



Sanford City Council

City Council Meeting Minutes – July 18, 2017

The Sanford City Council met at 6:00 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, July 18, 2017. **Mayor:** Thomas P. Cote **COUNCILORS:** Deputy Mayor Maura A. Herlihy, Councilor Joseph Hanslip, Councilor Fred W. Smith, Councilor Lucas Lanigan, Councilor John L. Tuttle, Jr. and Councilor Robert G. Stackpole **CITY STAFF:** City Manager, Steven Buck; Executive Assistant, Sherry Lord; Fire Chief, Steven Benotti; Airport Manager, Allison Rogers; Police Chief, Thomas P. Connolly and SREGC Director, James F. Nimon.

Mayor Cote called the meeting to order at 6:00 pm.

The session began with the Pledge of Allegiance

Roll Call:

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

Minutes

Regular Meeting: June 20, 2017; Councilor Tuttle moved to approved, seconded by Councilor Hanslip. The City Council voted 6-0 to approve.

Emergency Meeting: June 27, 2017; Councilor Hanslip moved to approve, seconded by Councilor Tuttle. The City Council voted 6-0 to approve.

Mayor's Report/City Council Sub-Committee Reports

Thanked the Sanford Mainer's for hosting a first responder's night and also thanked Deputy Mayor Herlihy for filing in while he was out.

City Manager's Report

(See attached)

Communications/Presentations

Sanford Regional Economic Growth Council Quarterly Report:

Public Participation

Kevin Laroche – Resident of Sanford spoke about the conditions of the roads in Sanford. He is asking that the Council fund more money to fix the roads.

Dianne Connolly – Springvale resident spoke about Bridge Street in Springvale at the intersection of route 109 there is no designated turn lane or signage and it is causing traffic issues. The Dorr Cemetery issues with construction.

Robert Champagne – He spoke about the new housing ordinance. He does not have internet service and will not be able to get notifications.

Robert Lachance – spoke of the Sanford Trust Building. He asked if there was a plan to

rehabilitate the building.

Public Hearings

The City Council will take public comment on the following:

1. An application for liquor license renewal for Pioneer Gaming, LLC., D/B/A: Sanford OTB, 890 Main Street, Sanford, ME. Mayor Cote declared the public hearing open at 6:29 pm. There was no one to speak for or against. The public hearing was declared closed at 6:29.
2. A public hearing to receive comments on the following proposed amendments to the Sanford City Code Part II: General Legislation; Chapter 70 Airport; Article I: Hangar Design and Construction Standards. Mayor Cote declared the public hearing open at 6:29 pm. Allison Rogers spoke of the proposed ordinance changes. There was no one else to speak for or against. The public hearing was declared closed at 6:30pm.
3. A public hearing to receive comments on the following proposed amendments to Chapter 226-126, Schedule 4: Parking prohibited at all times in designated places. Mayor Cote declared the public hearing open at 6:31 pm. Mike Casserly spoke of the proposed amendments and the locations of the recommended locations. There was no one to speak for or against. The public hearing was declared closed at 6:38pm.
4. A public hearing to receive comments on a new ordinance to regulate on-premises, temporary, and official signs in Sanford for the purposes of addressing content-neutrality, size, placement, count and lighting and electronic messaging standards of those signs in addition to other purposes as described in the new ordinance and replacing the existing sign ordinance in its entirety. Mayor Cote declared the public hearing open at 6:38 pm. Ian Houseal, Community Development Director stated that this public hearing is intended to kick off the public hearing process. The planning board will hold a meeting tomorrow night at 6:30pm where you can address your concerns. There was no one to speak for or against. The public hearing was declared closed at 6:40pm.
5. A public hearing to receive comments on a new ordinance to regulate electrical installations locally, instead of through the State of Maine, for the purposes of improving customer service and business-friendliness, and making available an electrical inspector and seeking to protect Sanford from electrical hazards in the long-run. Mayor Cote declared the public hearing open at 6:40 pm. Ian Houseal, Community Development Director addressed the Council and explained the new ordinance. Robert Lachance spoke in favor of this new ordinance. There was no one to speak for or against. The public hearing was declared closed at 6:41pm.
6. A public hearing to receive comments on the following: an Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs in the Municipality of Sanford/Springvale, ME. Mayor Cote declared the public hearing

open at 6:41 pm. Jason Trowbridge, who owns properties in Sanford and is also a licensed marijuana grower. He feels that the marijuana industry would bring new industry to Sanford. City Manager Buck addressed the lack of legislation on retail marijuana. Councilor Stackpole asked when will this ordinance end? City Manager replied that the ordinance can be repealed or amended at a future date. Kevin Laroche of Sanford stated he has traveled around the country where retail sales have helped communities, such as funding roads and schools. Councilor Smith added that the States that do tax need to keep going back for more because they can't cover the costs. Councilor Lanigan stated that he feels we are making decisions based on emotions and not facts. There was no one to speak for or against. The public hearing was declared closed at 6:59pm.

Consent Agenda

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

17-90.01 An application for liquor license renewal for Pioneer Gaming, LLC, D/B/A: Sanford OTB, 890 Main Street, Sanford, ME.

Old Business

17-83.06 The City Council of the City of Sanford hereby ordains amendments to Chapter 90: Building Construction Ordinance; Chapter 128: Fire Prevention and to add an ordinance to regulate rental housing and an ordinance to regulate vacant buildings. (This item must be read on two separate days. This is the second reading) Ian Houseal, Community Development Director spoke of the ordinance and the Council Action on the agenda and gave a presentation. Tim Whitehouse, lives on 22 Beaver Hill Road he is concerned that this elaborate program will increase taxes for the Citizens of Sanford. He pointed out that there are businesses in the City that are decaying but there is no program in place to rehabilitate them. Bob Hewey he feels that a licensing fee for all properties is long overdue as well as having properties inspected but he feels that it should be separate from the land bank etc. Angus McKeckron lives in Sanford was not happy about the ordinance. Frank McCarthy is a landlord in the City as well as a tenant of this building. He is not happy about the fees and inspections on the property. He feels that the only reason Augusta, Orono and Biddeford have this because they have transient population. Robert Lachance spoke in favor of this ordinance. He feels that it is an amount of protection. He feels that we should be more concerned about life safety issues than all the other stuff in the ordinance. He doesn't think it is right. Louis Melanson lives on Spruce Street in an apartment that he owns. He charges \$650/month because the Wolves club is out drinking until 1am in the morning. He doesn't feel that he can raise the rent because of the noise. Bonnie Heptig, landlord in Sanford for over a decade. She stated that a two bedroom, heated is \$850-\$900 per month.

She feels that this program will raise the fees. She feels it is flowing downhill from surrounding communities. Wayne Burbank has owned apartment buildings in Sanford for 35-40 years. He thinks it will be a good idea to put in a new lease that the City will be coming through the apartment once a year. He also feels there should be a grace period to pay taxes on a property. Bob McCormick a long time resident of Sanford and owns a building on School Street. He feels that he keeps the building up to a standard suitable for the tenants. He is wondering what the spirit of the ordinance is. Mayor Cote answered his stating that it is the safety and quality housing. Rob Rankin addressed the Council spoke of the special revenue account. He is concerned that the funds will come from the Downtown TIF Fund and thinks that money should stay in the downtown and not go toward housing. Danielle Kennedy the landlord of one unit and she wants the Council to take into consideration they only own one unit. Tim? He owns a 4 unit building in Sanford. He doesn't make a penny off it. He stated that people come in and destroy the buildings. Joe Leclair he owns units in the City and had them renovated in the amount of \$60k. He doesn't feel that the City should be able to inspect the units. Councilor Stackpole feels confused by the issues and thinks there is a lot of confusion out there. Owner occupied units will not have a \$100 fee. Ian Houseal stated that they are looking for life safety first, then they will be looking at other things like holes in walls, gutters falling off roofs, trash in units etc. Councilor Lanigan feels that the people that we are not hearing from are the ones that have bad landlords, the ones that can't afford to tell the landlord there are issues with the building because they live in fear of being kicked out. Councilor Tuttle he is hoping that we can come together for the Citizens of Sanford. Councilor Smith said his phone has been ringing off the hook about this ordinance. He has seen the worst of the worst in apartments here in Sanford. The good lords will benefit from this program. Councilor Hanslip agrees with his fellow Councilors but would like to add one thing. Someone spoke of the spirit of the ordinance, he feels that it is about everyone working together to improve the housing stock in the City. Deputy Mayor Herlihy spoke of the units her family owns and runs. Her family had the opportunity to purchase a two family building. The only reason she purchased the property was because she didn't want to take the chance and absentee landlord to purchase the building. WE need to make our community recession proof by investing in the properties now. Mayor Cote stated that the City has been working on this for a very long time. The City has worked with landlords for hours and hours trying to craft this ordinance that will work for everyone. The City has an obligation to make it a safe City. City Manager Buck noted that nobody likes change. Fix everything but change nothing is the mentality. The City prides itself in public/private partnership and he would like to see the City work in partnership with landlords to help them make a profit on their investments. Deputy Mayor Herlihy moved to approve, seconded by Councilor Hanslip. The City Council voted 7-0 to approve.

New Business

- 17-91.02 Ordered, to authorize a Resolution declaring the need and to create the City of Sanford Land Bank Authority and to establish the Land Bank Authority as a Department of the City. Councilor Hanslip moved to approve, seconded by Councilor Lanigan. The City Council voted 7-0 to approve.
- 17-92.03 Ordered, to authorize the appointment of the City of Sanford Municipal Land Bank Authority Board of Commissioners. Councilor Hanslip moved to approve with the amendment that the Council will make the appointment, seconded by Deputy Mayor Herlihy. The City Council voted 7-0 to approve.
- 17-93.04 Ordered, to authorize a Special Revenue Account for the Sanford Land Bank Authority (2147) and to allocate \$250,000 from the Downtown Sinking Fund Tax Increment Financing District for Project Costs as administered by the Land Bank Authority. Deputy Mayor Herlihy moved to approve, seconded by Councilor Lanigan. Deputy Mayor Herlihy moved to approve with the amendment of the account name to be Economic Development project account, seconded by Councilor Hanslip. The City Council voted 7-0 to approve the amendment. The City Council voted 7-0 on the original motion.
- 17-94.05 Ordered, to authorize the temporary modification of airspace for the New England Aerobatic Club – IAC Chapter 35 to hold an aerobatic practice at the Sanford Seacoast Regional Airport on Saturday, August 19th, 2017 with a rain date of August 20th, 2017 from 10am to 5pm. Councilor Tuttle moved to approve, seconded by Deputy Mayor Herlihy. Allison Rogers explained the request. The City Council voted 7-0 to approve.
- 17-95.06 Ordered, to accept a bid from Dead River Company for #2 Fuel Oil in the amount of \$1.6936 per gallon from 7/1/17 to 6/30/18. Deputy Mayor Herlihy moved to approve, seconded by Councilor Smith. Manager Buck explained the bid process. The City Council voted 7-0 to approve.
- 17-96.07 Ordered, to accept a bid from Yankee Ford, 165 Waterman Drive, South Portland, ME 04106 in the amount of \$78,573.00 for the purchase of Three (3) new 2017 Ford Police Interceptor Utility Vehicles with two trade in vehicles. Councilor Hanslip moved to approve, seconded by Councilor Lanigan. The City Council voted 7-0 to approve.
- 17-97.08 Ordered, to authorize the City Manager to establish a reserve account and use carry forward funds of up to \$15,000.00 from legal services for the purpose of property maintenance. Deputy Mayor Herlihy moved to approve, seconded by Councilor Hanslip. Manager Buck explained the reserve account. The City Council voted 7-0 to approve.
- 17-98.09 Ordered, to authorize the City Manager to enter into the acceptance of

land for perpetual conservation on behalf of the Sanford Seacoast Regional Airport for the development of the Sanford Solar LLC development (Lots R8-45A, R8-41A, R8-40A, R8-39A, R8-20) and for the City to hold and administer the perpetual conservations easements. Councilor Tuttle moved to approve, seconded by Councilor Lanigan. Manager Buck explained the reason for the acceptance of this land conservation. Airport Manager Rogers stated that the Army Corps is more accepting of the City holding the easements in perpetuity. The City Council voted 7-0 to approve.

- 17-99.10 Ordered, to authorize the Airport Manager to enter into and manage the Statewide 2018 Maine Invites You Airport Advertising Cooperative Project for all participating airports on behalf of the Maine Aviation Business Association. Councilor Tuttle moved to approve, seconded by Deputy Mayor Herlihy. Airport Manager Rogers explained that she has been working for 9 years to advertise and promote the Maine airports. The City Council voted 7-0 to approve.
- 17-100.11 Ordered, to authorize the Airport Manager to execute a Contract for Services with Sage Solutions Marketing and Media Consultants in the amount of \$6,250.00 for a (7) page branded cooperative campaign for the Maine Airport Advertising Co-Op (MAAC). Councilor Tuttle moved to approve, seconded by Councilor Hanslip. The City Council voted 7-0 to approve.
- 17-101.12 The City Council of the City of Sanford hereby ordains amendments to Code: Part 2, Chapter 70: Airport, Article I: Hangar Construction and Design Standards for the Sanford Seacoast Regional Airport. (This item must be read on two separate days. This is the first reading) No action
- 17-102.13 The City Council of the City of Sanford hereby ordains amendments to Chapter 226-126, Schedule 4, Parking prohibited at all times in designated places. (This item must be read on two separate days. This is the first reading) No action
- 17-103.14 The City Council of the City of Sanford hereby ordains a new ordinance to regulate electrical installations locally, instead of through the State of Maine, for the purposes of improving customer service and business-friendliness, and making available an electrical inspector and seeking to protect Sanford from electrical hazards in the long-run. (This item must be read on two separate days. This is the first reading) No action
- 17-104.15 The City Council of the City of Sanford hereby ordains amendments to Chapter 280-84 or the replacement thereof to regulate on-premises, temporary, and official signs in Sanford for the purposes of addressing content-neutrality, size, placement, count and lighting and electronic messaging standards of those signs in addition to other purposes as

described in the new ordinance and replacing the existing sign ordinance in its entirety. (This item must be read on two separate days. This is the first reading) No action

- 17-105.16 The City Council of the City of Sanford hereby ordains an Ordinance Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs in the Municipality of Sanford/Springvale, ME. (This item must be read on two separate days. This is the first reading) No action
- 17-106.17 Ordered, to enter into a Memorandum of Agreement with the York County Emergency Management Agency Incident Management Team to provide personnel support during disaster or other emergencies. Councilor Tuttle moved to approve, seconded by Councilor Smith. Fire Chief Benotti explained the purpose of this agreement. The City Council voted 7-0 to approve.
- 17-107.18 Ordered, to authorize the City Manager to enter into an Inter-local Contract for Cooperative Purchasing in the HGACBuy Program to increase the City's purchasing options through this inter-governmental cooperative purchasing program. Councilor Hanslip moved to approve, seconded by Councilor Smith. The City Council voted 7-0 to approve.
- 17-108.19 Ordered, to authorize a Special Event for a Summer Music Festival at 220 Sam Allen Road pursuant to Chapter 280-14-9. Deputy Mayor Herlihy moved to approve, seconded by Councilor Lanigan. Peter and Christina Tranchemontagne addressed the Council and explained what the event will entail and answered questions. Dianne Connolly voiced her concern about the event. The City Council voted 7-0 to approve.
- 17-109.20 Ordered, to authorize a submission in the William Oscar Emery Trust for improvements to Gateway Park in the amount of \$29,200.00. Councilor Tuttle moved to approve, seconded by Deputy Mayor Herlihy. The City Council voted 7-0 to approve.

Council Member Comments

Councilor Stackpole: None

Councilor Lanigan: None

Councilor Tuttle: Spruce Street residents complain about the noise at the Wolfs Club. Also, speeding on lower June Street

Councilor Smith: None

Councilor Hanslip: None

Deputy Mayor Herlihy: None

Mayor Cote: None

Future Agenda Items

Councilor Stackpole – Increasing the percentage of CIP funding for non-rolling stock
Councilor Lanigan – Trash cans in parks for Property Sub-Committee

Adjournment

Deputy Mayor Herlihy moved to adjourn regular meeting at 9:22pm
Respectfully submitted by Sherry Lord, Executive Assistant