



Sanford City Council

City Council Meeting Minutes – June 5, 2018

The Sanford City Council met at 6:00 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, June 5, 2018. **Mayor:** Thomas P. Cote **COUNCILORS:** Deputy Mayor Lucas Lanigan, Councilor Maura A. Herlihy, Councilor Joseph Hanslip, Councilor Fred W. Smith, Councilor John L. Tuttle, Jr. and Councilor Robert G. Stackpole **CITY STAFF:** City Manager, Steven Buck; Executive Assistant, Sherry Lord; Jeannie Wood, Land Bank Officer; David Gilcrest, Land Bank Officer; Alan Grady, Director of Parks & Recreation; William Tower, Director of Sanford Regional Communications; Thomas P. Connolly, Police Chief and Sergeant Jason Wagner, Sanford PD.

Mayor Cote called the meeting to order at 6:10 pm.

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

Pledge of Allegiance

Moment of Silence

Roll Call:

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

Minutes

18-288-01 Ordered, to approve the following meeting minutes:

- March 20, 2018: Regular Meeting; Councilor Tuttle moved to approve, seconded by Deputy Mayor Lanigan. The City Council voted 5-0 to approve.
- April 3, 2018: Regular Meeting: Deputy Mayor Lanigan moved to approve, seconded by Councilor Herlihy. The City Council voted 5-0 to approve.
- April 24, 2018: Regular Meeting: Councilor Tuttle moved to approve, seconded by Councilor Lanigan. The City Council voted 4-0 to approve.
- May 1, 2018: Regular Meeting: Councilor Tuttle moved to approve, seconded by Deputy Mayor Lanigan. The City Council voted 5-0 to approve.
- May 15, 2018: Regular Meeting: Councilor Herlihy moved to approve, seconded by Deputy Mayor Lanigan. The City Council voted 4-0 to approve.

Mayor's Report/City Council Sub-Committee Reports

Mayor Cote attended the This is Us event at the High School and he thanked everyone that organized it. He also visited the Journey House and reported he had a nice meeting. Councilor Herlihy, Tuttle and Mayor Cote attended the Memorial Day Parade. Mike Martin from the Babe Ruth League reached out to him and invited anyone to attend the ball games on Friday, June 8th 5:30pm and 8:30pm. This is a way to show support in light of the tragedy.

City Manager's Report

None

Communications/Presentations

18-297-01 Stenton Mill Area Revitalization Workshop. Beth Della Valle presented Mayor Cote with the Community Leader Award and the Sarah Garstar Executive Director of the Workforce Housing Coalition. Rip Patten Environmental Engineer from Credere Associates and Michael Castagna of Castagna Consultants gave a presentation to the Council of the Charrette that was preformed last fall.

Public Participation

Public Hearings

18-298-01 A Public Hearing to receive comments on a liquor license renewal application with Malt, Vinous, Spirituous privileges from Sopher Corporation 457 Main Street, Springvale, ME. Mayor Cote declared the public hearing open at 6:37 pm. There was no one to speak for or against. The public hearing was closed at 6:37pm.

18-299-01 A Public Hearing to receive comments on the NEW liquor license application with Malt, Vinous and Spirituous privileges from Mill Towne Tavern Inc. Mayor Cote declared the public hearing open at 6:37pm. There was no one to speak for or against. The public hearing was closed at 6:37pm.

18-301-01 Proposed changes to Chapter 280: ZONING regarding changes to the City's Zoning Map:

1. Sanford Airport Solar, LLC is requesting the following amendments to the city's zoning map and land use tables to support their solar project to be located at the Sanford Seacoast Regional Airport:
 - a. Change zoning for one parcel, Tax Map R22, Lot 25, which is

adjacent to the airport, from Rural Residential (RR) to Airport Development (AD) Change the Land Use Tables to allow Utility Solar Systems within the Rural Mixed Use (RMU) zone. Mayor Cote declared the public hearing open at 6:38 pm. There was no one to speak for or against. The public hearing was closed at 6:38pm.

18-312-01 A public hearing to determine whether the residential structure at 43 Jagger Mill Road, Sanford, Maine identified as Lot 20, on Tax Map R18, and further described in a Deed recorded in the York County Registry of Deeds at Book 14606, Page 428-429, 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 in person, party in interest by certified mail, and published in the newspaper for three successive weeks on May 18, May 25, and June 1, pursuant to 17 M.R.S.A. § 2857, when an owner or party in interest is unknown or is not ascertainable with reasonable diligence. Mayor Cote declared the public hearing open at 6:38pm. Ian Houeal, Community Development Director gave a brief report to the Council. Jeannie wood, Land Bank Officer explained the status of the property and her findings. (see findings and order attached). Councilor Smith stated that he has driven by the property this week and it seems that someone has been cleaning it up this week. Owner of the property Frank Watson spoke on behalf of the property. He acknowledges that there are no humans that live in the building but there is valuable items inside the house. There was on one else to speak for or against. The public hearing was declared closed at 7:10pm.

18-305-01 A public hearing to determine whether the residential structure at 13 Island Avenue, Sanford, Maine identified as Lot 24, on Tax Map I29, and further described in a Deed recorded in the York County Registry of Deeds at Book 2756, Page 290, 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 (Martin J. Vachon) in person by the York County Sheriff at the York County Jail, by certified mail in Mariaville Maine, and published in the newspaper for three successive weeks on May 18, May 25, and June 1, pursuant to 17 M.R.S.A. § 2857, when an owner or party in

interest is unknown or is not ascertainable with reasonable diligence. Mayor Cote declared the public hearing open at 7:11pm. Ian Houeal, Community Development Director gave a brief report to the Council. David Gilchrest addressed the Council with the findings of the property (see findings and order attached). Martin Vachon spoke and explained the he does not have any interest in the property due to a recent divorce. Jesse Krall Attorney for Janet Vachon explained that there is a potential buyer for the property with the closing due on June 15th. She asks for a reasonable amount of time be given for the new buyer to complete renovations. Councilor Smith drove by the property and he explained that there is trash all over the place he feels that it has been in this state for a very long time. There was no one else to speak for or against. The public hearing was declared closed at 7:40pm.

18-311-01 A public hearing to determine whether the residential structure at 3 Beaver Hill Road, Sanford, Maine identified as Lot 12B, on Tax Map J14, and further described in a Deed recorded in the York County Registry of Deeds at Book 16263, Page 641, 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 registered agent (Joseph Lenkowski) for Rockwell Investment Group LLC in person, by certified mail to Rockwell Investment Group LLC and John Wetherbee, and published in the newspaper for three successive weeks on May 18, May 25, and June 1, pursuant to 17 M.R.S.A. § 2857, when an owner or party in interest is unknown or is not ascertainable with reasonable diligence. Mayor Cote declared the public hearing open at 7:41pm. Ian Houseal, Director of Community Development addressed the Council with a presentation. Jeannie Wood explained the property maintenance code violations for this property (see findings and order attached). Aaron Wiswell of the Rockwell Investment Group explained that they purchased the property and then ran into some issues with the town and they just boarded it up and walked away. Mr. Wiswell stated that it has been a very difficult process working with the City. He is asking for time to fix the place up. The public hearing was declared closed at 7:52pm.

18-310-01 A public hearing to determine whether the residential structure at 10 Brook Street, Sanford, Maine identified as Lot 7, on Tax Map I29, and further described in a Deed recorded in the York County Registry of Deeds at Book 13151, Page 168, 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 published in the newspaper for three successive weeks on May 18, May 25, and June 1, pursuant to 17 M.R.S.A. § 2857, when an owner or party in interest is unknown or is not ascertainable with reasonable diligence. Mayor Cote declared the public hearing open at 7:53pm. Ian Houseal, Director of Community Development addressed the Council with a presentation. Jeannie Wood explained the property maintenance code violations (see findings and order attached). There was no one to speak for or against this property. The public hearing was declared closed at 8:02 pm.

18-314-01 A public hearing to determine whether the residential structure at 11 Goodwin Street, Sanford, Maine identified as Lot 7, on Tax Map J14, and further described in a Deed recorded in the York County Registry of Deeds at Book 12855, Page 29-30, 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 and parties in interest by certified mail, and published in the newspaper for three successive weeks on May 18, May 25, and June 1, pursuant to 17 M.R.S.A. § 2857, when an owner or party in interest is unknown or is not ascertainable with reasonable diligence. Mayor Cote declared the public hearing open at 8:03pm. Ian Houseal, Director of Community Development addressed the Council with a presentation. Jeannie Wood explained the property maintenance code violations (see findings and order attached). There was no one to speak for or against this property. The public hearing was declared closed at 8:08 pm.

Mayor Cote sought comments or concerns regarding the following item. There were none. The consent agenda item was approved.

18-302-01 Ordered, to approve the following license requests:

1. An application for liquor license renewal from Sopher Corporation, 457 Main Street, Springvale, Maine.
2. An application for NEW liquor license from Mill Towne Tavern LLC., 898 Main Street, Sanford, Maine.

Old Business

18-230-01 The City Council of the City of Sanford hereby ordains amendments to the Zoning Map and Land Use Tables to support its proposed solar project:

1. Change zoning for one parcel, Tax Map R22, Lot 25, which is adjacent to the airport, from Rural Residential (RR) to Airport Development (AD). Change Land Use Tables to allow Utility Solar in the Rural Mixed Use (RMU) District. (This item must be read on two separate days. This is the second reading.) Councilor Smith moved to approve, seconded by Deputy Mayor Lanigan. The City Council voted 6-0 to approve. Liz Payton of NextEra addressed the Council. Thanked the City for working with them on this project.

18-116-01 The City Council of the City of Sanford hereby ordains amendments to Ch. 193 regulating certain business and activities including pawnbrokers and secondhand dealers. And including establishing and amending Ch. 215 regulating certain businesses and activities including tobacco and paraphernalia retailing. (This item must be read on two separate days. This is the second reading.) Councilor Smith moved to approve, seconded by Deputy Mayor Lanigan. Deputy Mayor Lanigan explained the sub-committee recommendations. The City Council voted 6-0 to approve.

New Business

- 18-285-01 Ordered, to approve a request from St. Thomas School for their annual 5k Road Race. Councilor Smith moved to approve, seconded by Councilor Tuttle. Sherri Mischio and Becky McCann of the St. Thomas 5k committee. They are looking for approval for October 13th from 9am to 11am. The City Council voted 6-0 to approve.
- 18-300-01 Ordered, to authorize road closures for events on July 3rd and 4th, 2018. Councilor Tuttle moved to approve, seconded by Councilor Smith. Alan Grady, Director of Parks and Recreation addressed the Council to explain the events for the 4th of July activities. The City Council voted 6-0 to approve.
- 18-295-01 Ordered, to authorize the City Manager to enter into agreements for dispatch services for the Towns of Berwick and South Berwick, Maine. Councilor Smith moved to approve, seconded by Deputy Mayor Lanigan. William Tower, Director of SRCC addressed the Council. The City Council voted 6-0 to approve.
- 18-296-01 Ordered, to accept a bid for three (3) new 2018/2019 Ford Vehicles for the Police Department. Councilor Tuttle moved to approve Starkey Ford for an amount not to exceed \$75,251.00, seconded by Councilor Stackpole. The City Council voted 6-0 to approve.
- 18-308-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 43 Jagger Mill Road Pursuant to 17 M.R.S.A § 2851, 2-A: "To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property." Councilor Herlihy moved to discuss, seconded by Deputy Mayor Lanigan. Deputy Mayor Lanigan moved to declare (see attached), seconded by Councilor Tuttle. The City Council voted 6-0 to approve.
- 18-306-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 13 Island Avenue Pursuant to 17 M.R.S.A § 2851, 2-A: "To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a

hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.” Councilor Smith moved to discuss, seconded by Councilor Herlihy. Councilor Tuttle moved to declare (see attached), seconded by Herlihy. The City Council voted 6-0 to approve.

18-309-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 3 Beaver Hill Road Pursuant to 17 M.R.S.A § 2851, 2-A: “To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.” Deputy Mayor Lanigan moved to declare (see attached), seconded by Councilor Stackpole. The City Council voted 6-0 to approve.

18-307-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 10 Brook Street Pursuant to 17 M.R.S.A § 2851, 2-A: “To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.” Councilor Tuttle moved to declare (see attached), seconded by Councilor Stackpole. The City Council voted 6-0 to approve.

18-313-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - 11 Goodwin Street Pursuant to 17 M.R.S.A § 2851, 2-A: “To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.” Deputy Mayor Lanigan moved to declare (see attached), seconded by Councilor Herlihy. The City Council voted 6-0 to approve.

- 18-315-01 Ordered, to accept and authorize a Bid for Construction of SanfordNet Fiber, a municipally owned fiber optic network, pursuant to Bid issued on March 31ST, 2018 EDA Project No. 01-01-14741. Councilor Herlihy moved to table to June 19, 2018, seconded by Deputy Mayor Lanigan. The City Council voted 6-0 to approve.
- 18-316-01 Ordered, to authorize the use of Funds from the Downtown TIF Account for the Downtown Portion of SanfordNet Fiber by allocation from the Development Sinking Fund Account to the Project Cost Account in compliance with Tax Increment Financing Statute Title 30-A §5227 (3) et. Al. Councilor Herlihy moved to table until June 19, 2018, Seconded by Councilor Tuttle. The City Council voted 6-0 to approve.

Mayor Cote asked for an addition of an item, seconded by Councilor Herlihy.

Order, to amend the City's Contribution to the Post Road Foundation Memorandum of Understanding authorized on May 1st, 2018 from \$10,000 to \$20,000 due to the loss of Kennebunk Municipal Power and Light from the MOU as determined by Post Road. Deputy Mayor Lanigan moved to authorize an additional \$10,000 for a total of \$20,000 for the City's Match for the Post Road Foundation Memorandum of Understanding, the additional \$10,000 to come from the FY 18/19 CIP Allocation of \$35,000 from CDBG Grant Match as the City will not be awarded the CDBG gran, seconded by Councilor Herlihy. The City Council voted 6-0 to approve.

Council Member Comments

Councilor Stackpole: He expressed his gratitude for everyone that helped over the weekend in the two tragedies. He also gave his condolences to the two families that lost loved ones. Voiced his concerns regarding plastic bag signs.

Councilor Tuttle: He would like to have a date of when June Street is going to be paved. He also voiced his concerns about the noise of loud and speeding vehicles.

Councilor Smith: Apologized for not being around a lot. His job has kept him away. He is concerned about the paving that is happening due to the gas line being installed. He expressed his concern for the house fire loss and thanked the fire department. He also sent his condolences for the Parkhurst family.

Councilor Hanslip: Absent w/notice

Councilor Herlihy: Mainer's opening night is tomorrow night. Baseball players can get in free if they wear their uniforms. She also reported that Dick Bergeron passed away. He will be greatly missed as it is a great loss to our community.

Deputy Mayor Lanigan: Thanked the first responders for all they do.

Mayor Cote: He encouraged everyone to attend the little league baseball game on Friday night to show support. Congratulated the Class of 2018.

Future Agenda Items

- Zoning: Sign types (plastic bag signs)

- Goodall Park Security

Adjournment

Mayor Cote moved to adjourn regular meeting at 9:35 pm
Respectfully submitted by Sherry Lord, Executive Assistant