor Cote called the meeting to order at 6:03 pm.

Pledge of Allegiance

The session began with the Pledge of Allegiance and a moment of silence.

Moment of Silence

Roll Call:

Mayor Cote performed the Council Roll call: Councilor Hanselmann, present; Councilor Stackpole, present; Councilor Tuttle, present; Councilor Hanslip, present; Councilor Herlihy, present; and Deputy Mayor Lanigan, present.

Minutes

- 19-145-01 Ordered, to approve meeting minutes from Tuesday, February 19, 2019. Councilor Hanslip moved to approve, seconded by Councilor Tuttle. The City Council voted 6-0 to approve. Councilor Tuttle commented on the excellent minutes prepared by City Clerk Sue Cote while filling in for this meeting.
- 19-146-01 Ordered, to approve meeting minutes from emergency meeting Tuesday, February 13, 2019. The City Council who were present for the meeting voted 4-0 to approve.

Mayor's Report/City Council Sub-Committee Reports

Deputy Mayor Lanigan reported from the Marijuana Task Force, saying it seemed to be favorable and smooth at the committee meeting with only a few adjustments made. Businesses, Council members and staff seemed pleased.

Councilor Tuttle reported from the Public Safety Committee. The issue of fire hydrants being shoveled out was discussed and a report will be issued.

Deputy Mayor Lanigan reported from the Zoning Committee. The committee discussed food sovereignty and made good progress toward reaching consensus. Something should be coming forward soon.

City Manager's Report

See attached. Councilor Tuttle stated he has received a number of calls from people confused by the new layout at the entrance to the new high school. Public Works Director Matt Hill responded and explained that the traffic signal project was City-driven although the signals themselves were financed by the State DOT. A concrete island was considered; however, they wanted to be sensitive to the needs of the abutting businesses; they met with them on March 17, 2016 and they were strongly opposed to the island, which would prohibit left turns into/out of their businesses. The compromise was to maintain turning movements in, but sign for right turn out only. Mr. Hill had a conversation with the owner of Taco Bell/KFC who was at the 2016 meeting and who requested additional wayfinding signs to help customers. Councilor Tuttle stated that his concerns had been addressed and asked that we keep an eye on the intersection for incidents. Councilor Herlihy asked if the intersection will be repainted and Mr. Hill replied that it will once it is repaved.

Communications/Presentations

19-156-01 Presentation by Sanford Cycle on their work and request to become an Appointed Advisory Committee.

Mayor Cote asked how people should get in touch. Sanford Cycle responded that they can be reached through the Nasson Bike Center at Nasson Community Center.

Public Participation

Nicholas Farrow spoke regarding the situation with potholes. He spoke to Public Works and has not had a response; he has a vehicle that has been damaged. He also said the quality of the city trash bags is poor. City Manager Buck explained that there was a change of machines making the bags. If there are defective bags they can be returned to public works to be replaced.

Diane Connolly spoke regarding the remains that were found during the site preparation for the Cumberland Farms site. She requested an update. City Manager Buck stated that the results of the DNA test are still pending; interment plans are in place once those results come back. Ms. Connolly suggested a public interment if the DNA results are not conclusive.

Public Hearings

The City Council will take public comment on the following:

- 19-147-01 A hearing to determine whether the structure at 33 Brook Street, Sanford Maine owned by Deutsche Bank National Trust Company identified as Lot 14, on Tax Map I29, and further described in a Deed recorded in the York County Registry of Deeds at Book 17809, Page 585, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and if so, what is the appropriate remedy. Notice of this hearing was duly served on the owner by certified mail and advertised in the newspaper on February 15th, 22nd, and March 1st of 2019. Community Development Director Houseal presented information on the property; Code Officer Wood spoke about the issues identified on the property.
- 19-148-01 A hearing to determine whether the structure at 7 Calvin's Way, Sanford Maine owned by Jill Theriault identified as Lot 52-14, on Tax Map R12, and further described in a Deed recorded in the York County Registry of Deeds at Book 15089, Page 758, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and if so, what is the appropriate remedy. Notice of this hearing was advertised in the newspaper on February 15th, 22nd, and March 1st of 2019. Director Houseal presented information on the property. Code Officer & Fire Inspector Wood spoke about issues identified on the property. Nicholas Farrow stated that photos should be taken of the inside of a building before it is taken down. Mayor Cote and Councilor Herlihy stated that not all buildings found to be dangerous are torn down.
- 19-149-01 A hearing to determine whether the structure at 21 Sherburne Street in Springvale, Sanford Maine owned by Marie Nohr identified as Lot 36, on Tax Map J17, and further described in a Deed recorded in the York County Registry of Deeds at Book 8037, Page 203, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and if so, what is the appropriate remedy. Notice of this hearing was served upon the owner in person within the municipality of Sanford by Constable, by certified mail, and advertised in the newspaper on February 15th, 22nd, and March 1st of 2019. Director Houseal presented information on the property. Code Officer Aaron Lederer spoke about the issues identified on the property.

Consent Agenda

Old Business

- 18-553-01 Ordained, an Ordinance amending City Code, Chapter 120, 128, 149,161, and 280 regarding medical and adult use marijuana regulations

and an Ordinance adopted on October 16, 2018 which established a moratorium on medical marijuana production facilities and registered caregiver retail stores. (This item must be read on two separate days. This is a second reading.) Councilor Tuttle moved to approve; Councilor Herlihy seconded with a request for an update on the slight changes that have been made, and stated Councilor Lanigan's request that the property licensing date will be moved to June 1 instead of May 1. Beth Della Valle noted that under 161-1.4 Other provisions there are some minor adjustments and the Appeals and Severability sections were renumbered. City Manager Buck noted that there has been a lot of work to coordinate language from the various sections. The language has been reviewed by the City Attorney. Recommended moving forward. Motion was carried 6-0.

- 19-118-01 Ordained, amendments to City Code, Chapter 193, to exempt thrift stores, book stores, music stores, and video game stores from licensing secondhand dealers. (This item must be read on two separate days. This is a second reading.) Councilor Tuttle moved; seconded by Councilor Hanslip. Mayor Cote requested an update on this item from Ian Houseal, Director of Development. Thrift stores function by donation and would be exempt from this ordinance. Councilor Stackpole commented that when the amendments were brought forward, he thought there would be discussion of three options; he asked how this different version came forward. Councilor Hanslip stated that at the subcommittee meeting, Councilor Tuttle and himself favored option 3, exemption for music and video game stores, which was the basis of the current amendments, and stated that it is the recommendation of the subcommittee.

Councilor Herlihy stated she is glad that thrift shops are exempted and supports the amendment. Councilor Hanselman asked whether there should be clarification whether thrift stores should be defined as non-profit organizations and this was discussed.

Scott Drew stated that Bull Moose and many others survive selling secondhand items; if he has to go through a lot of extra work when they don't, it is unfair.

Mr. Pippin represents Party Pros. He said this is hurting senior citizens because they can't afford their money to update their systems to meet these requirements. He has had to turn people away. Mayor Cote asked for clarification. Mr. Pippin said the equipment is too costly for

him to switch to a new system. Mayor Cote clarified that Mr. Pippin's issue is with the entire ordinance and the reporting element, not just the electronics piece.

Councilor Tuttle is not sure the ordinance is ready yet. Mayor Cote doesn't want to complicate things. Councilor Hanselman stated that when she thinks about it broadly, this amendment will make it more attractive for other businesses like Play It Again Sports or Game Stop to come.

Motion carried 5-1.

New Business

- 18-613-01 Ordered, to accept the bid for the demolition and removal of the 3 Beaver Hill Road building from Guillemette Brothers Inc. in the firm fixed price in the amount of \$4,928.00. Moved by Councilor Tuttle; seconded by Councilor Herlihy. Motion carried 6-0.
- 19-150-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 33 Brook Street, Sanford Maine, Tax Map I29, Lot 14. Councilor Herlihy made a motion stating the Council's judgement and order (see attached). Councilor Hanslip seconded. Motion carried 6-0.
- 19-151-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 7 Calvin's Way, Sanford Maine, Tax Map R12, Lot 52-14. Councilor Herlihy made a motion stating the Council's judgement and order (see attached). Councilor Tuttle seconded. Mayor Cote stated the neighborhood can be enormously improved by this action. Motion carried 6-0.
- 19-152-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 21 Sherburne Street in Springvale, Sanford Maine, Tax Map J17, Lot 36. Councilor Herlihy made a motion stating the Council's judgement and order (see attached). Councilor Hanslip seconded. Motion carried 6-0. Mayor Cote thanked the Codes Officers for their work.
- 19-153-01 Ordered, to accept the resignation of James Drummey from the Budget Committee. Motioned by Councilor Tuttle; seconded by Councilor Herlihy. Carried 6-0.

- 19-154-01 Ordered, to appoint Bruce Knight, a qualified, registered Sanford Voter, to the Budget committee per section 602.1 of the Sanford City Charter. Moved by Councilor Tuttle; seconded by Councilor Herlihy. Carried 6-0.
- 19-155-01 Ordered, to appoint the current members of Sanford Cycle as an Advisory Committee to the Council to provide advocacy for cycling interests in the City as it relates to safety, shared roads and complete streets, interconnections with trails, and the promotion of and incorporation of cycling to the City's Comprehensive Planning and infrastructure improvements. Moved by Councilor Hanslip; seconded by Councilor Tuttle. Hanslip and Tuttle both expressed their support. Carried 6-0.

Council Member Comments

Councilor Hanselmann: Attended the February 21st meeting for Cycle Sanford related to the downtown connector design work. It was exciting and she looks forward to seeing what they bring forward, likely in three or four weeks.

Councilor Stackpole: We would be remiss as a community if we don't look at SanfordNet Fiber as an opportunity, and if we don't reach out to senior citizens and others to educate them so the community can take advantage of the new technology. For many years he has spoken of the need for a Sanford connector to the turnpike to spur economic development; he sees SanfordNet Fiber as the community's "on-ramp". In terms of community development and finding ways to bring young people who have left the community back to Sanford. Many young adults work from home and now that we have this infrastructure, they could work here. Understands that leasing the fiber is what makes it financially viable but also hopes we can do a lot more with the network.

Councilor Tuttle: Thinks it may be a good idea to discuss changing the amount we spend on roads, perhaps consider discussing changing the Charter for the next election. Re Diane Connolly's comment about disposing of the remains, he thinks it is appropriate to dispose of them in the near future. Congratulations to Caribou High School on winning its first State Championship in 50 years. This is the last meeting of the Council before St. Patrick's Day; wishes everyone a happy St. Patrick's Day.

Councilor Hanslip: Nothing to add.

Councilor Herlihy: Deputy Mayor Lanigan asked her to mention that on March 19, Meals on Wheels invites members of the public to go out in the community with them while they deliver meals.

Mayor Cote: Budget starts 6:00 PM this Thursday. A lot has been done regarding dangerous and hazardous buildings but not a lot of discussion has happened around building new housing to replace them. It would be nice for the City to take a look at current

ordinances and see if we can become a little friendlier as far as home construction. Received a call from a concerned citizen on North Avenue regarding sex offenders and distance from schools. Would like the Public Safety Committee to look at this. Guidelines from the State are clear; will pass them to the subcommittee.

Future Agenda Items

- Sex offenders and distance from schools.
- What can be done to update or rebuild the City's website.

Adjournment

Mayor Cote moved to adjourn regular meeting at 8:32 pm
Respectfully submitted by Lorisa Ricketts, Executive Assistant