

Minutes
Bar Harbor Town Council
By Video Conference
August 18, 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. Public comment can be made 1) through the Zoom webinar utilizing the raise hand function or 2) in person with social distancing and masks in the Council Chambers with seating in the Municipal Auditorium or 3) sending comments in advance to the Council Chair by email jdobbs@barharbormaine.gov or by mail to 93 Cottage St, Bar Harbor, ME 04609 to be read during the meeting.* – Arthur Greif congratulated Sharon Linscott’s managing of the Warrant Committee meeting this week and in reference to the Town Manager’s comments in the minutes from last meeting, wants to state for the record that 107 registered voters requested a recount.

III. APPROVAL OF MINUTES – August 4, 2020 Regular Meeting

Ms. Goldthwait, with second by Mr. Hochman, moved that the minutes be approved.

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 add discussion of an emergency ordinance for special amusement permits, which was emailed to Council prior to the meeting; it meets the condition that harm would be caused to the livelihood of local musicians by not acting on it immediately.

Roll Call Vote:

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait N

Cough Y

Motion passed 6-1 (Nay: Goldthwait).

Mr. Hochman, with second by Mr. Minutolo, moved to approve the agenda as amended.

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. Coronavirus Emergency Grant** – *Possible motion to approve an application for funding to the Maine Department of Public Safety Coronavirus Emergency Grant, and expend the \$13,200 if awarded.*
- B. Vehicles for Hire** – *Police Department approved and proof of insurance provided. Possible motion to approve:*
 - 1. Point 2 Point Taxi & Tours** request for 3 taxi license renewals as submitted by Denise Daugherty.

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

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

VI. PUBLIC HEARINGS- *Maximum of 3 minutes per person. Public comment can be made 1) through the Zoom webinar utilizing the raise hand function or 2) in person with social distancing and masks in the Council Chambers with seating in the Municipal Auditorium or 3) sending comments in advance to the Council Chair by email jdobbs@barharbormaine.gov or by mail to 93 Cottage St, Bar Harbor, ME 04609 to be read during the hearing.*

A. Special Amusement Permit Renewal

- 1. Bar Harbor Beer Works, 119 Main Street, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by Jeremy Bond.** There being no public comment, Mr. Friedmann, with second by Ms. Cough, moved to approve a Class 3ad Special Amusement Permit for Bar Harbor Beer Works. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y

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

B. LUO Amendment November 2020 - *Public comment and possible motion to sign the order placing the Vacation Rental LUO amendment on the November 3, 2020 special town meeting warrant.* Donna Karlson, Arthur Greif, Elissa Chesler, Alf Anderson, Jim Secor, Jeff Miller, Diane Vreeland, Earl Brechlin, Anna Durand, Loren Hubbard, Julia Walker Thomas, Missy Nordan, Karen Moore, Erica Brooks, Abigale Parker, Ed Damm and Karina Pomroy commented through the webinar. Comments emailed in advance from Laura Kebich & Hans Bader, Amber Howard, Norman Beamer, Melody Kronenberg, Sherry & Ivan Rasmussen, Brian Timko & Leslie Barroso, Ellen Grover, Cheri & Aldo Miceli, Lena & Dana Hatch, Stephen Coston, Carol Chappell, Marie Yarborough, Michael & Lisa Preble, Damian DeFalco, Matt Frongillo & Rachel Sisson, Cara Ryan and Adele & Rudy Abolafia were read during the hearing. Town Attorney Ed Bearor, Town Planner Michele Gagnon, and Code Enforcement Officer Angie Chamberlain participated in the discussion. Following a lengthy discussion, Council took no action but agreed this should move forward to be on the June warrant.

C. CDBG Grant – *Public comment and possible motion to appoint the advisory committee and sign the resolution allowing the Town Manager to apply for and accept a \$200,000 Housing Assistance Community Development Block Grant (CDBG).* There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to appoint the advisory committee and sign the resolution allowing the Town Manager to apply for and accept a \$200,000 Housing Assistance Community Development Block Grant (CDBG). Roll Call Vote:

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

VII. REGULAR BUSINESS:

A. YMCA Annual Report – *Presentation of the Annual Report for Recreational Services.* Tommy Parham, YMCA Executive Director, referenced the report and talked about what the Y has been doing during the COVID pandemic. Council thanked Mr. Parham. No action taken.

B. Bar Harbor Chamber of Commerce – *Possible motion to approve use of Newport Drive for a crafts fair on Sept. 26-27.* Ms. Goldthwait, with second by Mr. Minutolo, moved to approve. Roll Call Vote:

Dobbs Y
Hochman Y

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

C. Task Force on Climate Emergency – Report from Councilor Goldthwait.
 Councilor Goldthwait presented the report. Town Attorney Ed Bearor participated in the discussion. Ms. Goldthwait, with second by Mr. Hochman, moved that Council approve fundraising for the purposes of meeting the goals of the climate task force, with prior notice to Town Council for amounts over \$1,000. Roll Call
Vote:

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

D. Emergency Ordinance for Special Amusement Permits – Councilor Hochman
 presented his request. Police Chief Jim Willis and Town Attorney Ed Bearor participated in the discussion. Following discussion, it was decided there is no emergency and the amendments to the Amusements Ordinance will be on the 9/1 agenda. No action taken.

E. Council Meeting Schedule – Discussion on start times and Zoom vs in person.
 Following discussion, Council agreed to continue with Zoom meetings for September and October with a start time of 5:00pm. No action taken.

F. 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:

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

VIII. TOWN MANAGER’S COMMENTS – The town received \$33,083 in round 2 of the Keep ME Healthy funding, it will go towards more masks and more signage. Parking revenue for August has picked up. We are at 65% of where we were last year. For August we are within \$10,000 of where we were last year. We are averaging \$10,000-12,000 per day.

IX. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Ms. Cough thanked the Police Department for going after the grant we approved this evening.

Mr. Hochman thanked the Planning Department, all the people who spoke and all the Councilors. It was a long meeting with tough decisions but I feel comfortable with the decision we made. He also talked about a fun podcast he participated in about the town petitioning the NFL to play in a bubble on Bubble Rock.

Ms. Peacock also thanked Michele and the Planning Department with appreciation for their work and professionalism. She also gave a shout out to the schools and the superintendent department. They had tough decisions but I feel they made good decisions. It's a good place to start and we're in good shape compared to other places.

Mr. Minutolo requested an economic strategy forum for ideas on year round employment, pulling in some of our bigger employers to strategize on how to be more marketable. We need to create jobs here and look at a long term vision for our town. He also thanked everybody for their patience.

Mr. Friedmann thanked everyone for a good conversation tonight. We got through some tough issues. Everyone was so thoughtful and listening to each other.

Mr. Dobbs stated he really didn't look forward to tonight but is really happy with the result. He reminded people we need to get this on the ballot in June and also to remind people of the big picture as part of the comprehensive plan to achieve the goals that we have. He also thanked the Planning Department. It is a thankless job at times and I really applaud their professionalism.

X. EXECUTIVE SESSION

A. Teamsters Union Local #340 Contract – *To be held in executive session as permitted by 1 MRSA §405(6)(D) for discussion of labor negotiations.*

Mr. Hochman, with second by Ms. Cough, moved to go in to Executive Session at 9:24 pm as permitted by 1 MRSA §405(6)(D) for discussion of the Union Local contract. Roll Call Vote:

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

Council returned to regular session at 9:32pm. Mr. Hochman, with second by Ms. Goldthwait, moved to approve a two-year contract expiring June 30, 2022 with Teamsters Union Local #340 Highway, Solid Waste and Sewer Departments as presented. Roll Call Vote:

- Dobbs Y
- Hochman Y
- Peacock Y

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

XI. ADJOURNMENT – Mr. Hochman, with second by Ms. Cough, moved to adjourn at 9:34 p.m. Roll Call Vote:

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

Sharon M Linscott, Town Clerk