

Minutes
Bar Harbor Town Council
January 2, 2018

- I. Call to Order** – 7:00 P.M. – In attendance were Councilors: Paul Paradis, Gary Friedmann, Stephen Coston, Peter St. Germain, Erin Cough, Judie Noonan, Matthew Hochman; and Town Manager Cornell Knight.

Chair Paradis made the opening remarks and gave attendees the opportunity to greet each other and gave notice of the posted Meeting Ground Rules.

A. Excused Absence(s) – *All present.*

- II. Public Comment Period** - *The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person.* – Gary Conrad voiced strong protest to Town Council Chair Paul Paradis for allegedly making very intimidating and bullying phone calls on Christmas Eve to chairs of various boards for support of a berthing pier. Mr. Paradis responded that he was unclear what he is being accused of, and stated rather than making false accusations, if Mr. Conrad thinks he is in violation of the Ethics Ordinance, there is a process to file a complaint.

Donna Karlson requested during the FY19 Budget deliberations that Council budget use of Cruise Ship funds for the future bond premiums for the purchase of the ferry terminal property.

Janie Whitney read a letter sent to the Boston Globe from an Australian visitor who thinks Bar Harbor is a gem but is over run by visitors. He named Cruise Ship passengers as running over the town and Acadia National Park.

- III. Approval of Minutes** – ***December 19, 2017 Regular Meeting*** – Mr. St. Germain, with second by Mr. Hochman, moved to approve the minutes of December 19, 2017 regular meeting as published. Motion passed 7-0.
- IV. Adoption of Agenda** – Mr. Friedmann, with second by Mr. St. Germain, moved to adopt the agenda as published. Motion passed 7-0.
- V. Consent Agenda** – *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:*

A. Hancock County Mitigation Plan – Possible motion *to sign the resolution adopting the Hancock County Mitigation Plan – 2018 Update.*

Mr. St. Germain, with second by Mr. Hochman, moved to approve the consent agenda as published. Motion passed 7-0.

RESOLUTION
Of the
Bar Harbor Town Council

Whereas, natural and man-made disasters may occur at any time, we recognize that to lessen the impacts of these disasters we will save resources, property and lives in Hancock County; and

Whereas the creation of a Hazard Mitigation Plan is necessary for the development of a risk assessment and effective mitigation strategy; and

Whereas, the towns, city, and Hancock County's portion of the Unorganized Territory are committed to the mitigation goals and measures as presented in this plan;

Now, Therefore the Bar Harbor Town Council hereby adopts the Hancock County ME Hazard Mitigation Plan – 2018 Update.

VI. Regular Business

A. Land Use Ordinance Amendments for June 2018 –

1. *Update from Planning Board's public hearing, and –*
 - a) **LAND USE ORDINANCE AMENDMENT – Adoption of the Statewide timber harvesting standards and repeal of Forest Management and Timber Harvesting Provisions in the Land Use Ordinance**
 - b) **LAND USE ORDINANCE AMENDMENT – Shoreland Zoning Corrections Required by DEP**
 - c) **LAND USE ORDINANCE AMENDMENT –Integration of Appendix C (Table of Permitted Uses) and individual Official Neighborhood District Maps into Article III (Land Use Activities and Standards) ([see website, Planning Department for full text \[127 pages\]](#))**

Interim Planning Director reported the Planning Board held their public hearing on December 20, 2017 with only person attending. There were no comments from the public. Planning Board recommends to Council to place all three articles on the June 12, 2018 town meeting warrant.

2. *Possible scheduling for public hearing March 6 or 20 for consideration of placing amendments on June 2018 town meeting warrant, and direct staff*

to prepare certification(s) for signing on next consent agenda. Mr. St. Germain, with second by Mr. Hochman, moved to schedule public hearings on all three articles for March 20th to consider placing the amendments on the June 2018 town meeting warrant, and direct staff to prepare certifications for signing on the next consent agenda. Motion passed 7-0.

- B. Parking Solutions Task Force** – *Task Force report and recommendations for seasonal parking program.* – Task Force facilitator Ron Beard summarized the objective for the Parking Solutions Task Force was to reduce vehicle traffic and demand for parking by use of alternative methods such as bicycling, buses, creation of satellite parking lots, walking, and rotation of vehicles. The 25 Frequently Asked Questions are revised to reflect concerns or issues raised through citizen participation and comments. If voted, kiosks and meters will take one year to implement. Council comments included focusing on new features of the Plan and to highlight them and educate the public through public sessions, written information so voters will be informed to cast a secret ballot. The use of smartphone technology is included in the Plan and may change as technology changes. Further comments for consideration included discounts for other island residents and incentives for alternative uses.

Councilor Friedmann inquired what does ‘accept’ mean. It was defined as receiving recommendations of the report from the task force. It moves the Plan forward for Council to consider during the FY19 budget process, Warrant Committee reviews it, voters cast their ballot and then if the bond passes, implementation follows. Implementation is the nuts and bolts. Details are then worked through as a town by ordinance amendments and policy.

Mr. Friedmann, with second by Mr. St. Germain, moved to accept the report, thank the Task Force for their good work and incorporate a \$600,000 bond issue into the 2019 CIP budget. Ms. Cough, with second by Mr. Hochman, moved to amend the motion to included, if possible, a secret ballot vote. Motion passed 7-0.

Main motion passed 7-0 as amended.

- C. Ferry Terminal: Business Plan** – *Possible motion to approve Addendum A to Proposal for the Bar Harbor Ferry Property Business Plan of B&A.* – Following review of the addendum, Ms. Cough inquired if the Local Market Analysis *new* data, not regurgitating the same data, be provided to the Council.

Following other comments and discussion, Mr. Friedmann inquired as to an estimated timeline to purchase the property: 1. Legislation passage of port authority, 2. Town purchasing the property, and 3. results of business plan.

Mr. Friedmann repeated the timeline as the report from B&A is expected by the end of FY19 budget process, then use the report to help get information out for June 2018 town meeting. If vote passes, then the purchase in November 2018. Then the decision how to develop the site, the cost, and consider if the town takes the debt responsibility. If not, the town would put out to voters to vote whether

or not to exercise the port authority option. Further, he knew of private investors who may be interested in the opportunity to invest and when should they step forward. Mr. Knight suggested as soon as possible this is information needed to be known, it makes visioning a reality.

Mr. St. Germain, with second by Mr. Hochman, moved to approve Addendum A to the Proposal for the Bar Harbor Ferry Property Business Plan by Bermello & Ajamil, dated December 21, 2017, and include LMA data be made to Town Council. Motion passed 7-0.

D. Treasurer's Warrant – *Request of Treasurer to authorize paid bills.* – Mr. St. Germain, with second by Mr. Hochman, moved to sign the Treasurer's Warrants for paid bills. Motion passed 7-0.

VII. Town Manager's Comments – Mr. Knight announced he just heard from the town attorney, and the next agenda will include consideration for marijuana moratorium before February 1st. He also reminded everyone to go to POLCO for the latest questions.

VIII. Council Comments and Suggestions for Future Agendas

Ms. Noonan announced the Task Force on Aging is working on a survey to be mailed out to residents of 50+ to collect data to help make Bar Harbor an age friendly community. Do not think it's junk mail. Please fill out and return in the self-stamp addressed envelope.

Ms. Cough thanked everyone for their congratulations on her December wedding. And, wished Happy New Year to everyone.

Mr. Hochman requested during this cold snap to keep an eye on your neighbor and check in with them.

Mr. St. Germain thanked Public Works for the Christmas holiday, and wished them all the best in the next few days. And, he wished everyone a Happy New Year and foremost a healthy one.

Mr. Coston thanked Mother Nature, hear double digits tomorrow.

Mr. Paradis wished everyone a Happy New Year.

IX. Executive Session: (None)

X. Adjournment – Mr. St. Germain, with second by Mr. Hochman, moved to adjourn at 7:55 p.m. Motion passed 7-0.

Patricia A. Gray Town Clerk