

1. CALL TO ORDER

Mayor Rines called the meeting to order at 7:15 PM.

2. ROLL CALL

Richard Nickless, District 1
Richard Rambo, District 2
Jean Dellert, District 3
Philip Hart, District 4

Lewis Benner, At-Large
Rebecca Colwell, At-Large
Mayor Brian Rines
Jeffrey Kobrock, City Manager
Francis Grey, Council Clerk

Councilor Doiron absent

**3. EXECUTIVE SESSION per MRSA, Title 1, Chapter 13, Section 405 (6) (A)
Personnel**

Motion by Councilor Colwell and seconded by Councilor Rambo to go into Executive Session.

Vote: 7 in favor 0 – opposed Motion: passes

Out of Executive Session at 7:45 pm.

Motion by Councilor Colwell and seconded by Councilors Rambo and Dellert to increase the City Manager's salary by \$1750.00 retroactive back to the contract, with health benefits consistent with other employees.

Vote: 7 in favor 0 – opposed Motion: passes

4. PETITIONS, COMMUNICATIONS, RESOLUTIONS, & PUBLIC HEARINGS

4.1 Public Hearing for Liquor License Renewal for the A1 Diner.

Public Hearing opened at 7:52 pm, and closed with no public comment.

4.2 Consideration of Comments from the Public on Issues that Do Not Appear Elsewhere on the Agenda (Please limit comments to five minutes.)

No public comment.

5. CONSENT AGENDA

5.1 Consideration of Accepting October 2006 Warrants

#14	10-05-06	02289-02378	\$	108149.01
#16	10-19-06	02379-02485	\$	994748.42

5.2 Consideration of Appointing Councilor Rambo to sign October 2006 Warrants.

5.3 Consideration of Liquor License Renewal for the A1 Diner.

5.4 Consideration of Council Minutes 10/4/06; 10/11/06

Motion by Councilor Dellert and seconded by Councilor Colwell to Accept Consent Agenda Items 5.1-5.4, with an amendment to the 10/4 minutes to reflect Mayor Rines arrived late, he was not absent.

Vote: 7 in favor 0 – opposed Motion: passes

6. NEW BUSINESS

6.1 Discussion of Brown’s Exit 27 Auto Graveyard License Renewal.

Code Enforcement Officer David Cichowski said the last inspection scheduled is December 1. Mr. Brown has met all the conditions that were set last January. Fire lanes have been cleared down to the lowest area. DEP will be enforcing stricter stormwater standards, so it will be confined to a smaller area. The goal is to clear all metal out of the rear field.

Councilor Hart said, thank you to Mr. Brown and David for following through on this. Councilor Benner said, can firetrucks get down there now. Councilor Dellert said, congratulations on your work. Councilor Nickless said, good job staying on track.

6.2 Consideration of Resolution 06-34, Opposing Taxpayer Bill of Rights Referendum Question.

Manager Kobrock gave a presentation about the TABOR issue. The question as worded limits government spending and requires a 2/3 vote of the legislative body. It would be a statute, not a constitutional amendment, that applies to all governments. Increases would be tied to valuation or the consumer price index plus population, whichever is less. Our charter states that fiscal orders need a vote of five Councilors plus the Mayor, this would trump that. School increases would be tied to the consumer price index plus enrollment change. Override procedures would require a 2/3 vote of the Council and a referendum vote. The

mailing to voters would have a \$9,400.00 cost. What are now fairly routine spending decisions would need a 2/3 vote and a referendum. Mandates like our CSO mandates would still be mandated, but would be financially limited. Fee increases for services like Fuel Depot, Boys and Girls Club, Library book fines would be subject to the override process.

Councilor Nickless said, what is the impact on our charter.

Manager Kobrock said, this would supersede the City charter. A majority is needed to make appropriations under the charter, 2/3 would be needed under TABOR.

Councilor Hart said, if people vote for this law, they need to be involved with their local government. Councilor Colwell said, not enough people are interested. Councilor Colwell said, she does not want to tell people how they should vote. Councilor Dellert said, she agrees with that.

6.3 Consideration of Sewer User Fees.

Motion by Councilor Benner and seconded by Councilor Dellert, to accept the Sewer User Fees as presented.

Vote: 7 in favor 0 – opposed Motion: passes

6.4 Report of Sewer Abatements.

6.5 Consideration of Ordinance 06-36, General Assistance.

Motion by Councilor Rambo and seconded by Councilor Dellert, to accept the Ordinance as presented.

Vote: 7 in favor 0 – opposed Motion: passes

7. CITY MANAGER REPORT

Manager Kobrock said the Code Enforcement Officer and the Fire Chief discovered an apartment building with serious life safety issues, and had no choice but to ask that portions be vacated. It could have been a life or death situation if there was a serious fire.

Implementation of the staff reorganization is continuing. Union issues have been settled, the Chief Operator position has been posted, the Utility Clerk positions will be posted. The Office Manager position has been assumed by Deirdre Berglund as of Monday. Molly Gallant will be leaving us as of November 9.

Police Chief Jim Toman is implementing a new blanket automatic telephone notification system for alerts. It is a free Federal program that can call everyone within a set radius to alert about sex offenders or missing children.

Council Minutes of November 1, 2006

November 29 is the latest date for a Maine Turnpike Authority/Maine Dept of Transportation/Water District Trustees meeting.

The Waterfront Project is nearing completion, some money is left in the contingency budget. The Waterfront committee and staff are talking about tearing down the old Webber garage with some of that contingency.

8. COUNCIL DISCUSSION

Councilor Dellert said Fountain Street looks good.

Councilor Nickless said he would like to resurrect the committee on the Northwest Quadrant Project, and continue chairing it.

Councilor Benner said Mitchell Rasor, the City's planner, had a good article in "MaineBiz." The divers video on the waterfront was very interesting, they found some gaps, and saved us money on concrete.

Councilor Hart said, can we leave the Utility Clerk job vacant for the time being. Manager Kobrock said, no, we can't pull things out of the plan and have it still work.

Councilor Rambo said, is the money still available to bring back Frank O'Hara about the Organizational Task Force. Manager Kobrock said, yes.

Mayor Rines said, the provisional schedule is for Pam Plumb to come November 15 to meet with the old and the new Council. He said everyone should thank Molly Gallant for her work, she is a vibrant person, and has always gave the City a positive front room face.

9. ADJOURNMENT

Mayor Rines adjourned the meeting at 9:45 pm.

Respectfully submitted,

Francis Grey
Council Clerk