

Minutes
Bar Harbor Town Council
By Video Conference
August 4, 2020

I. CALL TO ORDER – 4:00 P.M. - In attendance were Councilors Jefferson Dobbs, Matthew Hochman, Valerie Peacock, Gary Friedmann, Joe Minutolo, Erin Cough, Jill Goldthwait; 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 can be made through the Zoom webinar or may be emailed in advance to the Council Chair at jdobbs@barharbormaine.gov to be read during the meeting.* – None.

III. APPROVAL OF MINUTES – *July 21, 2020 Regular Meeting*

Mr. Hochman, with second by Ms. Cough, moved to approve the July 21, 2020 Regular Meeting minutes as presented. Roll Call Vote:

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

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

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

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. Certification of Property Owners and Abutters Mailing Lists – *Possible motion to sign the certification of the mailing list used for notice of the Town Council’s Public Hearing August 18, 2020 for the Vacation Rental LUO Amendment for the November 3, 2020 special town meeting warrant.*

- B. CDBG Grant** – *Possible motion* to call for a public hearing on August 18, 2020 to hear public comment on a \$200,000 Housing Assistance Community Development Block Grant (CDBG) as required by HUD.
- C. Quit Claim Deed** - *Possible motion* to authorize the Town Manager to sign the Quit Claim Deed on behalf of the Inhabitants of the Municipality of Bar Harbor to Ian Hulbert, on the property located on 116 Cottage Street, Tax Map 104 Lot 161.
- D. Fire Department** – *Possible motion* to approve placement of a plaque at the fire station flag pole.

Mr. Hochman, with second by Ms. Cough, moved to approve the Consent Agenda as presented. Roll Call Vote:

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

VI. REGULAR BUSINESS:

- A. Solar Ordinance Proposal** – *Requested by Councilor Friedmann. Presentation by MDIHS student interns with A Climate to Thrive.* Lily Crikelair, Matilda Allen and Ayano Ishimura presented their proposal for a solar ordinance for free standing solar arrays and answered Council questions. Mr. Hochman, with second by Mr. Friedmann, moved to ask the Planning Department staff to develop a solar land use ordinance for the June 2021 town meeting. Roll Call Vote:

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

B. Ferry Terminal Property

- 1. **RFQ** - *Possible motion to approve GEI Consultants as recommended by the Harbor Committee.*

Harbormaster Charlie Phippen spoke about the RFQ process and the bids. Following Council questions, Mr. Hochman, with second by Ms. Cough, moved to approve GEI Consultants as recommended by the Harbor Committee for the pier assessment and fund the contract from account # 2153-6258. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y

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

2. Review Parking/Boat Launch Site Plans

Sam Coplon presented the plan options. Mr. Phippen and Mr. Knight participated in the discussion. Ms. Cough, with second by Mr. Hochman, moved to task the Harbor Committee to come back with concept ideas as prioritized by the end of the year and put it out for a master plan RFP to be returned to the town by April 1. Roll Call Vote:

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

C. MRC Solid Waste – *Update by Public Works Director Bethany Leavitt.* MRC has extended the deadline to work with Coastal Resources. There are 4 potential investors and once they identify an investor the plant can be brought back online very quickly. MRC has monthly meetings and the next one is 8/19. No action taken.

D. Special Amusement Ordinance – *Request by Councilor Hochman for review.* Mr. Hochman spoke about places that do not serve alcohol having amplified music outdoors as well as those with a Class 4 permit. Following discussion, it was decided that Mr. Hochman will work on changes to the ordinance with the Town Clerk and bring it back to Council. No action taken.

E. Cooperating Agencies Policy – *Request by Councilors Goldthwait and Cough for review.* Following a lengthy discussion, Ms. Cough, with second by Mr. Hochman, moved to table this item to the 9/1 meeting to put together new documents for a more formal presentation. Roll Call Vote:

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

F. Public Hearings/Comments – *Request by Councilor Peacock to discuss how to get public input during COVID.* Council discussed ways people can make public comment including through the Zoom webinar, emailing/writing the Council

Chair in advance with comments to be read during the meeting and setting up the auditorium and Council Chambers for in person public comment. No action taken.

G. Hancock County

- 1. *Possible motion to request a 2021 county budget freeze.*

Mr. Friedmann presented his request. Following discussion, Mr. Friedman, with second by Mr. Hochman, moved to send a letter to the Hancock County Commissioners requesting a budget freeze for the 2021 budget. Roll Call Vote:

Dobbs	Y
Hochman	N
Peacock	N
Friedmann	Y
Minutolo	Y
Goldthwait	N
Cough	N

Motion failed 3-4 (Nay: Hochman, Peacock, Goldthwait, Cough).

- 2. *Possible motion to nominate a councilor to the Hancock County Budget Advisory Committee.*

Mr. Friedmann clarified that we don't nominate a Councilor, they convene a caucus to elect a municipal officer. He suggested that if anyone is interested in serving to attend the caucus. No action taken.

H. 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>Peacock</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.

VII. TOWN MANAGER'S COMMENTS – Sharon Linscott, Town Clerk, and 21 ballot counters conducted a recount of articles 3 & 5 of the LUO questions voted on last month. Both questions were affirmed again. It was requested by Art Greif and Donna Karlson and cost the town about \$2100. The town submitted another Keep ME Healthy grant to the state for \$47,000 for more masks and signage. We have not heard yet if we will be funded. Nina puts out between 1,000 and 1,200 masks per day into the mailboxes and out to businesses.

VIII. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Ms. Peacock thanked Council and town staff for helping her understand and get up to speed. I look forward to the next meeting and the public hearing process, with the comments I've had about feeling heard and what that means. I am definitely feeling the

busyness of town. It’s great for the businesses but a little disarming at times. Free masks are out there but it is spotty. It is an interesting experience living here right now.

Mr. Friedmann spoke to the concerns about people being scared and the possible spread of COVID in our town. I believe the best way to deal with that is positive messaging and the work that we’re doing. We can’t force people to wear masks, but we can ask them politely and give them a mask. He thanked the businesses that are cooperating with the town. He noticed that people, when asked, are compliant. The next month will tell us if we’ve been successful or not. He also thanked the consortium doing the testing on frontline workers, it’s important. If we work on this together and be cheerfully relentless with our visitors about wearing masks, we’ll get through this.

Ms. Cough commented on Mr. Colket’s plaque. It’s an amazing thing, he was an amazing man. I’m glad it was brought to us and we were able to do this for that family and for him. Thank you Council and Chief Bartlett. She asked about the open spaces report from the Conservation Commission and whether Council voted on that yet. Mr. Knight stated no; the report came to Council in 2014 or so, but was referred back to the Conservation Commission. He does not know where they are with it. Ms. Cough asked for an update and to put a deadline on it of October 1.

Ms. Goldthwait noticed mask use has gone up enormously since the public education effort started. It’s not perfect, but it’s a lot better, thank you. Since Council gets an influx of emails with questions about the same thing, can we get the “question of the week” on the town website with our response. Just one more way to get the word out. She recently recruited two ballot clerks for the November election and asked Sharon if she needs more. Sharon replied she does not need more at this point.

Mr. Minutolo thanked Sharon for all her accuracy, the time she takes and the seriousness she puts into her position. It goes a long way in this town and is really appreciated.

Mr. Hochman also thanked Sharon and all the election clerks for putting in the hours on that recount, I’m sure it’s a tedious process. He asked if we can send a letter to people with parklets reminding them the property between their building and the parklet is public property and needs to be kept clear for pedestrians. Sgt. Chris Wharff is the person to handle that and Mr. Hochman will send him an email with his concerns.

Mr. Dobbs echoed the sentiments on the recount. He recapped an hour long phone conversation he had with park superintendent Kevin Schneider. We both shared a very positive attitude and are happy with the way things are going. Topics of discussion included the park’s upcoming funding over the next 5 years, the visitor center in Trenton, and the 50 acres in Town Hill and keeping that going.

IX. EXECUTIVE SESSION: (none)

X. ADJOURNMENT – Mr. Hochman, with second by Mr. Friedmann, moved to adjourn at 7:22 p.m. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Peacock</u>	<u>Y</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>

Cough Y
Motion passed 7-0.

Sharon M Linscott, Town Clerk