



Sanford City Council

City Council Meeting Minutes – September 17, 2013

The Sanford City Council met at 7:30 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, September 17, 2013. Those present were: **COUNCILORS:** Councilor Alan Walsh, Councilor Bradford J. Littlefield, Councilor Joseph Hanslip, Councilor Richard Wilkins, Councilor Maura Herlihy and Councilor Fred W. Smith. **CITY MANAGER:** Steven R. Buck **CITY STAFF:** Sherry Lord, Executive Assistant; Fire Chief Jeff Rowe; Charlie Andreson, Public Works Director, Paula Simpson, City Treasurer; Allison Rogers, Airport Manager.

Mayor Herlihy called the meeting to order at 7:07 pm.

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

Roll Call: Mayor Herlihy performs the Council Roll Call: Councilor Smith, present; Councilor Burgess, tardy; Councilor Wilkins, present; Councilor Walsh, present; Councilor Littlefield, present; Deputy Mayor Hanslip, present; Mayor Herlihy, present.

Minutes

Executive Session: September 3, 2013; Councilor Smith moved to approve, seconded by Councilor Wilkins. The City Council voted 5-0-1 to approve. Councilor Walsh abstained

Regular Meeting: September 3, 2013; Councilor Littlefield moved to approve with amendments to change the public hearing from being closed to continue to the September 17, 2013 meeting, seconded by Councilor Wilkins. The City Council voted 6-0 to approve.

Mayor's Reports/City Council Sub-Committee Reports

Mayor Herlihy spoke about the Grand Opening of the Sanford Mill.

City Manager's Report

(See Attached)

Communications/Presentations

Sanford Water District & Sewer District Presentation on Pleasant Street – Tabled until October 1, 2013.

Public Participation

Michael Smith asked when it would be appropriate to appeal changes the Council to the Charter.

Marge Trowbridge read a letter that she sent to the editor as she wrote it, not as it was printed.

Chief Jeff Rowe invited citizens to attend the ceremony for the new Fire Truck on September 23rd at 6:00pm.

Public Hearings

The City Council will hold public hearings on the following:

Mayor Herlihy Continued the public hearing at 7:20pm

1. **Charter Section 705. Bond Issues, Ballots** – Summary: to simplify the bonding process for bonds less than \$250,000 and retain referendum vote for bonds greater than \$250,000. Public Hearing continued from the September 3rd meeting. City Attorney Dench addressed the Council and explained the amendments. He stated these corrections are just clarifications to the existing charter. Mr. Dench also stated this does not make changes to the process. Mr. Drummey voiced his concerns of not sticking to the process of going to the Budget Committee. Michael Smith voiced his concerns regarding the approval process.
2. **Charter Section 1302 Petition for Overrule of Action of Council** – Summary: to clarify the time frame for initiating a petition to override actions of the City Council and to suspend such actions pending referendum vote.
3. **Charter Section 214 Public Hearing on Ordinances** – Summary: to change the time frame between public hearings on Ordinances from 14 to 10 days.
4. **Charter Section 607.2 Submission of School Budget and Message** – Summary: to provide the same required detail for School Budget presentation as required under Section 608.2 for the Municipal Budget as determined by the Budget Committee.
5. **Charter Section 607.3 c. & 608.3 Submission of School/Municipal Budget and Message** – Summary: to provide greater detail of all revenue anticipated by both the School and Municipal Budgets to include offsetting revenue associated with any provisions.
6. **Charter Section 610.3 Capital Improvement Program** – Summary: to raise a percentage of the operating budget of School and City less the prior year's Capital Improvement Program. Current percentages include prior year CIP. To reduce the annual increase from ½% per year to ¼% per year until it reaches 4%. This action would reduce the required amount raised for CIP by only using the operating budgets.
7. **Charter Section 601. Fiscal Year** – Summary: Amendment to Fiscal Year.
8. **Charter Section 602.1 Budget Committee Composition**– Summary: Amendment to include a member of the School Board.

Mayor Herlihy declared the public hearing closed at 8:03pm.

Consent Agenda

None

Old Business

- 13-148.02 Ordered, to approve a blanket letter application for a license to operate Games of Chance (2- Sealed Ticket Games, 1 Meat Raffle, 1 Dice) for the American Legion Post #19, 656 Main Street, Sanford, ME. Deputy Mayor Hanslip moved to approve, seconded by Councilor Littlefield. The City Council voted 7-0 to approve.
- 13-156.10 Ordered, to discuss the Gateway Park Design. Councilor Burgess moved to discuss and voiced his disapproval of the park. Councilor Walsh commented and voiced his appreciation for the amphitheater. Councilor Littlefield voiced his opinion.
- 13-157.11 Ordered, to accept the proposed Charter amendments as follows:
1. **Charter Section 705. Bond Issues, Ballots** – Summary: to simplify the bonding process for bonds less than \$250,000 and retain referendum vote for bonds greater than \$250,000. Councilor Walsh moved to table for a year, seconded by Councilor Burgess. The City Council voted `` Councilor Littlefield moved to approve, seconded by Councilor Smith. The City Council voted 4-3 to approve.
 2. **Charter Section 1302 Petition for Overrule of Action of Council** – Summary: to clarify the time frame for initiating a petition to override actions of the City Council and to suspend such actions pending referendum vote. Councilor Walsh moved to table, seconded by Councilor Wilkins. The city Council voted 4-3 to table
 3. **Charter Section 214 Public Hearing on Ordinances** – Summary: to change the time frame between public hearings on Ordinances from 14 to 10 days. Councilor Walsh moved to table, seconded by Councilor Wilkins. The Council voted 3-4 motion failed. Councilor Littlefield moved to approve, seconded by Deputy Mayor Hanslip. The City Council voted 4-3.
 4. **Charter Section 607.2 Submission of School Budget and Message** – Summary: to provide the same required detail for School Budget presentation as required under Section 608.2 for the Municipal Budget as determined by the Budget Committee. Councilor Walsh moved to table, seconded by Councilor Wilkins. The City Council voted 7-0 to table.
 5. **Charter Section 607.3 c. & 608.3 Submission of School/Municipal Budget and Message** – Summary: to provide greater detail of all revenue anticipated by both the School and Municipal Budgets to include offsetting revenue

associated with any provisions. Councilor Walsh moved to table, seconded by Councilor Wilkins. The City Council voted 7-0 to approve.

6. **Charter Section 610.3 Capital Improvement Program** – Summary: to raise a percentage of the operating budget of School and City less the prior year's Capital Improvement Program. Current percentages include prior year CIP. Councilor Walsh moved to approve, seconded by Councilor Smith. The City Council voted 7-0 to approve.

To reduce the annual increase from ½% per year to ¼% per year until it reaches 4%. This action would reduce the required amount raised for CIP by only using the operating budgets. Councilor Walsh moved to table, seconded by Councilor Smith. The City Council voted 7-0 to table.

New Business

- 13-158.01 Ordered, to authorize the proposed amendments to the Edison School LLC, Contract Zoning Agreement for Tax Map L28 Lot 69. Councilor Walsh moved to approve, seconded by Councilor Wilkins. The City Council voted 7-0 to approve.
- 13-159.02 Ordered, to discuss, and take action if necessary on a request for street lighting on Nathan Court in Springvale. Councilor Walsh moved to discuss, seconded by Councilor Wilkins. Citizens of the street voiced their concerns of the violence on their street. They all feel that the street light would defer this kind of behavior. Public Works Director Charlie Andreson mentioned that he could not assure that he would have the funds available to replace the lights. Councilor Littlefield moved to re-establish the two lights, seconded by Councilor Burgess. The City Council voted 7-0 to approve.
- 13-160.03 Ordered, to authorize the City Manager to enter into a Lease and Operating Rights Agreement with Air-Tech Management, Inc. at the Sanford Seacoast Regional Airport. Councilor Walsh moved to approve, seconded by Councilor Wilkins. Allison Rogers, Airport Manager explained the lease and the changes. The City Council voted 7-0 to approve.
- 13-161.04 Ordered, to accept a bid for Cardiac Monitoring Equipment from Zoll Medical Corporation of Chelmsford, MA for an amount not to exceed \$65,342.63. Councilor Walsh moved to approve the \$61,000 of CIP funding, seconded by Councilor Wilkins. Fire Chief Rowe explained the overage and what he will do to bring the price back to the approved CIP Line. The City Council voted 7-0 to approve.
- 13-162.05 Ordered, to accept a bid for Ambulance Stretcher Replacement from Stryker Medical Corporation for an amount not to exceed \$18,272.05. Councilor Walsh moved to approve \$15,000 as approved by the CIP, seconded by Councilor Wilkins. The City Council voted 7-0 to approve.

- 13-163.06 Ordered, to accept a bid for Large Diameter Fire Hose to Admiral Fire & Safety, Inc. for an amount not to exceed \$8,910.00. Councilor Walsh moved to approve, seconded by Deputy Mayor Hanslip. The City Council voted 7-0 to approve.
- 13-164.07 Ordered, to accept a 3 year bid for the West Side Snow Plowing Contract from L.V. Allen, Inc. for an amount not to exceed \$208,543.58. Charlie Andreson, Public Works Director explained that the City does not have the manpower or equipment to take on these plow routes. There was much discussion. Councilor Burgess moved to approve, seconded by Deputy Mayor Hanslip. The City Council voted 6-1 to approve. Councilor Walsh opposed.
- 13-165.08 Ordered, to accept a 3 year bid for Concrete Sidewalk Installation from Bill Bougie Concrete Finishing of Springvale, ME. Councilor Littlefield moved to approve, seconded by Councilor Wilkins. Councilor Walsh moved to amend by adding the per foot prices in the motion. The City Council voted 6-0. (Deputy Mayor was not in attendance at the time of vote)
- 13-166.09 Ordered, to authorize the use of Central Park for the Sanford Downtown Legacy for a mini Harvest Daze in conjunction with the Sanford Farmer's Market on Saturday, October 5, 2013. Councilor Littlefield moved to approve, seconded by Councilor Wilkins. The City Council voted 7-0 to approve.
- 13-167.10 Ordered, to authorize road closures for the Sanford Downtown Legacy 5k Road Race on Saturday, October 5, 2013. Councilor Littlefield moved to approve, seconded by Councilor Burgess. The City Council voted 7-0 to approve.
- 13-168.11 Ordered, to act upon the sale of Tax Acquires Property. Councilor Walsh moved to approve, seconded by Councilor Wilkins. This property is a small parcel located on Fenway Ave. The City Council voted 7-0 to approve.
- 13-169.12 Ordered, to accept the proposed changes to the City of Sanford, Street Vendor Policy. Councilor Littlefield gave a brief update of the amendment. Councilor Littlefield moved to table, seconded by Councilor Walsh. The City Council voted 7-0 to approve.
- 13-170.13 Ordered, to appoint a voting delegate and alternate voting delegate for the Maine Municipal Association Annual Business meeting scheduled for Wednesday, October 2, 2013. Councilor Walsh moved to appoint Manager Buck as the delegate and Mayor Herlihy as the alternate. The City Council voted 7-0 to approve.
- 13-171.14 Ordered, to accept the proposed Charter amendments as follows:

1. **Charter Section 601. Fiscal Year** – Summary: Amendment to Fiscal Year Councilor Wilkins moved to approve, seconded by Councilor Wilkins. City Treasurer, Paula Simpson voiced her concerns regarding this change. The City Council voted 3-4, motion failed.

2. **Charter Section 602.1 Budget Committee Composition**– Summary: Amendment to include a member of the School Board. Councilor Walsh moved to table, seconded by Councilor Wilkins. The Council voted 5-2 to table.

Council Member Comments

Councilor Smith: Clean-up of the Goodall Mansion on Saturday at 8:00 at the Backstreet Parking lot. All volunteers welcome.

Councilor Burgess: None

Councilor Wilkins: None

Councilor Walsh: None

Councilor Littlefield:

Deputy Mayor Hanslip: None

Mayor Herlihy: None

Future Agenda Items

Goals and Objectives – October 8, 2013

Adjournment

Mayor Herlihy moved to adjourn at 9:20pm

Respectfully submitted by

Sherry Lord, Executive Assistant