

Minutes
Bar Harbor Town Council
By Video Conference
April 21, 2020

I. CALL TO ORDER – 4:00 P.M.- In attendance were Councilors Jefferson Dobbs, Matthew Hochman, Stephen Coston, Gary Friedmann, Erin Cough, Jill Goldthwait, Joe Minutolo; and Town Manager Cornell Knight.

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. Comments should be submitted to the Council Chair by email at jdobbs@barharbormaine.gov and will be read during the meeting* – None.

III. APPROVAL OF MINUTES – April 7, 2020 Regular Meeting

Mr. Hochman, with second by Ms. Cough, moved to approve the minutes of April 7, 2020 Regular Meeting as presented. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

IV. ADOPTION OF AGENDA – Ms. Goldthwait, with second by Ms. Cough, moved to approve the agenda as presented. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

V. FINANCIAL REPORT - *Review and possible adoption of a motion to accept the financial statements as presented.* Finance Director Stan Harmon highlighted his 9-month report then spoke about projections to the end of June due to the virus impact. Mr. Hochman, with second by Ms. Cough, moved to accept the financial report as presented.

Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0

VI. PUBLIC HEARINGS- *The public can call in at 288-1710 and enter code 0161561 to speak during the following public hearings.*

A. Special Amusement Permit Renewals

1. **Bluenose Inn, 90 Eden St, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by Kaitlyn Conway.** There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the Special Amusement Permit for the Bluenose Inn for a Class 3ad permit as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

2. **Thirsty Whale, 40 Cottage St, request for Class 3a, three or more musicians with mechanical amplification as submitted by Basil Eleftheriou, Jr.** There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the Special Amusement Permit for the Thirsty Whale for a Class 3a permit as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

3. **Kebo Valley Golf Club, 136 Eagle Lake Rd, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by David Closson.** There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the Special Amusement Permit for Kebo Valley Golf Club for a Class 3ad permit as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y

Goldthwait Y
Cough Y
Motion passed 7-0.

- 4. **ImprovAcadia, 15 Cottage St 2nd Fl, request for Class 4 Other Entertainment as submitted by Larrance Fingerhut.** There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the Special Amusement Permit for ImprovAcadia for a Class 4 permit as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

VII. 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. Property Tax Write Offs - Possible motion to grant the Tax Collector and Treasurer the discretionary authority to write off any residual tax balances up to \$10.00.**
- B. Cable TV Public Access Channel – Possible motion to approve the request from Jeff Dobbs to use Channel 1301 as outlined in the letter dated March 27, 2020.**

Mr. Friedmann, with second by Ms. Cough, moved to approve the consent agenda as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

VIII. REGULAR BUSINESS:

- A. Tabled from 4/7/20 Age Friendly Committee Ordinance Amendment – Review proposed changes and possible motion to schedule a Public Hearing for May 19, 2020.** Mr. Hochman, with second by Ms. Cough, moved to remove this item from the table. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y

Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

Committee Chair Doreen Willett participated and spoke to the changes requested. Ms. Goldthwait, with second by Mr. Hochman, moved to approve the proposed changes to Chapter 31 of the Municipal Code as presented and schedule a public hearing for May 19, 2020. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

- B. Cruise Ship Standard Operating Procedures** – *Review changes recommended by Cruise Ship Committee and possible motion to approve.* As the Council Representative to the Cruise Ship Committee, Mr. Coston presented the changes. Following discussion, Mr. Coston, with second by Mr. Hochman, moved to approve the amendments to the 2020 Cruise Ship Standard Operating Procedures as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

- C. Cruise Ship Tour Bus Policy** – *Review changes recommended by Cruise Ship Committee and possible motion to amend.* Police Chief Jim Willis participated. Mr. Willis spoke to the proposed changes and answered Council questions. Mr. Hochman, with second by Mr. Coston, moved to approve the amendments to the Cruise Ship Tour Bus Policy as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

- D. Code Enforcement** – *Possible motion to approve a consent agreement.* Tom Richardson participated. Mr. Coston, with second by Mr. Hochman, moved

to approve the Consent Agreement with Tom Richardson as presented. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

E. Parking Program – *Request by Councilor Hochman to discuss the 2020 start date.* Council discussed moving the start date to June 1. Changes to the Permit and Paid Parking Policy will be on the May 5 agenda. No action taken.

F. Vacation Rental Fees – *Request by Councilor Hochman to discuss due date for weekly rental licenses and fees for 2020.* Following some discussion, no action taken.

G. Vacation Rental Ordinance – *Possible motion to schedule a workshop with the Planning Board.* Mr. Hochman, with second by Ms. Cough, moved to schedule a joint workshop with the Planning Board on April 28, 2020 at 4pm to receive input on the vacation rental regulatory process. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

H. COVID-19 Pandemic – Possible motions to:

1. *Send letter to the Governor.* Following discussion, no action taken.

2. *Schedule a facilitated virtual community forum.* Following discussion, Mr. Friedmann, with second by Mr. Minutolo, moved to schedule forums for May to discuss the pandemic crisis. Roll Call Vote:

Dobbs Y

Hochman Y

Coston N

Friedmann Y

Minutolo Y

Goldthwait N

Cough N

Motion passed 4-3 (Nay: Coston, Goldthwait, Cough).

3. *Form a Task Force.* Nina St. Germain and Alf Anderson, Director of the Chamber of Commerce, participated. Following discussion, Mr. Friedmann,

with second by Ms. Cough, moved to table to the May 5th meeting. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Coston</u>	<u>N</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>

Motion passed 6-1 (Nay: Coston).

- 4. *Enact Emergency Ordinance.* Mr. Knight presented an amended version to Council. Mr. Hochman, with second by Ms. Cough, moved to strike “Cancel all municipal meetings except Town Council, Planning Board and Design Review Board which will be conducted remotely, until May 15, 2020,” and enact the Emergency Ordinance as amended. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Coston</u>	<u>N</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>

Motion passed 6-1 (Nay: Coston).

- I. **Treasurer’s Warrant** - *Request of Treasurer to authorize paid bills.* – Mr. Hochman, with second by Ms. Cough, moved to sign the Treasurer’s Warrants for paid bills. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Coston</u>	<u>Y</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>

Motion passed 7-0.

IX. TOWN MANAGER’S COMMENTS – None.

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Mr. Minutolo encouraged everybody to stay healthy and be careful out there.

Ms. Cough felt there was really good discussion today, lots of concerns expressed and important things said. She thanked her fellow Councilors. She also thanked town staff for everything they are doing to keep this community safe, whether people adhere to the ordinances and requirements or not.

Mr. Hochman echoed thanks to town staff. He also thanked all the medical workers at the hospital and first responders, who are also dealing with accidents and trees down during wind storms. He also reminded people that all Councilors are available by email

or phone (listed on website). When rumors start, like today, check with us first and we will be honest with you.

Ms. Goldthwait thanked whoever started the repair on the major damage to the Shore Path.

Mr. Friedmann reminded people about the Share Our Stimulus program, if they do not need all or a part of their stimulus, go to sosmdi.org and the participating organizations on MDI will help the people most impacted by the current crisis.

Mr. Dobbs apologized for what he was thinking yesterday when he went to the transfer station and it was closed, forgetting that it was Patriot’s Day. He indicated he got the president of the Village Improvement Society and the new Public Works Director together to get things going down on the Shore Path.

XI. EXECUTIVE SESSION: (none)

XII. ADJOURNMENT – Mr. Hochman, with second by Ms. Cough, moved to adjourn at 6:48 p.m. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

Sharon M Linscott, Town Clerk