

Minutes
Bar Harbor Town Council
February 19, 2019

- I. CALL TO ORDER** – 7:00 P.M. - In attendance were Councilors: Gary Friedmann, Matthew Hochman, Stephen Coston, Paul Paradis, Joe Minutolo, Judie Noonan; and Town Manager Cornell Knight.
- A. Excused Absence(s)** – *Councilor Cough requested to be excused.* Mr. Paradis, with second by Mr. Hochman, moved to excuse Councilor Cough as provided by Town Charter section C-12.B(1)(d). Motion passed 6-0.
- 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.* – Tom St. Germain asked for a statement or feedback on the surprising amount of ice on Eden Street. Town Manager Knight stated Chip Reeves has contacted MDOT to look at the issues and take corrective action as needed. This season it is also icy in many other places, not just Eden Street. Katherine Whitney expressed several concerns about closing the dump on Sundays and thanked Councilor Coston for voting against the motion.
- III. APPROVAL OF MINUTES – February 5, 2019 Regular Meeting**
- Mr. Hochman, with second by Ms. Noonan, moved to approve the minutes of the February 5, 2019 Regular Meeting as presented. Motion passed 6-0.
- IV. ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Hochman, moved to adopt the agenda as presented. Motion passed 6-0.
- V. FINANCIAL REPORT** - *Review and possible adoption of a motion to accept the financial statements as presented.* – Following a summary by Finance Director Stan Harmon, Council identified a correction on page 2 of the report, Ambulance Accounts Receivable, where the left 1/31/2018 should be 1/31/2019. Mr. Paradis, with second by Mr. Hochman, moved to accept and file the financial statements as presented and amended in the Finance Director’s memo dated February 11, 2019. Motion passed 6-0.
- VI. 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. Certification of Property Owners and Abutters Mailing List** – *Possible motion* to sign the certification of the mailing list used for notice of the Town Council’s Public Hearing March 5, 2019 for LUO Amendment Appendix A – Historic Properties for the June 11, 2019 town meeting warrant.
- B. Downeast Climate March** –*Possible motion* to approve the request of Indivisible MDI to march on April 27, 2019 through the streets of downtown Bar Harbor as outlined in their memo.

Mr. Paradis, with second by Mr. Hochman, moved to approve all items on the Consent Agenda as published. Motion passed 6-0.

VII. PUBLIC HEARINGS

A. Vacation Rentals Ordinance Amendment #2019-xx – Public comment and possible adoption of the ordinance amendment. The issue at hand is making the fee annual and is the only thing being voted on tonight. There will be additional discussion at the joint workshop with the Planning Board on 2/26 from 7-9pm. The following residents spoke to this issue: Earl Brechlin, Greg Veilleux, Terrance Kelley, Chris Strout, Ed Damm, Jennifer Booher, Tom St. Germain, Laureen Donnelly, Amber Howard, Julia Thomas, Anne Damm, Erica Brooks and Keith Goodrich. Code Enforcement Officer Angie Chamberlain spoke about the role of Host Compliance. Following the public hearing, Councilors addressed comments and questions raised by residents. After further Council comments, Mr. Paradis, with second by Mr. Coston, moved to approve the changes to Chapter 190 Vacation Rentals as presented. Motion passed 6-0.

Vacation Rentals Ordinance Amendment
Town of Bar Harbor
#2019-05

An Amendment to amend the registration procedure for Vacation Rentals.

The Town of Bar Harbor hereby ordains that Chapter 190, Vacation Rentals, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

CHAPTER 190 – VACATION RENTALS

§190-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

VACATION RENTALS

As defined in Land Use Ordinance § **125-109**

§190-3 Registration; procedure.

- A. All vacation rentals shall be registered with the Town of Bar Harbor on an annual basis, prior to rental. Previously registered vacation rentals shall re-register on or before May 31 annually. Registration forms shall be filed with the building permit files under the management of the Code Enforcement Officer.
- B. Registration forms shall include the following information:
 - (1) Name and mailing address of the owner of the property;
 - (2) Physical address of the property to be rented;
 - (3) Local contact name and phone number;
 - (4) Determination of Land Use Ordinance compliance. *Editor’s Note: See Ch. 125, Land Use.*

- C. The property shall pass inspection prior to the issuance of the registration card.
- D. A registration card shall be issued to the property owner upon submission of the completed form and payment of any fees as may be set from time to time by the Town Council. The card shall certify that the applicant has met all requirements in this chapter and the Land Use Ordinance *Editor's Note: See Ch. 125, Land Use.* as attested by both the Fire Chief and the Code Enforcement Officer or his/her designee.
- E. An approved registration card shall be posted on the premises of the vacation rental unit for convenient inspection by a vacation rental occupant.
- F. Registration does not relieve the property owner from the obligation to obtain any additional permits necessary for the use.

[End of Ordinance]

B. FY20 Budget

- 1. *Public comment on the proposed budget for fiscal year 2020 (July 1, 2019 to June 30, 2020).*

Town Manager Knight highlighted the budget from the packet memo. No public comment.

- 2. *Possible adoption of the proposed budget, (with or) without changes and recommend it to the Warrant Committee.*

Mr. Paradis, with second by Mr. Hochman, moved to adopt the proposed FY20 Municipal Budget as amended through the Council budget process and recommend it to the Warrant Committee. Motion passed 6-0.

VIII. REGULAR BUSINESS:

- A. Treasurer's Warrant - Request of Treasurer to authorize paid bills.** – Mr. Paradis, with second by Mr. Hochman, moved to sign the Treasurer's Warrants for paid bills. Motion passed 6-0.

IX. TOWN MANAGER'S COMMENTS – Mr. Knight stated we signed the lease with Bay Ferries and they plan to start advertising and taking reservations on Monday.

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Mr. Coston thanked Mr. Knight for his hard work getting to the announcement about Bay Ferries.

Mr. Paradis clarified that his comment about leftover money was not directed at any particular person (it was mentioned several times by several people this evening) and it was in jest. It is very true in my 13 years I have not seen leftover money. We always seem to have to raise taxes.

Ms. Noonan is leaving on Saturday for Florida and will be back two hours before the 3/19 meeting. She will miss the next two meetings.

Mr. Minutolo also thanked Mr. Knight regarding Bay Ferries. He is looking forward to working with Council on the housing issues. We have a lot of work but we can do it and we'll see where it goes.

Mr. Hochman acknowledged the passing of George Demas. Many generations were influenced by him as a teacher, mentor and friend; he will be sorely missed.

Mr. Friedmann thanked Town Clerk Sharon Linscott for the cool timer. The Bay Ferries lease is a milestone for us. In addition to the \$200,000 lease payment, there is the possibility of additional funds based on traffic and overnight parking not in the budget. The Harbor Committee will have the opportunity to develop plans that will not be financially punitive for the town. He thanked everyone for a good discussion tonight.

XI. EXECUTIVE SESSION: None

XII. ADJOURNMENT – Mr. Paradis, with second by Mr. Hochman, moved to adjourn at 8:42 p.m. Motion passed 6-0.

Sharon M Linscott, Town Clerk