



AGENDA

MEETING - City Council
City Council Chambers

Tuesday, January 3, 2023
6:00 PM



Meeting Format

This meeting will be conducted in person in the Sanford City Council Chambers and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure as amended and adopted May 3, 2022. Members of the public may join the meeting by phone by dialing 1 (929) 205-6099 using Meeting ID 898 6313 5595 and Password 437990, or via computer at <https://us02web.zoom.us/j/89863135595?pwd=TzFreE5tVFZJZzU2VWg5QStGQjlZQT09> . Members of the public may also submit comments via the City of Sanford website at www.sanfordmaine.org under Email City Departments/ City Council.

Pledge of Allegiance

Moment of Silence

Roll Call

- 23-13-01 Ordered, to accept the resignation of Becky A. Brink from her position as Sanford City Council Member.

- 23-2-01 Swearing in of Becky A. Brink as Mayor of Sanford pursuant to Section 303 of the Sanford City Charter.

- 23-4-01 Swearing in of Robert Stackpole and Peter Tranchemontagne as Sanford City Council Members pursuant to Section 207 of the Sanford City Charter.

Minutes

- 23-5-01 Ordered, to approve the minutes from the regular City Council Meeting held on December 20, 2022.

- 23-6-01 Ordered, to approve the minutes from the Executive Session of the City Council held on December 19, 2022.

Mayor's Report/City Council Sub-Committee Reports

City Manager's Report

Communications/Presentations

Public Participation

Public Hearings

Consent Agenda

Old Business

New Business

- 23-3-01 Ordered, to elect a Deputy Mayor of the City Council for 2023 pursuant to Section 210 of the Sanford City Charter.
- 22-553-01 Ordered, to approve the proposed 2023/2024 budget review schedule and format which shall govern the City Council's work, per section 602.2 of the Sanford City Charter.
- 23-8-01 Ordered, to set a time and place for regular Council meetings at least twice per month, pursuant to Section 209 of the Sanford City Charter.
- 23-1-01 Ordered, to set the annual compensation for the City Councilors pursuant to Section 206 of the Sanford City Charter.
- 23-7-01 Ordered, to set the annual compensation for the City Mayor pursuant to Section 305 of the Sanford City Charter.
- 23-12-01 Ordered, to assign City Councilors to various Council Subcommittees and as Council representatives on other boards and committees.
- 23-9-01 Ordered, to make appointments to various City Boards and Committees pursuant to section 205.1 of the Sanford City Charter.
- 23-10-01 Ordered, to review and adopt the City Council Rules of Procedure for 2023, pursuant to section 213 of the Sanford City Charter.
- 23-11-01 Ordered, to review and adopt the City Council Code of Conduct for 2023.
- 23-15-01 Ordered, to review the City Hall Room Use Policy and adopt proposed amendments.

Council Member Comments

Future Agenda Items

Adjournment

Memo



Number:

To: City Council

From: Lorisa Ricketts, Airport

Date: 2023-01-03 18:00:00

Subject: Ordered, to accept the resignation of Becky A. Brink from her position as Sanford City Council Member.

RECOMMENDATION

Accept the resignation of Becky L. Brink from her position as Sanford City Councilor so that she can be sworn in to her new position as elected Mayor of Sanford.

Background Information:

Sanford City Charter prohibits any elected or appointed official from holding more than one City office. The City's legal counsel has advised that the best procedure for the transfer of a currently-serving City Councilor to the elected position of Mayor is for the Councilor to submit their resignation immediately before being sworn in as Mayor. This will avoid any potential violation of the Charter. See attached legal opinion.

ATTACHMENTS

- [B. Brink CC Resignation.pdf](#)
- [Legal Opinion RE_ Council Vacancy.pdf](#)

Sanford Springvale

Your future is **here**

City of Sanford | 919 Main Street, Sanford, Maine 04073 | (207) 324-9173 | sanfordmaine.org

Sanford City Council

December 29, 2022

Sanford City Council
919 Main Street
Sanford, Maine

My Fellow Councilors:

Pursuant to the legal opinion that the Sanford City Charter prohibits an elected official from holding office as both City Councilor and Mayor, I hereby submit my resignation from the position of City Councilor to be made effective upon a vote by the Sanford City Council at their regular meeting on January 3, 2023.

Sincerely,



Becky A. Brink
Sanford City Councilor
Mayor-Elect

City Manager: Steven R. Buck
City Council: Becky Brink, Mayor-Elect | Maura A. Herlihy
Robert G. Stackpole | Ayn M. Hanselmann | Jonathan L. Martell | Peter E. Tranchemontagne

From: [Philip Saucier](#)
To: [Steven R. Buck](#)
Cc: [Lorisa K. Ricketts](#)
Subject: RE: Council Vacancy
Date: Friday, December 16, 2022 11:18:26 AM
Attachments: [image001.png](#)

EXTERNAL

This e-mail originated from outside of the City of Sanford E-mail System. **Do Not** click links or open attachments unless you recognize the sender address and know the content is safe.

Good morning Steven,

Please my answers to your questions below, and please let me know if you would like this response in a letter or if this email will be sufficient.

Have a good weekend,
Phil

Philip Saucier

Shareholder

Municipal & Governmental Services Practice Group Leader

207 228-7160 direct

207 774-1200 main

207 774-1127 fax

[My Bio](#) | [LinkedIn](#) | [Twitter](#)

BERNSTEINSHUR

[Portland, ME](#) | [Manchester, NH](#) | [Augusta, ME](#) | [bernsteinshur.com](#)

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From: Steven R. Buck <srbuck@sanfordmaine.org>

Sent: Wednesday, December 14, 2022 10:49 AM

To: Philip Saucier <psaucier@bernsteinshur.com>

Cc: Lorisa K. Ricketts <lkricketts@sanfordmaine.org>

Subject: Council Vacancy

EXTERNAL EMAIL

Phil,

I have attached Sanford's Charter as amended stemming from the Referendum Votes approved this past November election for your future reference.

I am requesting a legal opinion on the use/interpretation of Sanford Charter Section 212 Vacancies; Forfeiture of Office; Filling of Vacancies.

Background: Current City Councilor, Becky Brink office expiring December 31, 2024, ran for the

Office of Mayor in last November's election. She ran unopposed and has been elected Sanford's next Mayor for a two-year term. Her term as Mayor starts January 1st, 2023. This will cause a vacancy in the City Council upon her being sworn in as Mayor. There are 2 years remaining on her term as a Councilor that needs to be filled.

Section 212 of the Charter applies, copied below.

Opinion Sought:

1. In this occurrence of the Councilor running for Mayor and subsequently being so elected, is it deemed a resignation (212.1 (ii)), or removal from office (Section 212.1 (iii)), or other?

Section 1108 of the Charter prohibits any elected or appointed official from holding more than one City office. Once the new Mayor takes office on January 1, 2023, Ms. Brink will have effectively resigned from her position on the City Council. While not required, in my view it would be helpful for Ms. Brink to formally submit her resignation shortly before taking the oath of office on January 1.

2. Section 212.3 applies for the vacancy created by Councilor Brink becoming Mayor. Is the newly elected Mayor considered as having resigned, although ran for office and was elected, and therefore not allowed to vote on the Councilor's successor should the Council choose to exercise to appoint and interim Councilor to serve until December 31. Or if considered a removal from office in a manner authorized by law, may the Mayor so vote upon the appointment? Question centers on if the running for the office of Mayor is considered a resignation.

Since the newly elected Mayor will have resigned from the City Council, causing the vacancy, Section 213.3 prohibits her from voting for her own successor.

3. If the Council appoints under Section 212.3, is the correct interpretation that the Appointee will hold said office until December 31st, 2023 and that the remaining term, one remaining year, be elected at the November 2023 election?

Yes, I agree. If the appointment occurs in 2023, the appointee will continue to serve until December 31, 2023 - and the person who is elected at the November 2023 election would serve out the remainder of the term.

4. If the Council elects to fill the office by holding a special election in June, as was done last year, would said election fill the remainder of the term (18 months at that time in June) and not just until December 31, 2023?

There are some inconsistent provisions in the Charter related to special elections to fill a Council vacancy. Section 212.3 notes that the Council may appoint an interim Councilor to serve until December 31st, and Section 1101 notes that the regular

election for members of the City Council is on the first Tuesday following the first Monday in November. There are two sections of the Charter, however, that do mention that special elections may be held to fill vacancies: Section 1103 related to nominations (“Nomination papers shall be filed with the City Clerk at least 45 days prior to the date of the election except that the City Council may, by order, modify the filing date for special elections to fill vacancies); and Section 1110 related to the date new officials take office (“Elected City Officials shall take office on the first day of January of the year following their election, except in the case of special elections to fill vacancies.). I think it is reasonable to read these provisions together to mean that the Council has an option to either appoint an interim Councilor for the remainder of the calendar year or hold a special election to fill a vacancy for the remainder of the term, but the language in Section 212.3 suggests that any appointed interim council will serve for the remainder of the calendar year.

You may want to consider an amendment to this section to clarify this process. I do remember that the Council was considering an amendment to Section 212.3 that would have clarified that the Council could submit to election or special election to serve until December 31 of the calendar year but that language was not included in the Charter attached to your email.

5. Any other legal interpretations of concerns on this matter?

I have no other comments, but please let me know if you have any other questions.

Section 212. Vacancies; Forfeiture of Office; Filling of Vacancies

212.1

The office of a Councilor shall become vacant upon a Councilor’s (i) death, (ii) resignation, (iii) non-acceptance, (iv) removal from office in any manner authorized by law, (v) failure to qualify for the office within 10 days after written demand by the Council, (vi) failure of the City to elect a person to the office, (vii) forfeiture of office, or (viii) by permanent physical or mental disability resulting in decreased ability to perform the Councilor’s duties as determined by the City Council.

212.2

A Councilor shall forfeit his or her office if he or she fails at any time during the term of office to maintain any qualifications for the offices prescribed by this charter or by by-law or ordinance.

212.3

If a seat on the City Council becomes vacant, the City Council may appoint an interim Councilor to serve until December 31 of the calendar year in which the seat became vacant. No resigning City Councilor may vote on the Councilor’s own successor.



STEVEN R. BUCK
Sanford City Manager

919 Main Street
Sanford, Maine 04073
Office: 207-324-9172
www.sanfordmaine.org

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Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Swearing in of Becky A. Brink as Mayor of Sanford pursuant to Section 303 of the Sanford City Charter.

RECOMMENDATION

Swearing in of Becky A. Brink as Mayor of Sanford pursuant to Section 303 of the Sanford City Charter.

ATTACHMENTS

- [Becky Brink Oath for 1-3-23.pdf](#)
- [Amended Charter 11-8-22.pdf](#)

City of Sanford, Maine
Office of the City Clerk/Registrar of Voters

919 MAIN STREET
SANFORD, MAINE 04073-3589
(207) 324-9125 (207) 324-9127 FAX

CITY CLERK & REGISTRAR
Susan H. Cote, CCM

November 21, 2022

Becky Brink
1 Lakewood Drive
Sanford, ME 04073

Dear Becky,

You have been elected to fill the position of City Mayor for a two-year term beginning January 1, 2023 and ending on December 31, 2024.

You will take the oath of office at the first meeting of the City Council scheduled on January 3, 2023 taking place in the third-floor council chambers. Should the meeting be held via remote video and teleconference, instructions for taking your oath will be sent to you next month.

Congratulations, and thank you for serving our community!



Susan H. Cote
City Clerk

cc: Via E-Mail to all
City Council
Steven Buck, City Manager
Lorisa Ricketts, Executive Asst.



CHARTER

CHARTER

PREAMBLE

ARTICLE I GRANT OF POWERS TO THE CITY

- Section 101. Incorporation**
- Section 102. Powers of the City**
- Section 103. Intergovernmental Cooperation**

ARTICLE II CITY COUNCIL

- Section 201. City Council**
- Section 202. Number, Election, Term**
- Section 203. Qualifications**
- Section 204. Powers and Duties**
- Section 205. Enumeration of Powers**
- Section 206. Compensation**
- Section 207. Induction of Council into Office**
- Section 208. City Council to Judge Qualifications of its Members**
- Section 209. Regular Meetings**
- Section 210. Deputy Mayor**
- Section 211. Quorum and Vote**
- Section 212. Vacancies; Forfeiture of Office; Filling of Vacancies**
- Section 213. Rules of Procedure; Journal**
- Section 214. Public Hearing on Ordinances**
- Section 215. City Clerk**
- Section 216. Independent Annual Audit**
- Section 217. Appointment of City Manager**
- Section 218. Appointment and Removal of City Manager**
- Section 219. Charter Review**

ARTICLE III MAYOR

- Section 301. Eligibility, Election and Tenure of Office**
- Section 302. Vacancies; Forfeiture of Office; Filling of Vacancies**
- Section 303. Induction of Mayor into Office**
- Section 304. Powers and Duties**
- Section 305. Compensation**

ARTICLE IV CITY MANAGER

- Section 401. City Manager, Qualifications**
- Section 402. City Manager, Chief Executive Officer**
- Section 403. Ombudsperson**

SANFORD CODE

Section 404. Vacancy in the Office of City Manager

ARTICLE V DEPARTMENT OF EDUCATION

Section 501. Board of Education
Section 502. Qualifications
Section 503. Vacancies
Section 504. Organization; Qualifications; Quorum
Section 505. Powers and Duties
Section 506. Meetings
Section 507. Compensation

ARTICLE VI BUDGET

Section 601. Fiscal Year
Section 602. Budget Evaluation
Section 603. (Reserved)
Section 604. Public Hearings on Budgets
Section 605. (Reserved)
Section 606. (Reserved)
Section 607. Submission of School Budget and Message
Section 608. Submission of Municipal Budget and Message
Section 609. Municipal and School Budget Messages
Section 610. Capital Improvement Program
Section 611. Public Hearing(s) on Municipal and School Budgets
Section 612. Amendment of Proposed Municipal and School Budgets
Section 613. Budget Establishes Appropriation
Section 614. Lapse of Appropriations
Section 615. Budget Establishes Amount to be Raised by Property Tax; Certification of City Assessor
Section 616. Budget Summary
Section 617. Work Program; Allotments
Section 618. Adoption
Section 619. Amendments after Adoption of the Annual Budget
Section 620. Public Records

ARTICLE VII BUDGET VALIDATION

Section 701. Budget Validation Referendum
Section 702. Notice, Form of Vote
Section 703. Adoption of Budget and Appropriations by the City Council
Section 704. Repeal of Budget Validation Referendum Process
Section 705. Bond Issues, Ballots

ARTICLE VIII TAX ADMINISTRATION

Section 801. Assessor

CHARTER

- Section 802. Method of Assessment**
- Section 803. Board of Assessment Review; Appointment; Vacancies**
- Section 804. Board of Assessment Review, Qualifications**
- Section 805. Board of Assessment Review: Powers, and Duties**

ARTICLE IX MUNICIPAL DEVELOPMENT

- Section 901. Director of Planning**
- Section 902. Director of Public Works**
- Section 903. Planning Board**
- Section 904. Zoning Ordinance**
- Section 905. Board of Appeals**

ARTICLE X PERSONNEL SYSTEM

- Section 1001. School Personnel**
- Section 1002. Merit Principle**
- Section 1003. Personnel Director**
- Section 1004. Personnel Rules**

ARTICLE XI NOMINATIONS AND ELECTIONS

- Section 1101. Municipal Elections**
- Section 1102. Establishment and Review of Voting Districts**
- Section 1103. Nomination**
- Section 1104. Conduct of Municipal Elections**
- Section 1105. Voting Place**
- Section 1106. Election Officials**
- Section 1107. Ballot Position of Candidates for City Offices**
- Section 1108. Restrictions on Offices**
- Section 1109. Restrictions on Election**
- Section 1110. Date New Officials Take Office**

ARTICLE XII RECALL OF ELECTED OFFICIALS

- Section 1201. Holders of an Office may be Recalled**
- Section 1202. Recall Petition**
- Section 1203. Resignation of Official; Election as to Recall**
- Section 1204. Nomination of Candidates**
- Section 1205. Incumbent to Continue Duties Until Recalled**
- Section 1206. Form of Ballots for Recall**
- Section 1207. Limitations on Petitions**
- Section 1208. Prohibition Against Appointment of Recalled Officials**

ARTICLE XIII INITIATIVE AND REFERENDUM

- Section 1301. Petition for Enactment of Ordinances**
- Section 1302. Petition for Overrule of Action of Council**
- Section 1303. Form of Ballot**

SANFORD CODE

Section 1304. Council not to Reenact or Reject

ARTICLE XIV GENERAL PROVISIONS

- Section 1401. Oath of Office**
- Section 1402. Severability**
- Section 1403. Specific Provisions Prevail**
- Section 1404. References to General Laws**
- Section 1405. Computation of Time**
- Section 1406. Number and Gender**
- Section 1407. Rules and Regulations**
- Section 1408. Repealing Clause**
- Section 1409. Disclosure of Interest**
- Section 1410. Procedures of Multiple Member Bodies**
- Section 1411. Short Title**
- Section 1412. Charter Amendments**
- Section 1413. Definitions**

ARTICLE XV TRANSITIONAL PROVISIONS

- Section 1501. Ordinances Consistent Continue in Force**
- Section 1502. Existing Contracts non-Invalidated, Unless Inconsistent**
- Section 1503. Continuance of Present Administrative Officials**
- Section 1504. Expiration of Term of Present Elected Officials and Applicability**
- Section 1505. First Election; Effective Date of 2012 Sanford City Charter**
- Section 1506. Recording**

[HISTORY: Accepted at referendum 11-6-2012.¹ Amendments noted where applicable.]

PREAMBLE

We the people of Sanford, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government and to take the fullest advantages inherent in the home rule amendment to the constitution of the State of Maine, do hereby adopt the following Charter for the City of Sanford, Maine.

ARTICLE I GRANT OF POWERS TO THE CITY

Section 101. Incorporation

The inhabitants of the City of Sanford, within the limits as now established or as hereafter established in the manner provided by law, shall be a municipal corporation by the name of the City of Sanford, Maine.

¹ Editor's Note: This Charter is effective 1-1-2013 (See Section 1505.), and supersedes the former Charter for the Town of Sanford that was effective 1-1-2004, as amended.

CHARTER

Section 102. Powers of the City

The City shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise, pertaining to or incumbent upon said City as a municipal corporation or to the inhabitants or municipal authorities thereof; and may enact reasonable by-laws, regulations and ordinances for municipal purposes, not inconsistent with the Constitution and laws of the State of Maine, and may impose penalties for the breach thereof, to be recovered for such uses as said bylaws, regulations or ordinances shall provide.

The administration of all the fiscal, prudential and municipal affairs of said City, with the government thereof [except (i) the general management, care, conduct and control of the schools of said City, which shall be vested in a municipal School Committee as provided by the laws of the State of Maine, and as hereinafter provided, and (ii) as otherwise provided by this Charter] shall be and are vested in one body of seven members, which shall constitute and be called the City Council, all of whom shall be inhabitants of said City, and shall be sworn in the manner hereinafter prescribed. All legislative powers of the City shall be vested in the City Council, except that the municipal budget and school budget shall be adopted by the voters as provided in Article VII of this Charter.

The City may acquire property within or without its corporate limits for any City purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation and may sell, lease, mortgage, hold, manage, maintain and control such property as its interest may require.

In this Charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City may have all the powers necessary or convenient for the conduct of its municipal affairs, including all powers the City may assume pursuant to State laws and to the provisions of the State Constitution.

Section 103. Intergovernmental Cooperation

The City may exercise any of its powers to perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil sub-divisions or agencies thereof, or with the United States or any agency thereof, in accordance with the provisions set forth in 30-A M.R.S.A. §§ 2201-2207, as amended from time to time, and other statutory provisions.

ARTICLE II CITY COUNCIL

Section 201. City Council

The City Council shall consist of seven members. The Mayor shall serve as the seventh member of the City Council. The six City Council members not elected as Mayor under Article III of this Charter shall be known as Councilor, and collectively as Councilors.

Section 202. Number, Election, Term

The six Councilors shall have staggered terms, each of whom shall be elected by the Voters. At the first regular election under the 2012 Sanford City Charter, the seven Town Councilors under the

previous charter with terms extending beyond December 31, 2012, shall complete the terms of their office as City Councilors. Thereafter the Council seats shall be filled as follows: one Council seat expiring on December 31, 2013, shall be vacated and shall be filled by the newly elected Mayor; one Council seat expiring on December 31, 2013, shall be filled for a three-year term; two Council seats expiring on December 31, 2014, shall be filled for three-year terms; two Council seats expiring on December 31, 2015, shall be filled for three-year terms and one Council seat expiring on December 31, 2015, shall be filled for a one-year term. Thereafter, two Council seats shall be available each year and City Councilors shall be elected as the terms of their office expire for a term of three years and until a successor is elected and sworn.

Section 203. Qualifications

Councilors shall be qualified Voters and shall have their principal place of residence in the City during their terms of office. No Councilor, including the Mayor, shall hold any other paid office or position of employment with the City or School Department. If a Councilor shall cease to possess any of these qualifications or shall be convicted of a crime punishable by imprisonment for more than six months, the office of that Councilor shall immediately become vacant.

Section 204. Powers and Duties

The members of the City Council shall be and constitute the municipal officers of the City of Sanford for all purposes required by law, and except as otherwise specifically provided in this Charter, shall have all powers and authority given to, and perform all duties required of, municipal officers under the laws of this State and this Charter.

Section 205. Enumeration of Powers

Without limitation, the City Council shall have the following powers:

205.1

Appoint the City Manager, the members of the Budget Committee, Planning Board, Zoning Board of Appeals, Board of Assessment Review, and Housing Authority, each of which body shall have such powers and perform such duties as are provided for by the laws of the State of Maine; appoint a City Attorney and City Auditor who shall serve at the will of the Council; and appoint members of all other City boards, commissions, and committees created by the Council or established by the Charter.

205.2

Remove for cause, after a six-month probationary period, after notice and hearing and in accordance with state law, the City Manager, members of the Budget Committee, Planning Board, Board of Assessment Review, the Zoning Board of Appeals, and the Housing Authority and members of all other City boards, commissions, and committees appointed by the Council.

205.3

By ordinance, create, change and abolish offices, departments, agencies, and committees, other than the offices, departments and agencies established by this Charter. The Council by ordinance may assign additional functions or duties to offices, departments or agencies established by this

CHARTER

Charter, but may not discontinue or assign to any office, department or agency any function or duty assigned by this Charter to a particular office, department or agency. The Council may, however, vest in the City Manager all or part of the duties of any office under this Charter, except those of the Department of Education.

205.4

Make, alter and repeal ordinances.

205.5

Develop a set of priorities and objectives for the City for the ensuing fiscal year.

205.6

Perform an annual performance review of the City Manager within 60 days following the anniversary of the day on which the City Manager was hired.

205.7

Provide for an annual audit.

205.8

Be responsible for the negotiation of all contracts involving any subject within the City Council's jurisdiction (except that in the case of the School Department, such negotiations shall be the responsibility of the School Committee) and approve the awarding thereof.

205.9

Adopt, modify and carry out plans proposed by the Planning Board for the replanning, improvement and redevelopment of neighborhoods and for the replanning, reconstruction and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.

205.10

Make investigations into the affairs of the City and the conduct of any City department, office or agency (except that in the case of the School Department, such investigations shall be made by the School Committee). For this purpose the Council may enact an ordinance providing for the compulsory attendance of witnesses, the administering of oaths, the taking of testimony and the compulsory production of evidence.

205.11

Neither the Council nor any of its members, including the Mayor, shall direct or request the appointment of any person to or the removal from office by the City Manager or by any subordinates. Except for the purpose of inquiry and investigation under Section 205.10, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately.

205.12

At intervals of not more than 10 years, proposed revisions or recodifications of the by-laws and ordinances of the City shall be presented to the City Council for re-enactment. Such revisions or recodifications shall be prepared by a committee selected or appointed by the City Council.

Section 206. Compensation

206.1

Compensation for the City Councilors shall be fixed each year by the City Council.

206.2

The City Council by order shall fix the salaries of officials appointed by the City Council, including the salary of the City Manager.

Section 207. Induction of Council into Office

Councilors elect shall be sworn to the faithful discharge of their duties by the City Clerk or the City Clerk's designee at the first regular, special or emergency meeting in January of the City Council.

Section 208. City Council to Judge Qualifications of its Members

The City Council shall be the judge of the election and qualifications of its members.

Section 209. Regular Meetings

The City Council shall, at its first meeting or as soon thereafter as possible, establish by ordinance, order or resolution a regular place and time for holding its regular meetings, and shall meet regularly at least twice per month. It shall also provide a method for calling special meetings and workshop meetings. Public notice shall be given for all meetings of the City Council in accordance with state law. Meetings of the City Council shall be open to the public and shall be recorded, unless in executive session, in accordance with 1 M.R.S.A. Sections 401-410 as amended from time to time. No failure to give public notice or to make record of any meeting at which no vote is taken shall invalidate any action of the Council.

Section 210. Deputy Mayor

At its first meeting or as soon thereafter as practicable the Council shall elect, by majority vote of the entire Council, one of its members for the ensuing year as Deputy Mayor. In the temporary absence or disability of the Mayor, the Deputy Mayor shall exercise all the powers of the Mayor during such temporary absence or disability of the Mayor.

CHARTER

Section 211. Quorum and Vote

A majority of the City Council, including the Mayor, shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least 24 hours' notice of the time and place of holding an adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken. Every ordinance, order, and resolve shall require on final passage the affirmative vote of four members of the City Council.

Section 212. Vacancies; Forfeiture of Office; Filling of Vacancies

212.1

The office of a Councilor shall become vacant upon a Councilor's (i) death, (ii) resignation, (iii) non-acceptance, (iv) removal from office in any manner authorized by law, (v) failure to qualify for the office within 10 days after written demand by the Council, (vi) failure of the City to elect a person to the office, (vii) forfeiture of office, or (viii) by permanent physical or mental disability resulting in decreased ability to perform the Councilor's duties as determined by the City Council.

212.2

A Councilor shall forfeit his or her office if he or she fails at any time during the term of office to maintain any qualifications for the offices prescribed by this charter or by by-law or ordinance.

212.3

If a seat on the City Council becomes vacant, the City Council may appoint an interim Councilor to serve until December 31 of the calendar year in which the seat became vacant. No resigning City Councilor may vote on the Councilor's own successor.

Section 213. Rules of Procedure; Journal

The Council shall determine its own rules and order of business. It shall keep a record of its proceedings, unless in executive session, and the record shall be open to public inspection.

Section 214. Public Hearing on Ordinances

A proposed ordinance may be introduced in writing by any Councilor to the agenda of any regular or special meeting of the Council. Upon introduction of a proposed ordinance, the Clerk shall distribute a copy to each Councilor and to the City Manager; shall file a reasonable number of copies in the office of the Clerk, the Library, and the City of Sanford's website; and shall cause to be published, in a newspaper having a general circulation in the City, the wording of the proposed ordinance or a title descriptive of its contents and purpose, together with notice of the time and place of public hearing thereon. The public hearing shall follow the publication by at least 10 days, may be held separately or in connection with a regular or special meeting of the Council and may be adjourned from time to time. All persons interested shall have a reasonable opportunity to be heard. An ordinance shall become effective upon its adoption by the Council or at such later time as it may specify. After the hearing the Council may adopt the ordinance with or without amendment or reject it; but in no case shall the ordinance be adopted or rejected in less than 14 days after the public hearing. If an ordinance is amended so as to change substantially its meaning, the Council may not adopt it until the ordinance or its amended sections have been subjected to all

the procedures required in the case of a newly introduced ordinance. The above procedure may be waived only as provided in the following section dealing with emergency ordinances. The Council may enact rules controlling re-introduction of defeated ordinances. [Amended 11-7-2017]

214.1

Notwithstanding any other provision of this Charter, to meet a public emergency affecting the health, safety or welfare of the City, the Council may adopt one or more emergency ordinances, with the statement of the emergency being a part of the preamble to the ordinance. The declaration of such emergency by the Council shall be conclusive. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least five Councilors shall be required for adoption. After adoption, the ordinance shall be posted in the City Hall, and such other places as the Council may designate. It shall become effective upon its adoption or at such later time as it may specify. Every emergency ordinance, except one authorizing the issuance of emergency bonds or notes, shall stand repealed as of the 91st day following the date of its adoption, but this shall not prevent the re-enactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Section 215. City Clerk

The City Clerk shall keep a public record of all proceedings of the City Council, including all roll-call votes.

Section 216. Independent Annual Audit

Prior to the end of each fiscal year, the Council shall designate the State Department of Audit or private certified public accountants who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the City, and shall submit their report to the Council, the City Manager and Superintending School Committee. Such accountants shall not maintain any accounts or records of the City business, but shall post-audit

the books and documents kept by any office, official, department or agency of the City Government. The audit shall be completed and delivered to the City Council not later than the last business day of the calendar year following the end of the municipal year of the subject audit. The City Council shall present an overview of the findings of the audit at the next regular meeting of the City Council following receipt of the audit.

Section 217. Appointment of City Manager

The Council shall appoint an official of the City who shall have the title of City Manager and shall have the powers and perform the duties described in this Charter. No Councilor shall receive such appointment during the term for which the Councilor shall have been elected, nor within one year after the expiration of the term, nor shall any Councilor act in that capacity.

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Section 218. Appointment and Removal of City Manager

The Council shall appoint the City Manager for an indefinite term or by contract for a definite term, and may remove the City Manager for cause by a vote of a majority of its members in accordance with the method and procedure set forth in the general laws of the State of Maine and this Charter.

Section 219. Charter Review

At least once every 10 years the City Council shall appoint a committee to review the provisions of this Charter and make recommendations to the City Council on any amendments deemed necessary or appropriate.

ARTICLE III MAYOR

Section 301. Eligibility, Election and Tenure of Office

A Mayor shall be elected by and from the Voters, and shall have his or her principal place of residence in the City during the Mayor's term of office. Upon adoption of this Charter, the City Council shall elect the Mayor from among its members, to serve as interim Mayor until his or her successor can be elected during the first regular election under this Charter.

At the first regular election under this Charter, the Mayor shall be elected to a base three-year term expiring on December 31, 2016. Thereafter, the Mayor shall hold office for a term of two years or until a successor is sworn, except that when elected to fill a vacancy the Mayor shall hold office only for the unexpired term or until a successor is elected and sworn. No person shall serve as Mayor for more than three consecutive two-year terms, unless he or she was elected to an initial term of 18 months or less, in which case he or she may still be elected to three consecutive two-year terms.

Section 302. Vacancies; Forfeiture of Office; Filling of Vacancies

302.1

The office of Mayor shall become vacant upon a Mayor's (i) death, (ii) resignation, (iii) nonacceptance, (iv) removal from office in any manner authorized by law, (v) failure to qualify for the office within 10 days after written demand by the Council, (vi) failure of the City to elect a person to the office, (vii) forfeiture of office, or (viii) by permanent physical or mental disability resulting in decreased ability to perform the Mayor's duties as determined by the City Council.

302.2

A Mayor shall forfeit his or her office if he or she fails at any time during the term of office to maintain any qualifications for the office.

CHARTER

302.3

In the case of vacancy in the office of Mayor, the vacancy shall be filled at the next regular election. Until such time as the office is filled at a municipal election, the vacancy shall be filled from the membership of the City Council by a majority vote of its members, and the member so elected to the position of Mayor shall have all of the powers of Mayor.

Section 303. Induction of Mayor into Office

The Mayor elect shall be sworn to the faithful discharge of his or her duties by the City Clerk or the City Clerk's designee at the first regular, special or emergency meeting in January of the City Council.

Section 304. Powers and Duties

The Mayor shall be recognized as head of the City government for all ceremonial purposes and by the Governor for purposes of military law, but the Mayor shall have no regular administrative or executive duties, except as specifically provided by this Charter. It shall be the duty of the Mayor to (1) preside at all meetings of the Council; (2) develop, after consultation with the City Manager, agenda for the Council meetings, provided that no Councilor shall be denied the right to place an item on the agenda; (3) after consultation with the Council, represent the Council in all dealings with the City Manager and with all statutory and advisory boards, commissions and committees in person or by delegation.

The Mayor shall be considered the seventh member of the City Council and share all powers and duties conferred upon the City Council by this Charter. The Mayor shall vote as a member of the City Council at all meetings of the City Council.

The title of Mayor shall not be considered as conferring upon him or her any power of a mayor under the general laws of the state inconsistent with the provisions of this Charter.

Section 305. Compensation

The Mayor's compensation shall be fixed each year by the City Council, which compensation shall exceed the compensation paid to any individual City Councilor by at least, but not more than, 25%.

ARTICLE IV CITY MANAGER

Section 401. City Manager, Qualifications

The City Manager shall be appointed by the City Council solely on the basis of character and executive, academic and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of office as hereinafter set forth. At the time of appointment, the City Manager need not be a resident of the County or State but, after one year following the date of initial appointment, the City Manager shall not reside outside of the County of York, Maine. No member of the City Council shall be appointed City Manager during a term of office, nor within one year after the expiration of a term, nor shall any member of the City Council act in that capacity.

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Section 402. City Manager, Chief Executive Officer

The City Manager shall be the Chief Executive Officer and the head of the administrative branch of the City government, except for the School Department, and shall be responsible to the City Council, for the proper administration of all, except as otherwise provided in this Charter, affairs of the City. The City Manager shall have the power and shall have the following duties:

402.1

Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.

402.2

Give bond for the faithful discharge of all duties to the City of Sanford in such sum as the City Council shall determine and direct on an annual basis. Said surety or sureties shall be approved by the City Council. The premium on the bond shall be paid by the City.

402.3 [Amended by Referendum Vote: 11/8/2022]

Appoint, prescribe the duties of, and when necessary for the good of the City, remove any non-school officials and employees of the City, except as otherwise provided herein, and except as the City Manager may authorize the head of a department or office to appoint and remove subordinates in such department or office and except as otherwise provided by law, by this Charter, or by personnel rules adopted pursuant to this Charter.

Only the City Manager's appointments of the following shall be subject to confirmation by the City Council: Police Chief, Fire Chief, City Clerk, Tax Collector, Assessor, Planning Director, Codes Enforcement Officer, Public Works Director, City Treasurer and the Director of the Sanford Emergency Management Agency.

402.4

Administer all personnel policies, practices and related matters for all municipal employees as established by a compensation plan, personnel policy guide, order or ordinance, and all collective bargaining agreements entered into by the City Council on behalf of the City.

402.5

Fix the compensation of all City officials and employees appointed by the City Manager within the limits established by the appropriations and any compensation plan adopted by the City Council.

402.6

Keep the City Council fully informed as to the financial condition and needs of the City, and make such recommendations to the City Council as deemed necessary or expedient.

402.7

Keep the City Council fully advised as to the needs of the City and recommend to the City Council for adoption such measures requiring action by them or by the City as may be deemed necessary or expedient.

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402.8

Attend all regular and special meetings of the City Council, unless excused at the City Manager's own request, and have a voice, but no vote, in all discussions. The City Manager is permitted, but not required, to attend any City Council meeting at which the City Manager's own removal is to be discussed, unless in executive session.

402.9

See that all ordinances, by-laws, orders, provisions of the Charter, and acts of the City Council that require enforcement by the City Manager, or Officials and employees subject to the City Manager's direction and supervision, are faithfully executed.

402.10

Prepare the Municipal budget annually, submit it to the Budget Committee as directed by the City Council and be responsible for its administration after adoption by the voters at any Budget Validation Referendum.

402.11

Prepare and submit to the City Council, after the completion of the required annual fiscal audit, an "Audit Action Plan," and a complete report on the finances and administrative activities of the City for the preceding year. The City Manager shall cause such annual City report to be made available to the public as promptly as possible after receiving the annual audit.

402.12

Keep a full and complete inventory of all property of substantial value belonging to the City, both real and personal.

402.13

Act as purchasing agent for all departments of the City, except the School Department. Whenever possible, the City Manager shall work with the Superintendent to negotiate contracts for supplies, materials and equipment commonly purchased by both the School Department and the Municipality.

402.14

With the approval of the City Council, have the authority to prosecute, defend or compromise all litigation to which the City is party, except any and all litigation under the jurisdiction of the School Department, and to employ special legal counsel with the approval of the City Council to assist the City Attorney whenever in the City Manager's judgment it may be necessary.

402.15

Perform any other duties required of the City Manager by this Charter, by ordinance, or by the City Council not inconsistent with this Charter.

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Section 403. Ombudsperson

The City Manager, or, in the case of the School Department, the Superintendent of Schools, or his or her designee shall act as an Ombudsperson to all citizens in their day to day contacts and dealings with the City, its officials and boards. The function of the Ombudsperson shall be: (a) to direct citizens to the proper official, board or committee to deal with the citizen's problem, (b) to set up appointments for citizens to meet with directors, department heads and boards, (c) to provide citizens with access to public information with the City and (d) to otherwise serve the public in connection with their dealings with the City. The office of the City Ombudsperson shall be clearly and conspicuously marked within the City Hall.

Section 404. Vacancy in the Office of City Manager

During any vacancy in the office of the City Manager, and during the absence or disability of the City Manager, the City Council shall designate a properly qualified person, not a member of the Council, to perform the duties of the Manager and the Council shall fix the compensation (the "Acting City Manager"). The Acting City Manager shall have the same powers and duties of those given to and imposed on the City Manager. Before entering upon the duties, the Acting City Manager shall give bond to the City of Sanford in a sum and with surety or sureties to be approved by the Council. The premium on said bond shall be paid by the City.

ARTICLE V DEPARTMENT OF EDUCATION

Section 501. Board of Education

The Department of Education shall be governed and administered by a Board of Education (hereafter referred to as the School Committee) and a Superintendent of Schools, in accordance with Maine Law. The School Committee shall consist of five members, who shall be nominated and elected at-large by the Voters according to the provisions of Article XI of this Charter.

Members of the School Committee shall be elected for a term of three years and shall serve until their successors are elected and qualified. School Committee members serving all or a portion of a three-year term at the time this Charter is enacted shall serve until their term expires. School Committee members shall then be elected as the terms of their office expire for a term of three years.

Section 502. Qualifications

Members of the School Committee shall be qualified Voters of the City and shall have their principal place of residence in the City during their terms of office. No School Committee member shall hold any other compensated City office or City employment, except as on-call emergency personnel, during their term of office. No School Committee member shall hold any paid office or position of employment with the School Department. If a member of the School Committee ceases to possess any of these qualifications or is convicted of a crime punishable by imprisonment for more than six months, the office shall immediately become vacant.

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Section 503. Vacancies

If for any reason a vacancy exists in the membership of the School Committee, it shall be filled within 30 days by a majority vote of the remaining members of said committee until December 31 of the year in which said vacancy occurs.

Section 504. Organization; Qualifications; Quorum

504.1

The School Committee shall meet on the first business day of January for the purpose of organization. The members-elect shall be sworn to the faithful discharge of their duties by the City Clerk or by a Notary Public at or prior to the first organizational meeting in January.

504.2

A majority of the School Committee shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least 24 hours' notice of the time and place of resuming such adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken.

504.3

At its first meeting or as soon thereafter as practicable the School Committee shall elect, by majority vote of the entire School Committee, one of its members for the ensuing year as Chairperson and one of its members as Vice-Chairperson, and the School Committee shall fill, for an unexpired term, any vacancy in the office of Chairperson or Vice-Chairperson that may occur. No member of the School Committee shall be eligible for re-election as Chairperson or Vice-Chairperson for more than three consecutive one-year terms. For purposes of this section, election to an unexpired term of less than six months shall not be considered a term.

Section 505. Powers and Duties

505.1

The School Committee shall have all the powers conferred and shall perform all the duties imposed by State law upon municipal school committees and this Charter in regard to the care and management of the public schools of the City.

505.2

Prior to the deadline established by the City Council under Section 602.2 of this Charter, the School Committee shall prepare detailed budget estimates of the various sums required during the ensuing fiscal year for the support of the public schools and the School Committee shall furnish copies of such estimates to the Budget Committee. The Budget Committee shall review the budget and make recommendations on appropriations for the support of public schools in accordance with the provisions of the general laws of the State of Maine and this Charter.

CHARTER

505.3

The Superintendent of Schools, through the School Committee, shall not later than the first regular City Council meeting in December, present an "Audit Action Plan" with remedies as appropriate to the City Council for review and approval.

Section 506. Meetings

The School Committee shall meet at least once a month, except during July and August. All meetings of the School Committee shall be open to the public, except as may otherwise be provided by the laws of the State of Maine.

Section 507. Compensation

Compensation for the members of the School Committee shall be fixed each year by the School Committee.

ARTICLE VI BUDGET [Amended by Referendum Vote: 11/8/2022]

Section 601. Fiscal Year

The fiscal year of the City government shall begin the first day of July and shall end the 30th day of June of each calendar year. Such fiscal year shall constitute the budget and accounting year as used in this charter. The term "budget year" shall mean the fiscal year for which any particular budget is adopted and in which it is administered.

Section 602. Budget Evaluation

602.1 Budget Review Schedule Established by City Council.

No later than its second meeting in January of each year, the City Council shall establish a budget review schedule. The budget review schedule shall specify public hearing dates and budget development deadlines, and shall allow for a minimum of four weeks for the City Council to complete its review of the Municipal and School Budgets, before public hearing and consideration of adoption by the City Council.

Section 603. [Reserved]

Section 604. Public Hearings on Budgets

604.1

The City Council shall hold public hearings to review the expenditures of each Municipal Agency or Department proposed by the City Manager, and of each School Agency or Department proposed by the Superintendent of Schools. The City Council may require the City Manager or the Superintendent of Schools to provide such additional information as it deems necessary or desirable in furtherance of its responsibility.

CHARTER

604.2

At the second meeting in January each year, the City Council shall establish a line item budget format that shall be used when reviewing the Municipal and School budgets. The line item budget shall be broken down by cost centers.

604.3

The authorization of the Municipal and School budgets by the City Council shall be the final budgets that are to be presented to the Voters in their aggregate amounts for final authorization at any Budget Validation Referendum.

604.4

The City Council shall review all bond requests for the Municipal and School budgets presented by the Council and School Committee, and shall make determinations for bonding to the City Manager and Superintendent of Schools when appropriate during the Budget review process.

604.5

The City Council shall review the five-year capital program for approval as per Section 610 of this Charter.

Section 605. [Reserved]

Section 606. [Reserved]

Section 607. Submission of School Budget and Message

607.1

In accordance with the Budget Review Process established by this Charter, the Superintendent of Schools and the School Committee shall submit to the City Council, through the Superintendent, a complete, line-item budget containing the estimated receipts and expenditures of the School Department for the upcoming municipal fiscal year. This budget shall be known as the School Budget. Along with the School Budget, the Superintendent shall also submit an accompanying message meeting the requirements of Section 609 of this article.

607.2

The School Budget shall contain a complete financial plan for all school funds and activities for the upcoming school fiscal year.

607.3

The School Budget shall indicate in separate sections:

- a. Proposed operating expenditures for the upcoming school fiscal year, detailed by offices, departments, and agencies in terms of their respective work programs, and the methods of financing such expenditure.

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- b. Proposed debt service expenses for capital expenditures for the upcoming school fiscal year, including items to be financed by bond issues, detailed by offices, departments, and agencies when practical and the proposed methods of financing each such expenditure;
- c. Estimated budget income, which shall not be exceeded by total budget expenditures.

Section 608. Submission of Municipal Budget and Message

608.1

In accordance with the Budget Review Process established under this Charter, the City Manager shall submit to the City Council a complete line-item budget containing the estimated receipts and expenditures for all municipal departments, excluding the School Department, for the upcoming municipal fiscal year. This budget shall be known as the Municipal Budget. Along with the Municipal Budget, the City Manager shall also submit an accompanying message meeting the requirements of Section 609 of this article.

608.2

The Municipal Budget shall provide a complete financial plan of all City funds and activities for the upcoming fiscal year exclusive of the School Department and which, except as required by law or this Charter, shall be in such form as the City Council shall require. In organizing the Municipal Budget, the City Manager shall utilize the most feasible combination of expenditure classification by fund, organizational unit, program, purpose or activity, and object.

608.3

The Municipal Budget shall indicate in separate sections:

- a. Proposed operating expenditures for the upcoming fiscal year, detailed by offices, departments, and agencies in terms of their respective work programs, and the methods of financing such expenditure;
- b. Proposed capital expenditures for the upcoming fiscal year, detailed by offices, departments, and agencies when practical, and the proposed methods of financing each such expenditure;
- c. Estimated budget income, which shall not be exceeded by total budget expenditures.

Section 609. Municipal and School Budget Messages

The Municipal and School Budget messages shall explain the respective budget both in fiscal terms and in terms of the work programs. These budget messages shall outline the proposed financial practices of the respective departments for the upcoming fiscal year, describe the important features of the budget request, indicate any major changes from the current fiscal year in financial policies, expenditures and revenues, together with the reasons for such changes, summarize the City's debt position and include such other material as the City Manager and School Committee deem desirable.

Section 610. Capital Improvement Program

CHARTER

610.1

The City Manager and the Superintendent of Schools shall, on an annual basis, prepare and submit to the City Council a five-year capital program.

610.2

The City Council shall review the five-year capital program for approval.

610.3 [Amended by referendum 11-5-2013]

The City shall annually create reserves for the Capital Improvement Program by raising and appropriating or appropriating a percentage of the previous year's combined City and School operating budgets, less the previous year's budgeted CIP for School and City, in amounts that are at least, but not limited to, 2.5% in the first fiscal year following adoption of this Charter, 3% in the second fiscal year following adoption of this Charter, 3.5% in the third fiscal year following adoption of this Charter, and 4% in each subsequent fiscal year following adoption of this Charter. All amounts to be placed in a Capital Reserve Account with any and all balances at the end of any fiscal year are to be retained in said account. Carryover reserves will be added to the annual appropriation for future Capital Improvement Projects.

A minimum of fifty percent of the amount raised for the Capital Improvement Program shall be allocated to the costs associated with non-rolling stock transportation infrastructure unless the City Council deems a lesser amount sufficient to maintain streets and roads.

610.4

Projects funded by the Capital Improvement Program include, but are not limited to, the following: road maintenance, vehicular replacements, roofing projects, major building renovations, major equipment purchase, airport projects, new buildings and the like. The funds raised through the Capital Improvement Program shall not be used to reduce the City's bonded debt.

Section 611. Public Hearing(s) on Municipal and School Budgets

611.1

Within 14 days after receiving Municipal and School Budgets from the City Manager and the Superintendent of Schools, the City Council and School Committee shall hold a joint public hearing(s) on the proposed budgets at which the Mayor shall preside. The City Manager shall post notice of the public hearing(s) as soon as possible by publishing in one or more newspapers of general circulation in the City a notice stating:

- a. The time and places where copies of the Municipal and School Budgets and budget messages are available for inspection by the public;
- b. The time, place and purpose of the public hearing(s); and
- c. A statement that all residents interested in speaking on the proposed Municipal and School Budgets shall have an opportunity to be heard at the public hearing.

Section 612. Amendment of Proposed Municipal and School Budgets

CHARTER

612.1

Following the initial public hearing, the City Council shall meet to consider whether to amend and what amendments to include in the proposed Municipal and School Budgets. The City Council may meet as many times as necessary to do so, provided all meetings are open to the public and televised when feasible.

612.2

The City Council shall take public comment from residents at all of its meetings, including the public hearings.

612.3

In amending the Municipal and School Budgets, the City Council may increase or decrease any proposed amounts consistent with state laws, except amounts approved by the State Board of Education in granting concept approval for school construction projects, expenditures required by law or for debt service or for estimated cash deficit.

Section 613. Budget Establishes Appropriation

From the date of adoption of the Municipal and School Budgets, the amounts stated therein shall be and become appropriated to the several offices, departments and agencies for purposes therein named, subject to the requirements of law, except that: the City Manager may transfer, with City Council approval, any unencumbered appropriations or portion thereof between Municipal Budget articles, and the Superintendent may transfer, with School Committee approval, any unencumbered appropriations or portion thereof between School Budget articles.

Section 614. Lapse of Appropriations

Every appropriation shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered, except as provided in 20-A M.R.S.A. § 15004 and 15613(8),² as amended from time to time, and except an appropriation for a capital expenditure. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned by vote of the City Council.

Section 615. Budget Establishes Amount to be Raised by Property Tax; Certification of City Assessor

From the date of adoption of the Municipal and School Budgets, the amounts stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the levy, subject to the requirements of law, for the purposes of the City in the corresponding tax year. A copy of the Municipal and School budgets as finally adopted shall be certified by the City Manager and filed by the City Manager with the City Assessor, whose duty it shall be to levy such taxes for the corresponding year.

² Editor's Note: In Title 20-A, §§ 15601 to 15618 were repealed by Laws 2005, c. 2, § D-31.

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Section 616. Budget Summary

At the head of each budget there shall appear a summary, which need not be itemized further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and shall be itemized also by departments and kinds of expenditures, in such a manner as to present to City Council a simple and clear summary of the detailed estimates of the budget.

Section 617. Work Program; Allotments

Before the beginning of the budget year, the head of each office, department or agency shall submit to the City Manager, when required by the City Manager (and in the case of the School Department, to the Superintendent of Schools), a work program of the year, which program shall show the requested allotments of appropriations for such office, department or agency, by stated periods, for the entire budget year. The City Manager shall review the requested allotments in the light of the work program of the office, department or agency concerned, and may revise, alter or change such allotments before approving the same. The aggregate of such allotments shall not exceed the total of appropriations available to said office, department or agency for the budget year.

Section 618. Adoption

The City Council shall adopt the budget for the next fiscal year on or before the last day in June of the current fiscal year. The City Council shall adopt a School Budget for referendum validation pursuant to 20-A M.R.S.A § 2307. The Voters shall validate by referendum the School Budget pursuant to 20-A M.R.S.A § 1485, as amended from time to time, by the second Tuesday in June. If voters fail to adopt a School Budget by July 1st for any reason, the amounts appropriated and submitted to the voters for validation is considered the budget for operational expenses for the next fiscal year until a final budget is approved, pursuant to 20-A M.R.S.A § 1487, on a month-to-month basis. All items in the respective budget will be prorated accordingly until such time as the Voters adopt a budget for the following fiscal year.

Section 619. Amendments after Adoption of the Annual Budget

619.1. Supplemental Appropriations

If during the fiscal year the City Manager and/or the Superintendent certifies that there are available from Federal or State grants revenues in excess of those estimated in the budget, the City Council, or, in the case of the School Department, the School Committee, by resolution may authorize the use of such excess grant revenues in the Municipal or School project for which the grant money was received.

619.2. Emergency Appropriations

To meet a public emergency affecting the health, safety, or welfare of the City, the City Council may make emergency appropriations. Any such emergency appropriation shall be so declared in an emergency preamble thereto, separately voted on and receiving the affirmative vote of at least six members of the City Council. To the extent that there are no available, unappropriated revenues to meet such appropriations, the City Council may authorize borrowings not to exceed \$1,000,000, with maturities no longer than necessary taking into account the nature of the emergency and the size of the borrowing. If the City Council shall determine that the emergency warrants an appropriation of more than \$1,000,000, it may submit the amount of the proposed appropriation in

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excess of \$1,000,000 to the Voters for a single vote as provided in Article VII, provided that the result of the vote shall not affect the validity of any emergency appropriation less than \$1,000,000. The issuance of an emergency appropriation pursuant to this subsection shall be exempt from the initiative and referendum provisions set forth in Article XIII of this Charter.

619.3. Reduction of Appropriations

If at any time during the fiscal year it appears probable to the City Manager and/or Superintendent that revenues available will be insufficient to meet the amount appropriated, the City Manager and/or Superintendent shall report to the City Council without delay, indicating the estimated amount of the deficit, any remedial action taken, and recommendations as to any other steps to be taken. The City Council shall then take such further action, as it deems necessary, to prevent or minimize any deficit, and for that purpose it may reduce one or more appropriations to the extent not inconsistent with 20-A M.R.S.A. §§ 15004 and 15613(8),³ as amended.

619.4. Limitations, Effective Date

No appropriation for debt service may be reduced or transferred. No appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the encumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this Section may be made effective immediately upon adoption.

Section 620. Public Records

Copies of the City Budget and the capital programs as adopted by the City voters shall be public records and shall be made available to the public at suitable places in the City.

ARTICLE VII BUDGET VALIDATION

Section 701. Budget Validation Referendum

There shall be a Budget Validation Referendum for the School and Municipal Budgets held on the second Tuesday in June.

Section 702. Notice, Form of Vote

The City Manager shall publish in one or more newspapers of general circulation in the City a notice that a vote on the City Budget shall be held not less than 30 days from the date of the published notice. The City Clerk shall prepare the necessary ballot for said voting with a brief description of the Municipal Budget as presented by the City Manager and a brief description of the School Budget as presented by the Superintendent of Schools. Such ballot shall ask the following question for the Municipal Budget, excluding bond issues:

"Shall the City of Sanford adopt the Municipal Budget as proposed by the Budget Committee and approved by the City Council?"

³ Editor's Note: In Title 20-A, §§ 15601 to 15618 were repealed by Laws 2005, c. 2, § D-31.

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Yes _____ No _____ "

Such ballot shall ask the following question for the School Budget, excluding bond issues:

"Shall the City of Sanford adopt the School Budget as proposed by the Budget Committee and approved by the City Council?

Yes _____ No _____ "

Section 703. Adoption of Budget and Appropriations by the City Council

The City Clerk shall certify the results of any Budget Validation Referendum to the City Council within three days of the vote. The City Clerk shall also record the number of Voters participating in every Budget Validation Referendum, and shall certify the number of participants to the City Council within three days of the vote.

Upon certification that a majority of the Voters in the Budget Validation Referendum have voted "YES" in response to the "Municipal Budget" question proposed pursuant to Section 702, the Municipal Budget shall be deemed approved and shall become the budget for purposes of Section 613 as of the first day of the fiscal year for which it was proposed.

Upon certification that a majority of the Voters in the Budget Referendum have voted "YES" in response to the "School Budget" question proposed pursuant to Section 702, the School Budget shall be deemed approved and shall be become the budget for purposes of Section 613 as of the first day of the fiscal year for which it was proposed.

Upon certification that a majority of the voters of the City voting at the Budget Validation Referendum have voted "NO" in response to either the "Municipal Budget" or the "School Budget" question proposed under Section 702, Section 618 shall apply.

Neither the Municipal Budget nor the School Budget shall be deemed to have been rejected by the Voters unless a minimum of 25% of the total number of Voters in the last gubernatorial election cast a ballot during the Budget Validation Referendum. If fewer than 25% of the total number of Voters in the last gubernatorial election cast a ballot in the Budget Validation Referendum, the Voters shall be deemed to have approved the Municipal Budget and the School Budget.

The amount stated in the Municipal Budget, as adopted and including any revisions from a subsequent Budget Validation Referendum which may be scheduled by the City Council, shall constitute the amount to be raised by property tax or other powers and shall constitute a determination of the amount of the levy for the purposes of the City in the corresponding tax year and shall be effective on the effective date of the budget. A copy of the Municipal Budget as finally adopted shall be certified by the City Clerk and filed with the City Assessor, whose duty it shall be to levy such taxes, if any, for the corresponding year. Adoption of the Municipal Budget shall constitute adoption of an ordinance appropriating amounts specified therein from the funds indicated. So long as a minimum of 25% of Voters in the last gubernatorial election participate in the referendum, if either the Municipal or School Budget is rejected by Voters, the City Council may elect to schedule a subsequent Budget Validation Referendum to take place within 70 days from the date of the first Budget Validation Referendum in order for the Voters to reconsider the Municipal or School Budget according to the following procedure:

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1. Within five days of receipt from the City Clerk of any Budget that was rejected by the Voters during a Budget Validation Referendum and certification that at least 25% of the Voters in the last gubernatorial election participated in the referendum, the City Council shall refer the rejected budget back to the Budget Committee;
2. Upon receipt of said referral, the Budget Committee shall schedule one or more public hearing(s), the first of which shall be held within 10 days after the City Council refers the rejected budget back to the Budget Committee. The purpose of the public hearing(s) shall be for the Budget Committee to receive comments from the public, City officers, and the School Committee on any rejected Budget, and on any proposed changes to the rejected budget;
3. The City Manager shall publish notice of the time, place, and purpose of said public hearing(s) in one or more newspapers of general circulation in the City;
4. Following the public hearing(s), the Budget Committee shall prepare a revised budget to be submitted for Voter approval in a subsequent Budget Validation Referendum;
5. At least 30 days before any subsequent Budget Validation Referendum, the Budget Committee shall return the revised Budget to the City Council;
6. Any subsequent Budget Validation Referendum shall be conducted pursuant to all other provisions of this Article.

Section 704. Repeal of Budget Validation Referendum Process

The Budget Validation Referendum Process shall be considered a City ordinance. Notwithstanding any other provision of this Charter, the Budget Validation Referendum Process may be repealed as follows:

Beginning five years from the date this Charter takes effect, the Budget Validation Referendum Process shall be automatically repealed for the Municipal Budget if, according to the results recorded and certified by the City Clerk pursuant to Section 703, the average voter participation in Budget Validation Referendum votes for the past five years is less than 25% of voter participation in the most recent gubernatorial election. If the Budget Validation Referendum process is repealed, it may only be reinstated through the Voter-initiated ordinance process set forth in Article XIII, below. In addition, any vote to reinstate the Budget Validation Referendum process must be held during the regularly scheduled November general election.

The Budget Validation Referendum Process may be repealed for the School Budget pursuant to the procedures set forth in 20-A M.R.S.A. § 1486.

Section 705. Bond Issues, Ballots [Amended by referendum 11-5-2013; 11-8-2022]

705.1

Capital projects of the municipal and school departments to be financed through the issuance of bonds in an amount equal to or less than \$1,000,000 may be approved by the City Council.

CHARTER

705.2

Capital projects of the municipal and school departments to be financed through the issuance of bonds in an amount over \$1,000,000 must be approved by the City Council and submitted to the qualified voters of the City for approval at the Budget Validation Referendum pursuant to Section 701 or at a regular or special election.

705.3

The City Council shall hold a public hearing on the proposed capital project. The public hearing may be held in conjunction with the Public Hearing on the proposed Municipal and School budgets. Otherwise, the City Manager shall post notice of the public hearing(s) at least 10 days before the date of the public hearing by publishing in one or more newspapers of general circulation in the City a notice stating: the time, place and purpose of the public hearing.

705.4

The City Clerk shall prepare the necessary ballots for said budget validation referendum. Such ballots shall state at least the following for each project proposed for bonding:

1. A brief description of the proposed capital project;
2. The sum of money to be bonded for each capital project;
3. A statement of the maximum cost of the capital project;
4. A statement of the total net debt of the City after issuance of the bonds therein authorized.

705.5

Provided a majority of the voters of the City voting in such election shall have voted in the affirmative, approval of the bond or bonds to be issued is final 30 days after the date of the referendum.

ARTICLE VIII TAX ADMINISTRATION

Section 801. Assessor

There shall be established a Department of Assessment, the head of which shall be the City Assessor. The City Assessor, appointed as provided in Article III of this Charter, shall perform all duties and responsibilities provide for assessors under the laws of the State of Maine and this Charter. The City Assessor shall be hired on the basis of training and experience and must be certified by the State of Maine.

Section 802. Method of Assessment

All assessments and taxation, their methods, definitions, exceptions and exemptions, for the City shall be prescribed by the statutes of the State of Maine.

Section 803. Board of Assessment Review; Appointment; Vacancies

CHARTER

803.1

There shall be a Board of Assessment Review consisting of no fewer than three members and not more than five members. The members of the Board of Assessment Review shall not otherwise be connected with City government and shall be appointed by the City Council for staggered terms of three years. Board of Assessment Review members shall be appointed as the terms of their office expire. Compensation, if any, to such members shall be determined by the City Council. Vacancies in the membership of such board shall be filled by appointment by the City Council for the unexpired term.

803.2

A minimum of three members of the Board of Assessment Review shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least 24 hours' notice of the time and place of resuming such adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken. Every act of the Board of Assessment Review that requires a vote shall require an affirmative vote of the majority of those present and voting.

803.3

At its first meeting or as soon thereafter as practicable the Board of Assessment Review shall elect, by majority vote of the entire Board, one of its members for the ensuing year as Chairperson and one of its members as Vice-Chairperson, and the Board of Assessment Review shall fill, for an unexpired term, any vacancy in the office of Chairperson or Vice-Chairperson that may occur. No member of the Board of Assessment Review shall be eligible for re-election as Chairperson or Vice-Chairperson for more than three consecutive one-year terms. For purposes of this section, election to an unexpired term of less than six months shall not be considered a term.

Section 804. Board of Assessment Review, Qualifications

All members of such board shall be selected upon the basis of their knowledge of the subject of taxation and property values and shall at the time of their appointment have been residents of the City for at least three years immediately preceding and shall continue as residents during their terms of office. If a member of such board shall cease to be a resident, their office shall thereby become vacant.

Section 805. Board of Assessment Review: Powers, and Duties

The Board of Assessment Review shall:

805.1

Review appeals from decisions of the Assessor regarding applications for abatements of property taxes and make determinations with respect to assessments in accordance with the general laws of the State of Maine.

805.2

Have the power to administer oaths, take testimony, and hold hearings as may be required in carrying out its functions.

CHARTER

805.3

Adopt, subject to the approval of the City Council, rules and regulations for the transaction of its business consistent with 30-A M.R.S.A. § 2691(3), as amended from time to time.

ARTICLE IX MUNICIPAL DEVELOPMENT

Section 901. Director of Planning⁴

There shall be a Planning Director appointed as provided in Article IV of this Charter. The Planning Director shall be the regular technical advisor of the Planning Board, may also be designated its executive secretary, and shall have such other authority, duties and responsibilities under the direction and control of the City Manager as the City Manager may require and establish.

Section 902. Director of Public Works

There shall be a Public Works Director appointed as provided in Article IV of this Charter. The Public Works Director shall be responsible for the performance of all public works activities of the City placed under the control of the Public Works Department by the Charter, by by-law or ordinance, or otherwise, including but not limited to refuse collection and disposal, forestry services, and protection of natural resources.

Section 903. Planning Board

903.1

There shall be a City Planning Board consisting of seven members, who shall be appointed by the City Council from among the qualified voters of the City for staggered terms of three years. Planning Board Members shall be appointed as the terms of their office expire. Vacancies in the membership of such board shall be filled by appointment by the City Council for the unexpired term.

903.2

The Planning Board shall have such powers and perform such duties as are provided by the ordinances of the City and the general laws of the State of Maine.

903.3 [Amended by Referendum Vote: 11/8/2022]

A majority of the Planning Board shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least twenty-four (24) hours' notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken. Every act of the Planning Board that requires a vote shall require an affirmative vote of four members.

⁴ Editor's Note: The position of Director of Planning was eliminated and the position of Director of Planning and Development created on 1-20-2015 by Order No. 15-12.12.

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903.4

At its first meeting or as soon thereafter as practicable, the Planning Board shall elect, by majority vote of the entire Board, one of its members for the ensuing year as Chairperson and one of its members as Vice-Chairperson, and the Planning Board shall fill, for an unexpired term, any

vacancy in the office of Chairperson or Vice-Chairperson that may occur. No member of the Planning Board shall be eligible for re-election as Chairperson or Vice-Chairperson for more than three consecutive one-year terms. For purposes of this section, election to an unexpired term of less than six months shall not be considered a term.

Section 904. Zoning Ordinance

There shall be a zoning ordinance as provided by the laws of the State of Maine.

Section 905. Board of Appeals

905.1

There shall be a Zoning Board of Appeals consisting of seven members, who shall be appointed by the City Council from among the qualified voters of the City for staggered terms of three years. Zoning Board of Appeals members shall be appointed as the terms of their office expire. Vacancies in the membership of such board shall be filled by appointment by the City Council for the unexpired term.

905.2

The Zoning Board of Appeals shall be organized and empowered as provided by the laws of the State of Maine.

905.3

A majority of the Zoning Board of Appeals shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least 24 hours' notice of the time and place of resuming such adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken. Every act of the Zoning Board of Appeals that requires a vote shall require an affirmative vote of the majority of those present and voting.

905.4

At its first meeting or as soon thereafter as practicable, the Zoning Board of Appeals shall elect, by majority vote of the entire Board, one of its members for the ensuing year as Chairperson and one of its members as Vice-Chairperson, and the Zoning Board of Appeals shall fill, for an unexpired term, any vacancy in the office of Chairperson or Vice-Chairperson that may occur. No member of the Zoning Board of Appeals shall be eligible for re-election as Chairperson or Vice-Chairperson for more than three consecutive one-year terms. For purposes of this section, election to an unexpired term of less than six months shall not be considered a term.

ARTICLE X PERSONNEL SYSTEM

CHARTER

Section 1001. School Personnel

1001.1

This Article X shall govern the personnel system for all non-school department officials and employees.

1001.2

The personnel system procedures and rules applicable to school officials and school employees shall be governed and administered by the School Committee and Superintendent of Schools in accordance with State law.

Section 1002. Merit Principle

All appointments and promotions of City officials and employees not covered by a collective bargaining unit shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.

Section 1003. Personnel Director

The City Manager, or an appointee of the City Manager, shall be the Personnel Director. The Personnel Director shall administer the personnel system, procedures and rules applicable to municipal officials and municipal employees in accordance with State Law.

Section 1004. Personnel Rules

The Personnel Director shall prepare personnel rules, which shall govern all municipal employees. When approved by the City Manager, the rules shall be proposed to the City Council, and the Council may adopt them with or without amendment. These rules shall provide for:

- a. The classification of all City positions, based on the duties, authority and responsibility of each position with adequate provisions for reclassification of any position whenever warranted by changed circumstances;
- b. A pay plan for all City positions;
- c. Methods of determining the merit and fitness of candidates for appointment or promotion, demotion or dismissal;
- d. Policies and procedures regulating reduction in force and removal of employees;
- e. A retention and retirement plan for City employees;
- f. Hours of work, attendance and regulations and provisions for sick and vacation leave;
- g. Policies and procedures governing persons holding provisional appointments;
- h. Policies regarding in-service training programs;
- i. Policies and procedures governing relationships with employee organizations;

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- j. Grievance procedures including procedures for the hearing of grievances; and
- k. Other practices and procedures necessary to the administration of the City personnel system or as directed by the City Council.

ARTICLE XI NOMINATIONS AND ELECTIONS

Section 1101. Municipal Elections

The regular election for members of the City Council, the Mayor, and the School Committee shall be held on the first Tuesday following the first Monday in November. All Municipal and School elections shall be conducted on a nonpartisan basis and without party designation on the election ballot.

Section 1102. Establishment and Review of Voting Districts

1102.1

The boundaries of the wards shall be reviewed and, if deemed necessary by the City Council, wholly or partly revised by the City Council whenever it is apparent from census data or other official information that the number of Voters in any one ward varies by 10% or more from the total number of Voters of the City divided by the number of wards, and at least once in every 10

years. The wards shall be divided into as nearly an equal number of voters as possible. The territory of each ward shall be defined as near as possible by the center line of known streets or other well defined limits.

1102.2

Within 20 days following any ward revision, the City Council shall file a report on the revisions with the City Clerk, the Registrar of Voters and the Assessor. The report shall include a map(s) and a list of the Voters' names and addresses. The City Council shall also post the map and list in the City Hall and in at least one public place in each precinct. On every election day there shall be posted at every voting place in the City a map and description of the wards, and for each ward a list of the names and addresses of the Voters of that ward.

1102.3

The ward revision shall be effective on the date it is filed with the City Clerk, and the Clerk shall notify the Secretary of State of the revision in writing, stating the number and designation of such wards.

1102.4

The City Council shall have the authority to consolidate wards for purposes of voting for any regular or special elections.

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Section 1103. Nomination

Registered Voters of the City shall be nominated for elected City offices by the use of nomination papers in accordance with the laws of the State of Maine, except as otherwise provided in this Charter. Nomination papers for the offices of Mayor, City Council, and School Committee shall bear no political designation and shall be signed by not less than 50 registered voters of the City. Nomination papers shall be filed with the City Clerk at least 45 days prior to the date of the election except that the City Council may, by order, modify the filing date for special elections to fill vacancies.

Section 1104. Conduct of Municipal Elections

The provisions of the statutes of the State of Maine relating to the qualifications of voters, the registration of voters, the nomination for any office, the manner of voting, the duties of election officials, and all other particulars relative to preparation for, conducting and management of elections, so far as they may be applicable, shall govern all municipal elections, except as otherwise provided in this Charter.

Section 1105. Voting Place

The voting places for municipal elections shall be those which have been or may hereafter be established for state elections or pursuant to Section 1102.4.

Section 1106. Election Officials

The City Council shall, at least 10 days before any election, appoint an Election Warden and an Election Clerk, in addition to the regular ballot Clerks, for each voting place. No elected official of the City may serve as Election Warden, Election Clerk or Ballot Clerk.

Section 1107. Ballot Position of Candidates for City Offices

The names of the candidates for City office shall be placed on the ballot in numerical sequence based upon a random number drawn by the candidate or their representative at the time of the filing of nomination papers. This number shall be affixed to the nomination papers of the candidate in his or her presence or in the presence of his or her representative by the City Clerk. In the event the candidate or their representative cannot be present for this drawing of ballot position, the City Clerk shall draw for the candidate.

Section 1108. Restrictions on Offices

Except as indicated in this Charter, no elected or appointed official may hold more than one City office recognized and established by this Charter. Elected or appointed City officials shall be defined as follows:

- a. Elected Officials — one elected by ballot to a City office established by this charter, or to a City board, City authority, or City commission established by the general laws.
- b. Appointed Official — one appointed by an elected official, elected board, or appointed by the City Manager to an appointed City office specifically established by this charter, or to a City board, City authority, or City commission established by the general laws.

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Section 1109. Restrictions on Election

1109.1

No person may be a candidate for more than one City government office at each election. No candidate for the offices of Mayor, City Council, or School Committee shall be elected to office unless he or she receives at least 50 votes.

1109.2

To be considered a declared write-in candidate, a person must file a declaration of write-in candidacy with the City Clerk, on a form approved by the City Clerk, on or before the close of business on the 10th business day following the filing deadline of Municipal Nomination papers. The candidate must meet all other qualifications for that office. [Amended 11-7-2017]

1109.3

The determination of an election or referendum question shall be governed by 21-A M.R.S.A. § 723, as amended.

Section 1110. Date New Officials Take Office

Elected City Officials shall take office on the first day of January of the year following their election, except in the case of special elections to fill vacancies.

ARTICLE XII RECALL OF ELECTED OFFICIALS

Section 1201. Holders of an Office may be Recalled

Any elected Municipal or School official may be recalled and removed from office by the Voters, as hereinafter provided.

Section 1202. Recall Petition

Five or more Voters may begin the recall proceedings by a request in writing to the City Clerk for blank petition forms. Said Voters shall be referred to as the "Recall Committee." All copies of the petition shall be uniform in size and style and shall contain a statement of the reason or reasons for recall and the names of the Recall Committee. Each petition shall be limited to the recall of a single individual.

The Recall Committee shall have 30 days from the date of issuance of appropriate petition blanks to cause the petition to be signed by 5% of the registered Voters of the City. Each registered Voter who signs a petition shall include place of residence, providing either the street and number or a description sufficient to identify the place. Each petition shall have attached to it, when filed with the City Clerk, an affidavit executed by the circulator of the petition stating that he/she personally

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circulated the attached petition; that it was at no time in the hands of any person other than the circulator; the number of signatures thereon; that all the signatures were affixed in the circulator's presence; that the circulator believes them to be the genuine signatures of the persons whose names they purport to be; and that each signer had an opportunity before signing to read the full text of the statement of the reasons for the recall of an elected official. Within 10 days after the circulation period ends the City Clerk shall certify to the City Council as to whether the petition has been signed by not less than 5% of the Voters. Should less than 5% of the Voters sign the petition, the petition shall have no further force or effect, and no new petition action for recall of the same person can be initiated until 180 days from the end of the previous filing period.

Section 1203. Resignation of Official; Election as to Recall

If the petition is found and certified by the City Clerk to be sufficient, he or she shall submit it with his or her certificate to the City Council without delay. The City Council shall within three business days give written notice to the person named in the recall petition of the receipt of the recall petition and the Clerk's certificate. If the Official sought to be removed does not resign within five days, the City Council shall order an election to be held within 45 days after receipt of the City Clerk's certificate that a sufficient petition is filed.

If any other City election is to occur within 60 days after the date of said certificate the City Council may, at its discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as provided in this section.

Section 1204. Nomination of Candidates

Any official whose recall is sought may not be a candidate in the recall election. Unless otherwise provided in this charter, the nomination of candidates, the publication of the warrant for the recall election, and the conduct of the recall election shall be conducted in accordance with the provisions of state law relating to elections and Article XI of this Charter.

Section 1205. Incumbent to Continue Duties Until Recalled

Any elected official against whom recall proceedings have been initiated may continue to hold office until the recall election. If the official is not recalled in the election, he or she shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided in this Article.

A recalled official shall be deemed removed from office upon the qualification and swearing of his successor, who shall hold office for the remainder of the unexpired term. If the successor fails to qualify within five days after receiving notification of his or her election, the incumbent shall thereupon be deemed removed and the office vacant.

Section 1206. Form of Ballots for Recall

The form of the ballot for the recall election shall be as follows:

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"Shall (name of person being subject to recall) be removed from the office of (name of office)?"
Yes _____ No _____

The Voters shall indicate their choice by completing their ballot as instructed. After the propositions shall appear the word "Candidates" and the names of the candidates nominated. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of votes on the question of recall is in the negative, the ballots for candidates need not be counted.

Section 1207. Limitations on Petitions

No recall petition shall be filed against an Official within six months after he or she takes office, nor, in the case of an Official subjected to a recall election and not removed thereby, until at least six months after that election.

Section 1208. Prohibition Against Appointment of Recalled Officials

No person who has been recalled from an office or who has resigned from office while recall procedures were pending against that person shall be appointed to any City office within two years after such removal by recall or resignation.

ARTICLE XIII INITIATIVE AND REFERENDUM

Section 1301. Petition for Enactment of Ordinances

The Voters shall have power to propose ordinances to the Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it in an election, provided that such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes, salaries of municipal officials or employees, or ordinances that by law are exclusively reserved to the municipal officials.

Five or more Voters may begin the initiative proceedings by a request in writing to the City Clerk for blank petition forms. Said Voters shall be referred to as the "Enactment Committee." All copies of the petition shall be uniform in size and style and shall include the complete text of the proposed ordinance and the names of the Enactment Committee.

The Enactment Committee shall have 30 days from the date of issuance of appropriate petition blanks to cause the petition to be signed by 5% of the Voters.

Each Voter who signs a petition shall include a place of residence, providing either the street and number or a description sufficient to identify it.

Each petition shall have attached to it, when filed with the City Clerk, an affidavit executed by the circulator of the petition stating that he/she personally circulated the attached petition; that it was at no time in the hands of any person other than the circulator; the number of signatures thereon; that all the signatures were affixed in the circulator's presence; that the circulator believes them to

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be the genuine signatures of the persons whose names they purport to be; and that each signer had an opportunity before signing to read the full text of the proposed ordinance.

Within 10 days after the circulation period ends the City Clerk shall certify to the City Council as to whether the petition has been signed by not less than 5% of the Voters. Should less than 5% of the Voters sign the petition, the petition shall be deemed to have failed and shall have no further force or effect.

If the City Clerk certifies that a minimum of 5% of the Voters have signed the petition, the Council shall hold a public hearing within 30 days of receipt of the City Clerk's certification. The Council shall thereafter submit the proposed ordinance to a referendum vote at the next regular election, which shall be held at least 30 days following the public hearing unless the Council first enacts the ordinance. Otherwise, an ordinance adopted by referendum shall take effect 30 days after the certification of the election results relating to said referendum, provided a majority of those voting thereon shall have voted in favor of the proposed ordinance.

Any such proposed ordinance shall be examined by the City Attorney before being submitted to a referendum. The City Attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions, and to assure accuracy, clearness and precision of wording, and consistency with City ordinances.

Section 1302. Petition for Overrule of Action of Council

With the exception of emergency ordinances enacted pursuant to Section 214.1, and Council actions making appointments or removals or regulating exclusively the internal procedure of the Council, all ordinances, resolutions or orders of the Council shall be subject to overrule by a citizen referendum as follows:

After the adoption of an ordinance, resolution or order by the Council, the voters may file a petition requesting that such ordinance, resolution or order be put to a referendum vote.

Five or more registered voters may begin the proceedings by submitting a request in writing to the City Clerk for blank petition forms. Said voters shall be referred to as the "Overrule Committee." All copies of the petition shall be uniform in size and style and shall include the complete text of the ordinance, resolution or order adopted by the Council and the names of the Overrule Committee.

The Overrule Committee shall have 30 days from the date of issuance of appropriate petition blanks to cause the petition to be signed by 5% of the registered voters of the City. Each Voter who signs a petition shall include a place of residence, providing either the street and number or a description sufficient to identify it.

Each petition shall have attached to it, when filed with the City Clerk, an affidavit executed by the circulator of the petition stating that he/she personally circulated the attached petition; that it was at no time in the hands of any person other than the circulator; the number of signatures thereon; that all the signatures were affixed in the circulator's presence; that the circulator believes them to be the genuine signatures of the persons whose names they purport to be; and that each signer had an opportunity before signing to read the full text of the ordinance, resolution or order adopted by the Council. Within 10 days after the circulation period ends the City Clerk shall certify to the City

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Council as to whether the petition has been signed by not less than 5% of the Voters. Should less than 5% of the Voters sign the petition, the petition shall have no further force or effect.

The Council shall call a public hearing to be held within 30 days of receipt of the City Clerk's certification, and shall submit the ordinance, resolution or order to a referendum vote at the next regular election at least 30 days after the public hearing.

An ordinance, resolution, or order shall not be repealed unless a majority of those voting thereon shall have voted in the affirmative; and provided that the total number of votes cast for and against equals or exceeds 25% of the total number votes cast in Sanford in the last previous gubernatorial election, as certified by the City Clerk.

Section 1303. Form of Ballot

The form of the ballot for the enactment or repeal of a proposed ordinance, resolution or order shall be as follows:

"Shall the proposed ordinance, (resolution or order), (brief description of ordinance, resolution, or order) be adopted (repealed)?"

The Voters shall indicate "yes" or "no" on their ballot, in the manner instructed on the ballot.

A copy of the proposed ordinance, resolution or order being voted upon at referendum shall be printed and made available within each of the voting places, libraries, and City Hall on the date of the referendum.

Section 1304. Council not to Reenact or Reject

The Council shall not reenact ordinances, orders, or resolutions rejected by Voters at referendum elections for a period of at least one year from the date of the referendum. The Council shall not modify or abolish ordinance adopted by Voters at initiative elections for a period of at least one year from the date of the referendum.

ARTICLE XIV GENERAL PROVISIONS

Section 1401. Oath of Office

Every official of the City shall, before entering upon duties of office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the City Clerk:

"I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Maine; that I will, in all respects, observe the provisions of the Charter and ordinances of the City of Sanford and statutes of the State of Maine, and will faithfully discharge the duties of the office of _____."

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Section 1402. Severability

The provisions of the Charter are severable. If any provision of the Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons and circumstances shall not be affected thereby.

Section 1403. Specific Provisions Prevail

To the extent that any specific provisions of the Charter shall conflict with any provisions expressed in general terms, the specific provisions shall prevail.

Section 1404. References to General Laws

All references to the general laws contained in the Charter refer to the General Laws of the State of Maine, and are intended to include any amendments or revisions to such chapters and sections or to the corresponding chapters and sections of any rearrangement of the General Laws enacted subsequent to the adoption of the Charter.

Section 1405. Computation of Time

In computing time under the Charter, if seven days or less, only business days not including Saturdays, Sundays or legal holidays shall be counted; if more than seven days, every day shall be counted.

Section 1406. Number and Gender

Words importing the singular number may extend and be applied to several persons or things, words importing the plural number may include the singular, and words importing the masculine gender shall include the feminine gender.

Section 1407. Rules and Regulations

A copy of all Rules and Regulations adopted by any City agency shall be filed in the office of the City Clerk, and in the case of the School Department, the Superintendent's office, and made available for review by any person who requests such information.

Section 1408. Repealing Clause

All acts and parts of acts of the private and special laws of Maine relating to the City of Sanford, inconsistent with the provisions of this Charter, are repealed.

Section 1409. Disclosure of Interest

CHARTER

Financial Interest

A City Official, or employee who has a financial interest in any contract with the City or in the sale, purchase or lease of any land, material, supplies or services to or from the City, shall disclose the interest and abstain from negotiating, voting upon or otherwise participating in decisions involving such contract, sale, purchase or lease, unless the contract, lease or sale is awarded through a competitive bidding process. Similarly, a City Official who has a financial interest in any matter before the body, committee, subcommittee or commission of which they are a member, shall disclose the interest and abstain from voting on any matter involving the interest. A copy of the disclosure and the abstention shall be recorded with the City Clerk. A City Official, or employee, has a "financial interest" within the meaning of this section if the Official, Member or employee owns at least a ten-percent interest in the business or economic entity or 10% or more of the stock of the corporation involved in the pending transaction or matter.

Relationship

A City Official is disqualified in any quasi-judicial matter before the body, committee, subcommittee or commission of which the Official is a member, if the Official is related to any of the parties to within the sixth degree (second cousin). The City Official shall disclose the interest and abstain from voting unless all parties waive the disqualification in writing.

Appearance of Conflict

A City Official shall avoid the appearance of a conflict of interest, whether there is a technical conflict or not, by disclosure of the facts underlying the potential conflict and, where appropriate, by abstaining from voting on the matter. If, after disclosure, the City Official believes the interest will affect the Official's ability to make a fair and impartial decision faithful to the public interest, the City Official shall abstain from voting.

Participation

An abstaining City Official may but need not remain in the meeting room during debate or votes on that issue. An abstaining City Official who wishes to be heard on a matter may join other members of the public and speak as a member of the public during that portion of the meeting when the public is being heard. In no case shall an abstaining City Official participate in discussions or deliberations or otherwise act in an official capacity in the matter as to which the City Official has abstained.

Judgment of Qualifications

If there is any doubt as to whether a City Official has a conflict of interest in any matter, the Chair shall determine the qualification of the challenged member. The decision of the City Board, Committee or Commission shall be final.

Section 1410. Procedures of Multiple Member Bodies

SANFORD CODE

1410.1

All multiple member bodies of the City, whether elected, appointed or otherwise constituted shall meet at such times and places within the City as they may, by their own rules, prescribe. Special meetings of any multiple-member body shall be held on the call of the respective chairperson or, by a majority of the members thereof by suitable written notice delivered to the residence or place of business of each member at least 24 hours in advance of the same set. A notice of each meeting shall be posted at least 48 hours in advance on the City Bulletin Board. The Press shall be notified of all meetings of multiple member bodies at least 24 hours in advance of a scheduled meeting. All meetings of the multiple-member bodies shall, at all times, be open to the public and to the Press, unless in executive session, and except as may otherwise be authorized by law. If above terms are not met, no official action can take place at said meeting. All Regular meetings of the City Council, School Committee, and Budget Committee shall be televised whenever feasible.

1410.2

Each multiple member body shall determine its own rules and order of business unless otherwise provided by the Charter or by ordinance, and shall provide for keeping a journal of its proceedings. These rules and journals shall be public records kept available in a place convenient to the public at all reasonable times, and copies shall be kept available in the Library.

1410.3

Except on procedural matters, all votes of all multiple-member bodies shall be taken by a show of hands, or roll call vote, the results of which shall be recorded in the minutes. Except as otherwise provided in this Charter or by ordinance, a majority of the multiple member body must vote in the affirmative for an action to pass.

1410.4

A majority of the members of the multiple-member body shall constitute a quorum, but a smaller number may adjourn from time to time.

Section 1411. Short Title

This Charter shall be known and may be cited as the "2012 Sanford City Charter." The Clerk shall cause it to be printed and made available to the public.

Section 1412. Charter Amendments

Amendments, modifications and revisions to this Charter shall be made pursuant to the applicable provisions of Maine State Law.

Section 1413. Definitions [Amended by Referendum Vote: 11/8/2022]

Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in the Charter shall have the following meanings:

CHARTER

- a. Annual Election — The words "annual election" shall mean the election which shall take place on the first Tuesday following the first Monday of November of each year.
- b. Charter — The word "Charter" shall mean this 2012 Sanford City Charter and any amendments made to it through any methods provided for in Maine State Law.
- c. City — The word "City" shall mean the City of Sanford.
- d. City Agency — The words "City agency" shall mean any board, commission, committee, department or office of the City government whether elected, appointed or otherwise constituted.
- e. City Bulletin Boards — The words "City Bulletin Boards" shall mean the bulletin boards on which official City notices are posted, including the City website.
- f. City Office — City Office shall mean those positions that are recognized and established by the Charter that hold independent and standing authority pursuant to election or appointment by the City Council. City Office shall not include appointed committee positions advisory to City Office positions established by this Charter.
- g. City Official — The words "City Official" shall mean any person, elected or appointed, serving on any body, committee, subcommittee or commission of the City of Sanford, who in the performance of his or her duties of office exercises some portion of the sovereign power of the City, whether great or small. A person may be a City Official whether or not he or she receives any compensation for his or her services.
- h. Cost Center — "Cost Center" means a distinct, identifiable department of the City whose manager(s) or department head(s) are responsible for all its associated costs and for ensuring adherence to its budget.
- i. Council — The word "Council" shall refer to the City Council of the City.
- j. Councilor — The word "Councilor" shall refer to a member of the City Council.
- k. Department of Education — means the state approved school administrative unit of the City of Sanford with all powers conferred pursuant to 20-A M.R.S.A. et al.
- l. Library — The word "Library" shall mean the Sanford Goodall Library and the Springvale Public Library and any branch or branches that may be established thereof.
- m. Local Newspaper — The words "local newspaper" shall mean a newspaper of general circulation within the City.
- n. Majority Vote — Unless otherwise stated in this Charter the words "majority vote" shall mean to all multiple member bodies, the affirmative vote of a majority of all its members shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.
- o. Manager — The word "Manager" shall refer to the City Manager appointed by the City Council of the City.

SANFORD CODE

- p. Mayor — The word "Mayor" shall refer to the elected-at-large Mayor.
- q. Multiple Member Body — The words "multiple-member body" shall mean any official board, commission or committee consisting of two or more persons, whether elected or appointed.
- r. Municipal Budget Validation — "Municipal Budget Validation" shall mean the process by which the Voters approve or disapprove the City Council proposed municipal budget at a municipal election.
- s. Municipal Officer – Municipal Officer is an elected City Councilor.
- t. Municipal Officers – Municipal Officers is collectively all elected City Councilors and comprises and serves as the Municipal Legislative Body of the City, 30-A M.R.S.A. §2001, 2004, Chapter 123 Municipal Officials.
- u. Order – Order shall mean the action items that are the result of the vote of the City Council and thereby state the will of the municipal officers subsequent to full consideration in a public council meeting.
- v. Ordinance – Ordinance shall mean the act of voted ordinance authority and limitations as a local law of the City Council by the Charter and Ordinance Power pursuant to 30-A M.R.S.A. §3001, as amended.
- w. Resolution – Resolution shall mean the voted decree of the City Council designation, recognition of a person, organization, event, call to action, or firm decision of order or not to order providing a directive.
- x. School Budget Validation — "School Budget Validation" shall mean the process by which the Voters approve or disapprove the City Council proposed school budget at a municipal election.
- y. Voters — The word "voters" shall mean registered voters of the City.
- z. Ward — The word "ward" shall mean the areas into which the City is geographically divided for the equal apportionment of voters.

ARTICLE XV TRANSITIONAL PROVISIONS

Section 1501. Ordinances Consistent Continue in Force

All ordinances of the City of Sanford in force at the time when this Charter takes effect, consistent with the provisions of this Charter, shall continue in force until amended or repealed.

Section 1502. Existing Contracts non Invalidated, Unless Inconsistent

All rights, actions, proceedings, prosecutions, and contracts of the City or any of its departments, pending or unexecuted when this Charter goes into effect and consistent herewith, shall be enforced, continued or completed in all respects as though begun or executed hereunder.

CHARTER

Section 1503. Continuance of Present Administrative Officials

All persons holding City Office or employment at the time this Charter takes effect shall continue in office and in the performance of their duties until provisions shall have been made in accordance herewith for the performance of such duties or the discontinuance of such office or position. On the effective date of the 2012-Sanford City Charter, the Town Manager shall become the City Manager, pursuant to and for the term provided in the existing Town Manager's contract.

Section 1504. Expiration of Term of Present Elected Officials and Applicability

The terms of the present elected City Council or School Committee members shall continue until the terms of their office expire. All provisions of this Charter, including the recall and forfeiture of office provisions, shall apply to elected municipal or school officials, including those in office at the time of adoption of this Charter.

Upon approval of the 2012 Sanford City Charter any candidates on the 2012 ballot for the offices of Finance Committee and Town Meeting Member shall not take office in January 2013.

All elected Town Meeting members' terms shall expire on December 31, 2012.

Section 1505. First Election; Effective Date of 2012 Sanford City Charter

Upon acceptance of this Charter by referendum vote in November 2012, this Charter shall become effective on January 1, 2013.

Section 1506. Recording

Pursuant to State law, within three days of the results of the election being declared, certified copies of this Charter are to be filed with the Secretary of State, the State Law and Reference Library and the Office of the City Clerk. Additionally certified copies shall be stored in the Library and the Office of the City Attorney. Electronic copies of the revised Charter shall also be kept in the City Clerk's office, the Library, the City Attorney's Office, and on the City of Sanford's website. Electronic copies must be protected so that they may not be altered or change.

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Swearing in of Robert Stackpole and Peter Tranchemontagne as Sanford City Council Members pursuant to Section 207 of the Sanford City Charter.

RECOMMENDATION

Swearing in of Robert Stackpole and Peter Tranchemontagne as City Council Members for three year terms beginning January 1, 2023 and ending December 31, 2025, pursuant to Section 207 of the Sanford City Charter.

ATTACHMENTS

- [Oaths for 1-3-23 Council Packet.pdf](#)

City of Sanford, Maine
Office of the City Clerk/Registrar of Voters

919 MAIN STREET
SANFORD, MAINE 04073-3589
(207) 324-9125 (207) 324-9127 FAX

CITY CLERK & REGISTRAR
Susan H. Cote, CCM

November 21, 2022

Robert Stackpole
7 Summer Street
Sanford, ME 04073

Dear Bob,

You have been elected to fill the position of City Council Member for a three-year term beginning January 1, 2023 and ending on December 31, 2025.

You will take the oath of office at the first meeting of the City Council scheduled on January 3, 2023 taking place in the third-floor council chambers. Should the meeting be held via remote video and teleconference, instructions for taking your oath will be sent to you next month.

Congratulations, and thank you for serving our community!



Susan H. Cote
City Clerk

cc: Via E-Mail to all
City Council
Steven Buck, City Manager
Lorisa Ricketts, Executive Asst.



City of Sanford, Maine
Office of the City Clerk/Registrar of Voters

919 MAIN STREET
SANFORD, MAINE 04073-3589
(207) 324-9125 (207) 324-9127 FAX

CITY CLERK & REGISTRAR
Susan H. Cote, CCM

November 21, 2022

Peter Tranchemontagne
365 Sam Allen Road
Sanford, ME 04073

Dear Pete,

You have been elected to fill the position of City Council Member for a three-year term beginning January 1, 2023 and ending on December 31, 2025.

You will take the oath of office at the first meeting of the City Council scheduled on January 3, 2023 taking place in the third-floor council chambers. Should the meeting be held via remote video and teleconference, instructions for taking your oath will be sent to you next month.

Congratulations, and thank you for serving our community!



Susan H. Cote
City Clerk

cc: Via E-Mail to all
City Council
Steven Buck, City Manager
Lorisa Ricketts, Executive Asst.



Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to approve the minutes from the regular City Council Meeting held on December 20, 2022.

RECOMMENDATION

Ordered, to approve the minutes from the regular City Council Meeting held on December 20, 2022.

ATTACHMENTS

- [12-20-22 City Council Minutes.pdf](#)



Sanford City Council

City Council Meeting Minutes – December 20, 2022

The Sanford City Council met on Tuesday, December 20, 2022 in person in the City Council Chambers and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure as amended May 3, 2022.

MAYOR: Anne-Marie Mastraccio; **DEPUTY MAYOR:** Maura A. Herlihy; **COUNCILORS:** Councilor Robert G. Stackpole; Councilor Ayn M. Hanselmann; Councilor Jonathan L. Martell; Councilor Becky A. Brink; Councilor Michael W. Termath. **CITY STAFF:** City Manager Steven Buck; Executive Assistant Lorisa Ricketts; Police Chief Craig Andersen; Deputy Police Chief Eric Small; City Clerk Sue Cote

Others Present via Zoom: Zendelle Bouchard, Lead Code Enforcement Officer Jamie Cole; Public Works Director Matt Hill; Parks and Recreation Director Brady Lloyd; Code Enforcement Officer Aaron Lederer; Human Resources Director Stacy Howes; Adam Rice; Bob Flannery; Bruce; Dianne Connolly; Everett Allen; Patty McKeon; Lawrence Furbish; Hazen Carpenter.

Others present in the Council Chambers: Pete Tranchemontagne; Matthew Leggett; members and supporters of the Sanford ATV Club.

Meeting Format

Mayor Mastraccio called the meeting to order at 6:00 PM.

This meeting was conducted in person and via remote video and teleconference pursuant to 1 MRSA §403-B (2) (D) and section 6 of the Sanford City Council Rules of Procedure as amended May 3, 2022.

Pledge of Allegiance

Moment of Silence

Roll Call:

Mayor Mastraccio performed the roll call of Councilors present: Councilor Termath, absent; Councilor Brink, present; Councilor Martell, present; Councilor Hanselmann, present; Councilor Stackpole, present; Deputy Mayor Herlihy, present.

Minutes

22-563-01 Ordered, to approve the minutes from the regular City Council Meeting held on December 6, 2022.

Councilor Brink moved to approve with an amendment. Deputy Mayor Herlihy seconded the motion.

Motion passed 5-0 with Mayor Mastraccio abstaining because she was not present for the December 6 meeting.

Mayor's Report/City Council Sub-Committee Reports

Councilor Hanselmann presented a Public Safety Subcommittee report from December 13 (see attached).

Deputy Mayor Herlihy reported that online ordering of vital records was discussed during Municipal Operations and Property Subcommittee on December 13.

Councilor Stackpole reported that residential chickens and the contract zone for the Nasson Dorms project were discussed in Zoning Subcommittee on December 13.

City Manager's Report

See attached. Residents are asked to be mindful of winter parking bans.

Communications/Presentations

Deputy Mayor Herlihy and Mayor-Elect Brink presented Mayor Mastraccio with a proclamation and gift in recognition of her leadership during her two years as Mayor.

Public Participation

Jason Manning of Sanford spoke against closure of the Sanford Rail Trail to ATVs.

Mike Light of 26 Mill St. in Springvale spoke against closure of the Rail Trail to ATVs. He bought his property because it was adjacent to the trail where he could ride ATVs.

Sean Hurley spoke against closing the Rail Trail to ATVs.

Ann Fredericks of Sanford, newly elected State representative, spoke in favor of placing a hold on the ban of ATVs on the Rail Trail.

Chuck Deye, user of the Rail Trail, expressed disappointment at closure of the rail trail to ATVs.

Blake Enrico of Putnam St. in Sanford said he bought his property due to its proximity to the Rail Trail for ATV use.

Joshua Neal of Putnam St. in Sanford expressed his displeasure regarding the ban of motorized vehicles on the Rail Trail.

Samantha Hurley said she and her kids only ride the Rail Trail in Sanford. Without it available, they have nowhere to ride.

Jonathan Prior of Sanford said he has been riding the trails since he was in grade school and he thinks closing the trail is absurd and the Council should reconsider.

Kristen Clark of Tanguay St. in Sanford spoke. She purchased a four-wheeler for herself last year. She expressed that the rail trail brings a lot of community and the ATVers do a lot to maintain the trail, and spend money at the Depot.

Eric Clark of Tanguay St. in Sanford said the amount of people that put in effort to maintain the Rail Trail is insane.

Khalid Ibrahim, owner of The Depot, spoke and said that from the business point of view, ATVs are good for the community.

David Egan of Lowell St. in Springvale said he and his family love to ride ATVs and it hurt to have that taken away.

Michael Butler of Sanford spoke; he would like to have the decision re-evaluated.

Jeff Doiron said ATV riding is a family-oriented sport. His family takes fishing poles and kayaks to Deering Pond. His sister, who is a paraplegic, gets to ride as well. He said now they are having to travel elsewhere to do it.

Aaron Hunter of Springvale said he has lived there for about five years. The location was attractive because of access to the Rail Trail. He is one of the founding members of the Sanford ATV Club. He said his son has exercise intolerance and rides ATVs.

Bailey Velandry spoke and said he grew up riding the trails in Sanford. He was disappointed to hear about the trail closing. He believes the Sanford PD can patrol in their side by side to prevent issues.

Debbie Olsen of Sunset Rd. in Springvale is against closing the trail. She and her daughter are dog-owners. She stated that they and their dog-walker don't have problems with homeless people on trails with ATV access but encounter them

elsewhere. They think there will be longer-term issues with homeless people on trails in light of the closure.

Cassandra Roberge of Shaw Rd. bought an ATV in April and said she has met a lot of really good people through the ATV Club.

Matt Leggett is president of the Sanford ATV Club. He said the rail trail is very important. The Council formed a task force that created a policy and an outline for forward progress. He felt the vote was rushed two weeks ago. He feels the ATV community and the City were on the right track before the vote.

Councilor Brink said she was very impressed with the manner in which everyone had spoken and thanked them.

Public Hearings

22-546-01 A public hearing to receive comments in favor or against the Renewal application submitted by Pine Tree Maine 2, LLC, for an Adult use retail Cannabis Store license at 22 Smada Drive, Sanford, Maine.

Hearing opened at 6:50 PM.

Lindsay Holden, owner of Pine Tree Maine 2, spoke in favor of the renewal application.

Hearing closed at 6:51 PM.

Consent Agenda

22-547-01 Ordered, to approve the following license requests:

1. Renewal Adult Use Retail Cannabis Store license from Pine Tree Maine 2, LLC, 22 Smada Drive, Sanford, Maine.
2. Games of chance application from Sanford Lodge of Elks #1470, 13 Elm Street, Sanford, Maine.
3. Beano application from Sanford Lodge of Elks #1470, 13 Elm Street, Sanford, Maine.

Mayor Mastraccio sought questions or comments from the Council on the Consent Agenda items. Seeing none, the Consent Agenda was approved.

Old Business

22-505-01 Ordered, to extend the continuation of the dangerous building hearing regarding 11 Kimball Street for administrative review of the Notice of Violation, to January 17, 2023, pending finalization and pending a compliance plan.

Deputy Mayor Herlihy moved to approve. Councilor Brink seconded.

Motion passed 6-0.

22-540-01 Ordered, to continue discussion on City Council goal-setting.

Mayor Mastraccio moved to continue this discussion to January 17 since the City Council will be meeting in workshop on January 10, in part to discuss goals. Councilor Brink seconded.

Motion passed 6-0.

New Business

20-230-01 Ordered, to re-appoint Susan H. Cote as the City of Sanford Registrar of Voters for the period of January 1, 2023 through December 31, 2024, as required by MRSA 21-A, §101.2

Councilor Hanselmann moved to approve. Councilor Martell seconded.

Motion passed 6-0.

22-557-01 Ordered, to discuss and appoint a Police Department Historian.

Police Chief Andersen presented on this item. There have been a number of requests from family members of previous police officers to share details of their service to the community. Many of the requests come after the death of the officers, and often go back many years. Paul Auger has been able to help research in documents to help provide information to these families. By having him as an official historian, they can document officers now so there is a resource for future. The police department

Councilor Brink moved to appoint Paul Auger as the Police Department historian. Councilor Martell seconded.

Councilor Brink mentioned that Mr. Auger was formerly a police officer and is now a teacher at the school.

Motion passed 6-0.

22-555-01 Ordered, to accept a bid from Levesque Excavation of Sanford, Maine for the reconstruction of River Street, being one-half of the Mousam Promenade project, for construction season 2023.

Public Works Director Matt Hill presented on this item. Levesque Excavation of Sanford was the low bidder and was recommended that the Council accept their bid.

Mayor Mastraccio moved to approve the bid from Levesque Excavation of Sanford, Maine, in the amount of \$2,260,000.00 for reconstruction of River Street, being one-half of the Mousam Promenade project, for construction season 2023. Councilor Hanselmann seconded.

Motion passed 6-0.

22-558-01 Ordered, to create an Engineering Field Inspector/Resident Engineer position within the Department of Public Works for the spring of construction season 2023.

Director Hill presented on this item and said he can't recommend it enough. There is typically an inspection budget on projects.

Manager Buck said the former City Engineer, Charlie Andresen, had stressed the need for a second engineer during his exit interview eleven years ago. It is timely now to fund this from the capital program. We have crossed over the point where it would cost more to pay for contracted engineering inspection services than it would to pay for a position.

Deputy Mayor Herlihy moved to approve. Councilor Martell seconded.

This item was discussed during Property Subcommittee. Deputy Mayor Herlihy stated that this sort of item is why it is important to have the Council in charge of the budget because decisions like this affect the budgeting process.

Motion passed 6-0.

22-500-01 Ordered, to discuss a revision to the order from the November 15, 2022 meeting closing the Rail Trail to motorized use from Pleasant Street to the Lebanon town line, to specifically prohibit only ATVs as defined in M.R.S.A. Title 12 Section 13001 (3) from use of the Trail.

Mayor Mastraccio moved to revise the order from the November 15, 2022 meeting closing the Rail Trail to motorized use from Pleasant Street to the Lebanon town line, to specifically prohibit only ATVs as defined in M.R.S.A. Title 12 Section 13001 (3) from use of the Trail. Deputy Mayor Herlihy seconded.

Councilor Martell moved to amend the motion to revisit the decision made on November 15. Councilor Hanselmann seconded.

Councilor Martell stated that the Police Department's ATV for enforcement has just arrived, and work was just beginning on the recommendations of the Rail Trail Task Force. Trails open up on May 15 so that would give the Council time to address.

Councilor Hanselmann said that at the November 15 meeting, the Council didn't hear from the Chief of Police or from City Manager Buck. She heard strong environmental concerns and concerns about cost for repairs. If there is a multi-use trail in the community, funding to maintain it needs to be put in place. Is there additional engineering that could be done to make the trails able to withstand ATVs and what would the cost of that be?

At the state level two task force reports addressed this issue in 2006 and 2019. Many of the issues in the reports were not addressed by the legislature. The 2006 report was from a rural part of Maine and recommendations would not necessarily apply to downtown Sanford.

Councilor Brink said the police can use their ATV to patrol anywhere. She hears the environmental issues and maintenance issues. The surface of the trail was designed for bikers and hikers many years ago; it keeps getting destroyed because it wasn't designed for ATV use. If she were to consider opening to ATVs, there would need to be an environmental study by a professional and taxpayers shouldn't have to pay for that. The trail would need to undergo an engineering study and be built so that it could withstand ATVs, and that cost would have to be dealt with. She stated that there is a whole other group of owners near the trail who deserve to have their opportunity to speak and have not yet been heard from.

Councilor Brink would want to find all those things out before she would vote to allow ATVs.

Deputy Mayor Herlihy said she watched the consistent deterioration of the trail by riding it over the summer.

Councilor Stackpole said he moved at the last meeting to revisit this issue on an annual basis and that motion was unanimously supported. He asked Mr. Leggett what the timeline for getting grants together is. Mr. Leggett said he is gathering information right now and would submit grants in early spring. Councilor Stackpole said he sees that what we are doing now is not working; he voted in favor of the ban to light a fire under the issue. He feels there are loose ends and reminded the group that the Council did vote to revisit this issue at some point. There is hard work to do, he said; it is not just a matter of a vote to allow ATVs on the trail, there are issues that need to be addressed. It is not just the Council that can do

that work; it has to come from the ATV community as well. Solutions need to come not just from the ATV club. He is not prepared to change his position tonight, but is willing to look at it in the longer term.

Deputy Mayor Herlihy asked what the logistics would be for doing the studies that Councilor Brink suggested.

Manager Buck noted that in the Rail Trail Task Force's report, the State's best maintenance practices were referenced and recommended. Parks and Recreation Director Brady Lloyd developed a Rail Trail Policy based on the recommendations in the document and those were just beginning to be implemented.

Manager Buck said that the highest environmental damage is when the ATVs go off trail. If the City continues to work within the confines of the rail bed, he doesn't believe it would need additional permitting.

Councilor Hanselmann commented that the task force's recommendations didn't have time to be implemented in partnership with the ATV community.

Mayor Mastraccio said she was utilizing the task force to see if the damage and complaints could be reduced and that those were happening for at least four years previous from residents, some of whom were afraid to complain when they spoke up. She doesn't think that as a taxpayer she would support spending \$100,000 per year for repairing the trails so ATVs could use it.

Motion to change the prior decision and allow ATV use as has been previously allowed failed 4 to 2 with Councilors Martell and Hanselmann opposed.

Motion to revise the order from the November 15, 2022 meeting closing the Rail Trail to motorized use from Pleasant Street to the Lebanon town line, to specifically prohibit only ATVs as defined in M.R.S.A. Title 12 Section 13001 (3) from use of the Trail passed 6-0.

It was clarified that ATVs as defined do include dirt-bikes.

22-564-01 Ordered, to allow Snowmobile use on the Rail Trail from Pleasant Street to the Lebanon town line between December 1 to April 1 of each year.

Deputy Mayor Herlihy moved to approve. Councilor Brink seconded.

ATVs that have tracks and are registered as snowmobiles would be allowed.

Motion passed 6-0.

Council Member Comments

Councilor Termath: Absent.

Councilor Brink: None.

Councilor Martell: Wished everyone a Merry Christmas.

Councilor Hanselmann: Thanked the Sanford School Committee for dressing up for Christmas and wished everyone happy holidays and happy New Year.

Councilor Stackpole: Have a safe and happy holiday season. Regarding the most poignant issue tonight, he doesn't think all of us have come up with the right solution yet and would urge the Council to keep looking for solutions.

Deputy Mayor Herlihy: Happy Holidays to everyone.

Mayor Mastraccio: The Christmas Tree is very beautiful. Could the timer be moved earlier so it could be appreciated for longer? She thanked everyone and said she is proud of the work they have done in the last two years.

Future Agenda Items

Councilor Termath: None.

Councilor Brink: For Property Subcommittee: discuss an engineered study on the trails to look at cost involved and annual maintenance to determine a way to make trails actually useable for ATVs.

Councilor Martell: None.

Councilor Hanselmann: None.

Councilor Stackpole: None.

Deputy Mayor Herlihy: None.

Mayor Mastraccio: Suggested having available and using the State reports, especially the public comments from 2019. Sanford is not alone in this. Subcommittees are work sessions that are open to the public.

Adjournment

Councilor Martell moved to adjourn. Councilor Brink seconded. Motion passed 6-0.

Meeting adjourned at 7:57PM.

Respectfully submitted by Lorisa Ricketts, Executive Assistant to the City Manager.

Councilor Brink, Council Martel and I were in attendance

Police Dept Update

Chief Andersen gave us background on Police Historian role which we will discuss on this evenings agenda

Chief Andersen also introduced another new officer that joined us from sunny FL. Officer Narvaez. He expressed how welcoming our PD is and that there's a high level of camaraderie that sets Sanford apart. We are excited to have him on board.

Officer Adams did a brief presentation on the new "yellow flag law" which helps protect individuals that are experiencing a mental health crisis by restricting their access to firearms temporarily. Officer Adams developed a checklist to assist the SPD on the yellow flag law process and other communities have already requested access to the checklist to use in their Departments.

Officer Howe wasn't available on Tuesday so will share an update on the impact of the transition to the new consolidated court house in Biddeford and how it will affect us at a future meeting.

Fire Dept Update

We heard from Chief Bennotti and AC Smith on incident counts for our Fire Department. There have been to date over 4000 calls to service. This is up about 4% from 2021. Of these calls 76% or just over 3,000 of them have been emergency medical service incidents. There was a robust conversation around the fact that of the medical service calls about 450 were related trips or falls primarily by our elderly citizens and that many of them could likely be avoided by removing hazards such as rugs, installing hand rails and similar actions. The conversation was centered around how we can help folks experiencing these issues by connecting them with available resources, doing follow ups, and by the city partnering with other agencies. There was also a conversation about community paramedicine and how our FD could provide some additional service to our residents with an expansion into paramedicine and that there is a high need for these services. Paramedicine is medical care - often emergency medical care- given outside of a hospital setting. City Manager Buck reminded us that the new fire stations have been designed with paramedicine spaces to better serve our residents in the future.

City of Sanford



**From the Desk of
Steven R. Buck
City Manager**



Memo

To: City Council
Subject: Manager's Report for December 20th, 2022
Date: December 20, 2022

New 2022 Ortho Photography for GIS:

The Maine Library of Geographic Information (GIS) has informed the City that the 2022 Ortho Photography, rectified areal photography, for incorporation into Sanford Geographic Information System or GIS delivery has been delayed to January 31st, 2023. This is a one-month delay from the original delivery time. The City participates each five years in the collaborative areal photography to better track the City's progression of land use. The most recent photos on our GIS site is 2017 with historical photos in library for 2017, 2012, 2007, and 2005. The City ordered 3" resolution. The State should have our records online by March of 2023 with the City uploaded to our Axis hosted GIS solution as soon as received and reviewed.

The public can access the City GIS library at www.axisgis.com/sanfordme/
Or the City website at www.sanfordmaine.org Home page Sanford Web GIS or the green Map symbol (tear drop) colored green.

Fire Chief Hiring Process:

The Hiring Committee performed a first oral board process today and will complete that first process on Wednesday the 21st. The City has a strong pool of Applicants, well qualified, and is seek to narrow the first round as affirming qualifications before moving to a second round of interviews with the most qualified Applicants. Chief Benotti's retirement is effective January 12th, 2022 and the City seeks to have selected a Best Applicant by that time and work to instill as soon as possible thereafter. There may be the need to appoint an interim Chief prior to the installation of the City's next Fire Chief.

Public Works:

Crews worked diligently this past week Thursday night through Sunday night on the last winter storm of wet, heavy snow. It was a difficult storm to start a number of new operators this year, but all reports were of a strong response absent some route issues that have been addressed.

I am asking the Residents to be mindful of the Winter Parking Bans that were posted around this storm and for all future storms. There were far to many conflicts of vehicles, trailers, dumpsters,

and other impediments parked on the City’s streets as crews were clearing streets. There were also numerous vehicles parked off pavement but on City sidewalks and still illegally parked in the City’s right of way. The Police Department did an extraordinary effort for this first storm by knocking on doors overnight to try an locate owners to move the vehicles before ticketing. The subsequent step is removal by a tow company and the vehicles being impounded.

Pursuant to City Code Chapter 245-72 On-Street Parking Prohibition – The Public Works Director may declare an emergency parking ban to allow for clearing the streets of snow and define for any duration necessary. That ban was issued last Thursday with a large number of outstanding compliance issues. The next storm will result in immediate removal of any/all parking violations during the ban. An expensive proposition to pay a \$50 fine as well as tow and release fees for the impoundment pursuant to Chapter 245-96 A. (13) and Chapter 245-106 Impoundment.

Residents may get notification of Winter Parking Bans and other notices by going to the City’s Website at www.sanfordmain.org and on the Home page click E-Notify Alerts to sign up for email or text messaging.

Visitors... Manage e-Notifications of Page Changes

1

Type your email address in the box and select Sign In.

2

If you want to receive text messages enter your phone number and select Save.

3

To subscribe or unsubscribe click Email icon and/or SMS icon next to the pages to which you wish to subscribe/unsubscribe.

Please sign in to subscribe, unsubscribe, or manage your subscriptions

YOUR EMAIL

Email Address... Sign In

Alerts

| BY EMAIL | BY TEXT | PAGE TITLE | PAGE LINKS |
|----------------------------|----------------------------|----------------|--|
| ✉ <input type="checkbox"/> | 📱 <input type="checkbox"/> | Public Notices | community/public_notices_.php |
| ✉ <input type="checkbox"/> | 📱 <input type="checkbox"/> | DPW Notices | departments/parking_ban_updates.php |

General

| BY EMAIL | BY TEXT | PAGE TITLE | PAGE LINKS |
|----------------------------|----------------------------|--------------------------|--|
| ✉ <input type="checkbox"/> | 📱 <input type="checkbox"/> | Employment Opportunities | departments/human_resources/employment_opportunities.php |

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to approve the minutes from the Executive Session of the City Council held on December 19, 2022.

RECOMMENDATION

Ordered, to approve the minutes from the Executive Session of the City Council held on December 19, 2022.

ATTACHMENTS

- [12-19-22 Executive Session Minutes.pdf](#)



Sanford City Council

EXECUTIVE SESSION – SANFORD CITY COUNCIL City Manager’s Conference Room

Monday, December 19, 2022
6:00 PM

Executive Session Minutes

Present: Mayor Mastraccio; Deputy Mayor Herlihy, Councilor Stackpole; Councilor Hanselmann, Councilor Martell, Councilor Brink. Absent: Councilor Termath.

This meeting was conducted in person in the City Manager’s Conference Room, Suite 302, Sanford City Hall.

Mayor Mastraccio opened the meeting at 6:04 PM.

New Business

23-16-01 Ordered, to enter into Executive Session to discuss personnel matters pursuant to M.R.S. Title 1, § 405 (6) (A).

Motion by to enter into Executive Session by Councilor Brink. Seconded by Councilor Martell. The City Council voted 6-0 to enter into executive session at 6:05 PM.

Mayor Mastraccio declared the City Council out of executive session at 9:51 PM.

Adjourned Executive Session at 9:51 PM.

Memo



Number:

To: City Council

From: Steven Benotti, Fire

Date: 2023-01-03 18:00:00

Subject: Fire Chief Report on the State of the Fire
Department

RECOMMENDATION

Background Information:

To address the City Council and give a status of the Fire Department before the Chief's resignation date.

Financial Impact or Review:

None needed at this time.

ATTACHMENTS

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to elect a Deputy Mayor of the City Council for 2023 pursuant to Section 210 of the Sanford City Charter.

RECOMMENDATION

Elect Deputy Mayor of the City Council for 2023 from within the sitting City Councilors.

ATTACHMENTS

Memo



Number:

To: City Council

From: Ronni Champlin, Finance

Date: 2023-01-03 18:00:00

Subject: Ordered, to approve the proposed 2023/2024 budget review schedule and format which shall govern the City Council's work, per section 602.2 of the Sanford City Charter.

RECOMMENDATION

Approval of the budget review schedule and format for fiscal year 2023/2024.

Legal Review Status:

N/A

ATTACHMENTS

- [Budget Calendar 2024 .pdf](#)
- [Fy23 taxrate.pdf](#)
- [City Budget Format Example.pdf](#)
- [School Budget Format Example.pdf](#)

Budget Calendar - June 2023 BVR Election
 Fiscal Year
 2023-2024
 DRAFT

| DATE | TIME | TASK |
|------------------------------------|--|---|
| Thursday, December 8, 2022 | 5:30 PM | Library, Agency, Committee requests due back to the Finance Director. |
| Thursday, December 15, 2022 | 5:30 PM | City Budgets and Capital Plan due back to the Finance Director. |
| January 4, 2023 - January 24, 2023 | | City Department Head Meetings with Finance Director and City Manager to review individual budgets and Capital Plan. |
| Wednesday, January 4, 2023 | 8-10 AM 1:30-3 PM | Department of Public Works & Environmental Services and Public Protection (Utilities Electricity) Sanford Regional Communications Center |
| Monday, January 9, 2023 | 7:30-8:30 AM 9-10 AM 10-11:30 AM 11:30-12:30 PM Lunch 1:30-4 PM 4-5 PM | City Manager & Finance Director Budget Preparation Meeting Treasurer/City Clerk & Voter Registration Information Systems Planning Department Police Department, SRO & Crossing Guards Economic Development |
| Wednesday, January 11, 2023 | 10-11:30 AM 11:30-12:30 PM Lunch 3:30-5:30 PM | Recreation, Parks & Oakdale Cemetery Municipal Facilities & EMA Fire Department & Public Protection (Contract Services - Hydrant Rental and Snow Removal) |
| Thursday, January 12, 2023 | 8-9 AM 10-10:30 AM 10:30-11 AM 11-12:30 PM Lunch 1:30-2:30 PM 2:30-3:30 PM 3:30-4:30 PM 4:30-5:30 PM | Airport General Assistance & Health Officer Land Bank Revenue Programs, Undesignated & Debt Service Codes Assessing Personnel & Employee Benefits and Insurance City Council, Administration, Legal Services, Property & Casualty Insurance & Outside Agencies |
| Wednesday, January 18, 2023 | | <u>CAPITAL PLAN</u> 9:00 AM Land Bank 10:00 AM Planning 11:00 AM Police Department Lunch 2:00 PM Fire Department 4:00 PM SRCC |
| Thursday, January 19, 2023 | | <u>CAPITAL PLAN</u> 8:00 AM Airport 9:00 AM Parks & Recreation 10:00 AM Facilities 11:00 AM Information Systems Lunch 1:00 PM Department of Public Works |
| Tuesday, January 24, 2023 | 8-5:30 PM | Manager and Finance Director Budget Review and any required follow up meetings. |

Budget Calendar - June 2023 BVR Election
 Fiscal Year
 2023-2024
 DRAFT

| | | |
|--|----------------|---|
| First Meeting in January 2023 (January 3, 2023) | 6:00 PM | No later than its second meeting in January the City Council shall establish a budget review schedule. |
| Second Meeting in January 2023 (January 17, 2023) | 6:00 PM | At the second meeting in January the City Council shall establish a line item budget format, directives and guidelines. |
| January/February 2023 | | Finance Director and City Manager to finalize City budget to be presented on Thursday, March 2, 2023 - City Council Budget Meeting. |
| Tuesday, January 31, 2023 | 4:00 - 6:00 PM | Workshop with City Council - Budget Education (City and School) |
| Thursday, March 2, 2023 | 4:00 - 6:00 PM | City Council Budget Meeting |
| Thursday, March 9, 2023 | 4:00 - 6:00 PM | City Council Budget Meeting |
| Thursday, March 16, 2023 | 4:00 - 6:00 PM | City Council Budget Meeting and a Joint Public Hearing |
| Thursday, March 23, 2023 | 4:00 - 6:00 PM | City Council Budget Meeting |
| Thursday, March 30, 2023 | 4:00 - 6:00 PM | City Council Budget Meeting |
| Tuesday, April 4, 2023 | 6:00 PM | Authorization of the Municipal budget by the City Council shall be the final and the School budget that is to be presented to the Voters in their aggregate amounts for final authorization at any Budget Validation Referendum. |
| Friday, April 14, 2023 | | 60 days prior to the election the City Clerk/Registrar of Voters to submit ballot content. |
| Thursday, April 27, 2023 | | The City Manager shall publish in one or more newspapers of general circulation in the City a notice that a vote on the School budget shall be held not less than thirty (30) days from the date of the published notice. The City Clerk shall prepare the necessary ballot for said voting with a brief description of the School budget as presented by the Superintendent of Schools. Such ballot shall ask the following question for the School budget, excluding bond issues: (see Section 702) |
| Wednesday, May 3, 2023 | | At least 7 days before the date set for the hearing, the municipal officers shall give notice of the public hearing by having a copy of the proposed article, together with the time and place of hearing, posted in the same manner required for posting a warrant for town meeting. |
| Tuesday, May 16, 2023 | | The municipal officers shall hold a public hearing on the subject of the article at least 10 days before the day for voting on the article. |
| Tuesday, June 13, 2023 | | Budget Validation Referendum for the School Budget held on the second Tuesday in June. |
| Thursday, June 15, 2023 | | The City Clerk shall certify the results of any Budget Validation Referendum to the City Council within three (3) days of the vote. |

CITY OF SANFORD
 FY 2022/2023
 TAX IMPACT PROJECTIONS
 Prepared by Treasurer's Office

| | FY 2021/22 APPROVED BUDGET | | FY 2022/2023 City Manager Recommendation | | FY 2022/2023 City Council Approved | |
|---|-------------------------------|--|--|--------|--|--------|
| 12/28/2022 14:52 | | | | | | |
| VALUATION | | | | | | |
| Homestead Exemption: \$25,000 and State reimburses communities 73% for FY23 | | | | | | |
| | | | Assume Same | | | |
| Net Valuation: | 1,899,738,550 | | 1,899,738,550 | | 2,401,296,330 | |
| APPROPRIATIONS | | | | | | |
| COUNTY | | | | | | |
| County Tax (Assessed) | 796,940 | | 837,942 | | 837,942 | |
| Total County Tax: | 796,940 | | 837,942 | 5.14% | 837,942 | 5.14% |
| MUNICIPAL | | | | | | |
| Municipal Services | 27,563,321 | | 29,206,547 | 5.96% | 29,206,547 | 5.96% |
| Libraries | 561,975 | | 561,975 | 0.00% | 561,975 | 0.00% |
| Outside Agencies | 80,840 | | 96,284 | 19.10% | 96,284 | 19.10% |
| Debt Service | 1,803,421 | | 1,732,349 | -3.94% | 1,732,349 | -3.94% |
| Total Municipal Appropriation: | 30,009,557 | | 31,597,155 | 5.29% | 31,597,155 | 5.29% |
| SCHOOL | | | School Committee Recommendation | | Referendum Approved | |
| Education | 44,289,412 | | 47,249,533 | 6.68% | 47,249,533 | 6.68% |
| Debt Service | 11,210,041 | | 11,042,351 | -1.50% | 11,042,351 | -1.50% |
| Adult Education | 606,380 | | 602,677 | -0.61% | 602,677 | -0.61% |
| Total School Appropriation: | 56,105,833 | | 58,894,561 | 4.97% | 58,894,561 | 4.97% |
| CAPITAL RESERVE | | | | | | |
| Municipal | 3,995,323 | | 4,264,224 | 6.73% | 4,264,224 | 6.73% |
| School | 333,975 | | 363,995 | 8.99% | 363,995 | 8.99% |
| Total Capital Reserve: | 4,329,298 | | 4,628,219 | 6.90% | 4,628,219 | 6.90% |
| TOTAL APPROPRIATION: | 91,241,628 | | 95,957,877 | 5.17% | 95,957,877 | 5.17% |

CITY OF SANFORD - FY 2022/2023
TAX RATE PROJECTIONS

| | FY 2021/2022 APPROVED BUDGET | FY 2022/2023 City Manager Recommendation | | FY 2022/2023 City Council Approved | |
|--|---------------------------------|--|------------------|--|----------------|
| REVENUE | | | | | |
| MUNICIPAL | | | | | |
| Revenue Sharing | 3,442,327 | 4,701,580 | 36.58% | 4,701,580 | 36.58% |
| Municipal Revenue | 11,225,344 | 11,994,562 | 6.85% | 11,994,562 | 6.85% |
| Total Municipal Revenue: | 14,667,671 | 16,696,142 | 13.83% | 16,696,142 | 13.83% |
| SCHOOL | | School Committee Recommendation | | Referendum Approved | |
| School EPS Revenue | 29,736,936 | 31,090,997 | 4.55% | 31,090,997 | 4.55% |
| Debt Service - State Share | 10,576,246 | 10,418,911 | -1.49% | 10,418,911 | -1.49% |
| Miscellaneous Revenue | 90,000 | 100,000 | 11.11% | 100,000 | 11.11% |
| Adult Education State Subsidy | 144,037 | 133,837 | -7.08% | 133,837 | -7.08% |
| Other Adult Education Revenue | 57,634 | 24,700 | -57.14% | 24,700 | -57.14% |
| School Tuition/Food Service | 1,013,000 | 1,096,504 | 8.24% | 1,096,504 | 8.24% |
| Use of Reserves | 0 | 254,346 | 100.00% | 254,346 | 100.00% |
| Carry Forward | 71,137 | 661,416 | 829.78% | 661,416 | 829.78% |
| Total School Revenue: | 41,688,990 | 43,780,711 | 5.02% | 43,780,711 | 5.02% |
| TOTAL REVENUE: | 56,356,661 | 60,476,853 | 7.31% | 60,476,853 | 7.31% |
| Amount To Be Raised By Taxation: | 34,884,967 | 35,481,024 | 1.71% | 35,481,024 | 1.71% |
| BASE TAX RATE: | \$18.36 | \$18.68 | | \$14.78 | -19.54% |
| USE OF UNDESIGNATED FUNDS: | 1,010,227 | 850,000 | -15.86% | 850,000 | -15.86% |
| Less U.F. Rate: | (\$0.53) | (\$0.45) | | (\$0.35) | -33.43% |
| NET TO BE RAISED BY TAXATION: | 33,874,740 | 34,631,024 | 2.23% | 34,631,024 | 2.23% |
| MINIMUM TAX RATE: | \$17.83 | \$18.23 | 2.23% | \$14.42 | -19.12% |
| Homestead: | (\$1,263,425.83) | Assume Same | | (\$1,063,156.82) | |
| Homestead Rate: | (\$0.67) | (\$0.67) | | (\$0.44) | |
| BETE: | (\$557,000.14) | Assume Same | | (\$494,644.40) | |
| BETE Rate: | (\$0.29) | (\$0.29) | | (\$0.21) | |
| Overlay Amount: | \$270,611.25 | Assume Same | | \$362,941.29 | |
| Overlay Rate: | \$0.14 | \$0.14 | | \$0.15 | |
| TIF Amount: | \$2,214,841.13 | Assume Same | | \$2,103,021.61 | |
| TIF Rate: | \$1.17 | \$1.17 | | \$0.88 | |
| SELECTED TAX RATE: | \$18.18 | \$18.58 | \$0.40 | \$14.80 | -\$3.38 |
| LD #1 - "Municipal" Tax Levy Limit | | | | \$31,597,155.00 Exp | |
| | | | | \$4,264,224.00 CIP | |
| | | | | \$35,861,379.00 Sub | |
| | | | | -\$16,696,142.00 Rev | |
| | | | | -\$850,000.00 Undes | |
| Per FY22 | \$16,798,369.00 | | | \$18,315,237.00 Sub | |
| X Growth Limitation Factor | 1.0817 | | | -\$1,820,425.97 Hm/Bete | |
| Max FY23 Net Max Municipal Commitment | \$17,192,780.41 - | \$697,969.38 | Under LD1 | \$16,494,811.03 Net | |

NEXT YEAR / CURRENT YEAR BUDGET ANALYSIS

PROJECTION: 2024 2023/2024 MUNICIPAL OPERATING BUDGET FOR PERIOD 99

| ACCOUNTS FOR: | | | 2022 | 2023 | 2023 | 2023 | 2023 | 2024 | PCT |
|---------------|--------------------|------------|-----------|-----------|-------------|-----------|------------|------------|--------|
| GENERAL FUND | | | ACTUAL | ORIG BUD | REVISED BUD | ACTUAL | PROJECTION | DEPARTMENT | CHANGE |
| 10505000 | CITY COUNCIL | | | | | | | | |
| 10505000 | 500125 | PTSALARIES | 28,827.46 | 29,000.00 | 29,000.00 | 12,083.25 | 29,000.00 | 29,000.00 | .0% |
| 10505000 | 500200 | NON CONTR | .00 | .00 | .00 | 1,340.00 | .00 | 5,090.00 | .0% |
| 10505000 | 500201 | CONTRACT | 1,800.00 | 2,100.00 | 2,100.00 | 3,000.00 | 2,100.00 | 3,300.00 | 57.1% |
| 10505000 | 500203 | CONSULTANT | .00 | .00 | .00 | .00 | .00 | 3,000.00 | .0% |
| 10505000 | 500205 | DUES | 28,445.00 | 31,249.56 | 31,249.56 | 8,565.00 | 31,249.56 | 31,249.56 | .0% |
| 10505000 | 500206 | EDUCATION | .00 | 500.00 | 500.00 | .00 | 500.00 | 500.00 | .0% |
| 10505000 | 500208 | ADVERTISE | 958.50 | 2,000.00 | 2,000.00 | 56.25 | 2,000.00 | 2,000.00 | .0% |
| 10505000 | 500210 | TRAINING | 1,725.00 | 2,000.00 | 2,000.00 | .00 | 2,000.00 | 2,000.00 | .0% |
| 10505000 | 500300 | SUPPLIES | 180.87 | 500.00 | 500.00 | 300.00 | 500.00 | 500.00 | .0% |
| 10505000 | 500302 | OFFICE SUP | .00 | 100.00 | 100.00 | .00 | 100.00 | 100.00 | .0% |
| 10505000 | 500303 | PRINT SUPP | .00 | 150.00 | 150.00 | .00 | 150.00 | 150.00 | .0% |
| 10505000 | 500305 | EQUIPMENT | .00 | 1,000.00 | 1,000.00 | .00 | 1,000.00 | 1,000.00 | .0% |
| 10505000 | 500311 | SOFTWARE | 6,921.00 | 6,921.00 | 6,921.00 | 7,405.47 | 6,921.00 | 7,405.47 | 7.0% |
| | TOTAL CITY COUNCIL | | 68,857.83 | 75,520.56 | 75,520.56 | 32,749.97 | 75,520.56 | 85,295.03 | 12.9% |
| | TOTAL GENERAL FUND | | 68,857.83 | 75,520.56 | 75,520.56 | 32,749.97 | 75,520.56 | 85,295.03 | 12.9% |
| | GRAND TOTAL | | 68,857.83 | 75,520.56 | 75,520.56 | 32,749.97 | 75,520.56 | 85,295.03 | 12.9% |

** END OF REPORT - Generated by Ronni L Champlin **

Sanford School Department
Historical Budget Summary
As of January 1, 2023

| Expenses by Function | | | | | | | |
|--|----------------------|----------------------|--------------------------|--------------------------|---------------------------|-------------------------|-------------|
| Account Number/ Description | 2019/2020 Actual | 2020/2021 Actual | 2021/2022 Revised Actual | 2022/2023 Revised Budget | 2023/2024 Proposed Budget | Variance 23/24 vs 22/23 | % Change |
| 51000 Personal Services - Sal/Wages&Stipend | \$ 23,306,076 | \$ 23,866,706 | \$ 25,153,433 | \$ 27,416,448 | \$ 27,416,448 | \$ - | 0.0% |
| 52000 Personal Services - Payroll Tax&Benefits | \$ 10,005,678 | \$ 9,820,664 | \$ 9,393,159 | \$ 9,793,607 | \$ 9,793,607 | \$ - | 0.0% |
| <i>Subtotal Salary and Benefits</i> | \$ 33,311,754 | \$ 33,687,370 | \$ 34,546,592 | \$ 37,210,055 | \$ 37,210,055 | \$ - | 0.0% |
| 53000 Purchased Prof. & Tech. Services | \$ 1,835,406 | \$ 2,013,915 | \$ 1,968,147 | \$ 2,520,378 | \$ 2,520,378 | \$ - | 0.0% |
| 54000 Purchased Property Services | \$ 445,383 | \$ 442,369 | \$ 607,499 | \$ 1,116,808 | \$ 1,116,808 | \$ - | 0.0% |
| 55000 Other Purchased Services | \$ 2,671,856 | \$ 2,921,453 | \$ 3,114,350 | \$ 2,806,321 | \$ 2,806,321 | \$ - | 0.0% |
| 56000 General Supplies | \$ 1,571,992 | \$ 1,636,002 | \$ 2,119,825 | \$ 2,236,012 | \$ 2,236,012 | \$ - | 0.0% |
| 57000 Property Maint & Repair | \$ 328,137 | \$ 258,083 | \$ 472,546 | \$ 615,996 | \$ 615,996 | \$ - | 0.0% |
| 58000 Debt, Dues/Fees & Miscellaneous | \$ 11,828,838 | \$ 11,923,447 | \$ 12,376,340 | \$ 12,150,308 | \$ 12,150,308 | \$ - | 0.0% |
| 59000 Other & Rounding | \$ 5 | \$ - | \$ - | \$ - | \$ - | \$ - | 0.0% |
| Total | \$ 51,993,371 | \$ 52,882,637 | \$ 55,205,299 | \$ 58,655,878 | \$ 58,655,878 | \$ - | 0.0% |

| Expenses by Warrant Article | | | | | | | |
|---------------------------------------|----------------------|----------------------|--------------------------|--------------------------|---------------------------|-------------------------|-------------|
| Warrant Article Number/Description | 2019/2020 Actual | 2020/2021 Actual | 2021/2022 Revised Actual | 2022/2023 Revised Budget | 2023/2024 Proposed Budget | Variance 23/24 vs 22/23 | % Change |
| 1. Regular Instruction | \$ 15,405,453 | \$ 15,711,249 | \$ 16,189,385 | \$ 17,004,934 | \$ 17,004,934 | \$ - | 0.0% |
| 2. Special Education | \$ 8,386,437 | \$ 8,691,437 | \$ 8,868,628 | \$ 9,696,170 | \$ 9,696,170 | \$ - | 0.0% |
| 3. Career / Technical Education | \$ 3,268,788 | \$ 3,312,186 | \$ 3,695,103 | \$ 3,904,786 | \$ 3,904,786 | \$ - | 0.0% |
| 4. Other Instruction | \$ 735,646 | \$ 641,054 | \$ 846,316 | \$ 1,102,925 | \$ 1,102,925 | \$ - | 0.0% |
| 5. Student & Staff Support | \$ 3,694,703 | \$ 3,419,740 | \$ 3,521,651 | \$ 4,034,844 | \$ 4,034,844 | \$ - | 0.0% |
| 6. System Administration | \$ 896,422 | \$ 997,633 | \$ 1,001,214 | \$ 975,350 | \$ 975,350 | \$ - | 0.0% |
| 7. School Administration | \$ 2,342,976 | \$ 2,356,543 | \$ 2,534,609 | \$ 2,646,372 | \$ 2,646,372 | \$ - | 0.0% |
| 8. Transportation & Buses | \$ 1,845,875 | \$ 1,907,760 | \$ 1,984,783 | \$ 2,089,197 | \$ 2,089,197 | \$ - | 0.0% |
| 9. Facilities Maintenance | \$ 3,843,471 | \$ 4,217,629 | \$ 5,301,942 | \$ 6,105,365 | \$ 6,105,365 | \$ - | 0.0% |
| 10. Debt Service | \$ 11,514,405 | \$ 11,580,064 | \$ 11,210,041 | \$ 11,042,351 | \$ 11,042,351 | \$ - | 0.0% |
| 11. All Other Expenditures & Rounding | \$ 59,194 | \$ 47,342 | \$ 51,627 | \$ 53,584 | \$ 53,584 | \$ - | 0.0% |
| Total | \$ 51,993,371 | \$ 52,882,637 | \$ 55,205,299 | \$ 58,655,878 | \$ 58,655,878 | \$ - | 0.0% |
| Adult Education | \$ 494,659 | \$ 504,960 | \$ 480,615 | \$ 602,677 | \$ 602,677 | \$ - | 0.0% |
| Total Expense Budget | \$ 52,488,029 | \$ 53,387,597 | \$ 55,685,914 | \$ 59,258,556 | \$ 59,258,556 | \$ - | 0.0% |

Sanford School Department

59000 Expense Account Group - General Fund

Report # 149827

Statement Code: 59000AGGF

| Account Number / Description | 3 Years Prior Actual | | 2 Years Prior Actual | | 1 Year Prior Revised | | Requests | | Payroll | | Budget Total | | Budget Difference |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| | 7/1/2020 - 6/30/2021 | 7/1/2021 - 6/30/2022 | 7/1/2021 - 6/30/2022 | 7/1/2022 - 6/30/2023 | 7/1/2022 - 6/30/2023 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 | 7/1/2023 - 6/30/2024 |
| 1000-00-0000-0000-59120-000 TRANSFER OUT- LEGACY | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1200-00-0000-0000-59120-000 TRANSFER OUT -- SR | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1300-00-0000-0000-59120-900 TRANSFER OUT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-04-0000-2213-59120-950 TRANSFER OUT -- SR | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-11-0000-2230-59120-900 TRANSFER OUT -- SR | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-24-0000-2510-59120-900 TRANSFER OUT -- SR | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-25-3000-2120-59120-390 TRANSFER OUT -- SR | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-25-3014-1000-59120-390 TRANSFER OUT -- SR | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-00-0000-0000-59995-000 EXPENSE CLEARING | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-00-0000-0000-59996-000 ER ANTHEM CLEARING ACCT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-00-0000-0000-59997-000 ER AETNA CLEARING ACCT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-00-0000-0000-59998-000 ER DENTAL CLEARING ACCT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1000-11-0000-0000-59999-900 PAYROLL EXP CLEARING | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| GRAND TOTAL | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to set a time and place for regular Council meetings at least twice per month, pursuant to Section 209 of the Sanford City Charter.

RECOMMENDATION

Ordered, to set a time and place for regular Council meetings at least twice per month, pursuant to Section 209 of the Sanford City Charter.

ATTACHMENTS

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to set the annual compensation for the City Councilors pursuant to Section 206 of the Sanford City Charter.

RECOMMENDATION

Section 206. Compensation 206.1 Compensation for the City Councilors shall be fixed each year by the City Council. Compensation for the City Council was set at \$4000 per year for 2022.

ATTACHMENTS

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to set the annual compensation for the City Mayor pursuant to Section 305 of the Sanford City Charter.

RECOMMENDATION

Section 305. Compensation The Mayor's compensation shall be fixed each year by the City Council, which compensation shall exceed the compensation paid to any individual City Councilor by at least, but not more than, twenty-five percent (25%). Annual compensation was set at \$5000 per year for the Mayor for 2022.

Background Information:

Compensation for the Mayor has been allocated at the rate of \$5,000 per year for 2022.

ATTACHMENTS

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to assign City Councilors to various Council Subcommittees and as Council representatives on other boards and committees.

RECOMMENDATION

Assignment of Councilors to Council Subcommittees and to Council representative positions on other boards and committees.

ATTACHMENTS

- [2023 Subcommittee Assignments.pdf](#)

2023 City Council Subcommittees

CITY COUNCIL REPRESENTATIVES TO STANDING COMMITTEES

Airport Advisory Committee – Mayor Brink

Sanford Regional Economic Growth Council Board of Directors – Councilor Hanselmann

Oakdale Cemetery Board of Trustees – Councilor Herlihy

STANDING SUBCOMMITTEES OF THE CITY COUNCIL

The following meetings occur on the 2nd Tuesday of the month:

Municipal Operations & City Property Subcommittee (meets 8:30 AM – 10:00 AM)

Reviews issues pertaining to municipal operations, disposition of City-owned property, procurement requests from City departments above a certain threshold, and contracts.

- Mayor Brink (Chair)
- Councilor Herlihy
- Councilor Hanselmann

Public Safety Subcommittee (meets 11:00 AM)

Addresses issues pertaining to public safety including policing, rules and regulations, road safety, fire safety and public health.

- Councilor Hanselmann (Chair)
- Mayor Brink
- Councilor Martell

Zoning Subcommittee (meets 1:00 PM)

Focuses on issues pertaining to zoning and applicable ordinances.

- Councilor Stackpole (Chair)
- Councilor Herlihy
- Councilor Martell

Solid Waste Subcommittee (meets 2:00 PM, as needed)

- Councilor Stackpole (Chair)
- Councilor Tranchemontagne
- Councilor Herlihy

Land Bank Authority (meets 8:45 AM – 10:00 AM on the 2nd **Wednesday** of the month)

Focuses on addressing issues pertaining to blight and unsafe housing, and on the creation of safer, fairer, quality housing in the community.

- Mayor Brink (Chair)
- Councilor Herlihy
- Councilor Tranchemontagne

Fire Station Feasibility Working Group (meets 11:00 AM on the 2nd **Wednesday** of the month)

- Mayor Brink (Chair)
- Councilor Tranchemontagne
- Councilor Herlihy

Contract Negotiation Subcommittee (meets as needed)

- Mayor Brink
- Councilor Herlihy
- Councilor Stackpole

Dam Coalition (meets as needed)

- Councilor Herlihy
- Councilor Tranchemontagne
- City Manager Buck

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to make appointments to various City Boards and Committees pursuant to section 205.1 of the Sanford City Charter.

RECOMMENDATION

Make appointments to various City Boards and Committees based on the recommendations from the Appointments Subcommittee.

Background Information:

See attached memo for recommendations from the Appointments Subcommittee.

Sub-Committee or Board Recommendation:

The Appointments Subcommittee met on 12/27/22 to review and discuss applicants for all positions and to put forward the attached recommendations for appointment to various Committees and Boards.

ATTACHMENTS

- [Memo - 2023 Committee Appointments.pdf](#)

Sanford Springvale

Your future is **here**

City of Sanford | 919 Main Street, Sanford, Maine 04073 | (207) 324-9173 | sanfordmaine.org

Office of the City Manager

2023 Board & Committee Appointments

The following applications have been received and nominated to fill vacancies on the various boards and committees.

Airport Advisory Board

| | |
|-----------------------------|------------|
| Stuart Miller – Incumbent | 12/31/2025 |
| James Deyermond – Incumbent | 12/31/2025 |
| William Grant | 12/31/2025 |

Land Bank Authority

| | |
|-------------------------|------------|
| Joe Sevigny – Incumbent | 12/31/2027 |
|-------------------------|------------|

Planning Board

| | |
|----------------------------------|-----------------------------|
| John (Jack) McAdam – Incumbent | 12/31/2025 |
| Jace Clarke | 12/31/2023 (Unexpired Term) |
| Kyle Landry | 12/31/2023 (Unexpired Term) |
| Crystal Tenney – Incumbent | 12/31/2025 |
| Everard (Lenny) Horr – Incumbent | 12/31/2025 |

Recreation Advisory Board

| | |
|---------------------------|-----------------------------|
| Michael Perry – Incumbent | 12/31/2024 |
| Kristi King | 12/31/2024 |
| Jessica Light | 12/31/2024 |
| Jeff Doiron | 12/31/2023 (Staggered Term) |
| Tiffany Moreau | 12/31/2023 (Staggered Term) |
| Heidi Brennan | 12/31/2023 (Staggered Term) |

Sanford Housing Authority Board of Commissioners

| | |
|--------------------------|------------|
| Rebecca Ames – Incumbent | 12/31/2025 |
| Michael Jean – Incumbent | 12/31/2025 |

City Manager: Steven R. Buck
City Council: Becky Brink, Mayor | Maura A. Herlihy
Robert G. Stackpole | Ayn M. Hanselmann | Jonathan L. Martell | Peter E. Tranchemontagne

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Trails Development & Urban Forestry Committee

| | |
|--------------------------------|------------|
| Katie Manende Hall – Incumbent | 12/31/2025 |
| Dollie Hutchins – Incumbent | 12/31/2025 |
| Hazen Carpenter – Incumbent | 12/31/2025 |
| David Parent – Incumbent | 12/31/2025 |

Design Review Committee

City Manager Recommendations for Design Review Committee members have been made to the Planning Board for their review as follows. The Planning Board will vote on Design Review Committee appointments at their January 4, 2023 meeting.

| | |
|----------------|------------|
| Kelly Tarbox | 12/31/2024 |
| Tiffany Moreau | 12/31/2024 |

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to review and adopt the City Council Rules of Procedure for 2023, pursuant to section 213 of the Sanford City Charter.

RECOMMENDATION

Review and adopt the City Council Rules of Procedure for 2023, pursuant to section 213 of the Sanford City Charter.

Background Information:

See attached draft for approval.

ATTACHMENTS

- [Rules of Procedure - Amended 8-2-22.pdf](#)

CITY OF SANFORD



CITY COUNCIL RULES AND ORDER OF BUSINESS

Adopted By the City Council under Authority of Section 213 of the Charter

Effective: January 4, 2005

Amended: January 17, 2006

Amended: February 7, 2006

Amended: February 3, 2009

Amended: January 19, 2010

Amended: January 17, 2012

Amended: January 8, 2013

Amended: January 6, 2015

Amended: January 21, 2020

Amended: January 19, 2021

Amended: June 15, 2021

Amended: July 20, 2021

Amended: August 3, 2021

Amended: October 5, 2021

Amended: January 4, 2022

Amended: May 3, 2022

Amended: August 2, 2022

Section 1. Preface

City Council decisions must not take place in an ad hoc fashion but must be made by the Council as a whole at public meetings and workshops.

Section 2. Regular Meeting

For the purposes of this document, a Regular meeting of the city Council shall be defined as any meeting, whether a workshop or a televised business meeting, open to the General Public. Regular meetings of the City Council shall be conducted on Tuesday at least once every two weeks and shall commence no later than 7:00 o'clock p.m. Eastern Time. Starting March 1, 2006, televised business meetings of the City Council shall be scheduled no less than 30 days in advance of the meeting date. Unless otherwise voted by the Council, Business meetings shall be conducted in the room known as "the Third Floor Annex Chambers" of the Sanford City Hall and workshops shall, at the discretion of the Mayor, be conducted either in the "Third Floor Annex Chambers" or in the "Third Floor Conference Room" of the Sanford City Hall

Regular City Council Meetings will adjourn at no later than 10:00 o'clock p.m., Eastern Time- unless extended by majority vote of the City Council.

Section 3. Special Meetings

Special Meetings may be called by the Mayor, and in case of the Mayor's absence, disability or refusal, may be called by written signature, fax, or e-mail or voice confirmation of four (4)

members of the City Council. Notice of such meeting shall be served in person or delivered to the residence of each member of the City Council at least twenty-four (24) hours before the time for holding said special meeting, unless all members sign a waiver of said notice. Such a notice mailed to each council member and postmarked in Sanford at least three (3) mail delivery days preceding the date of such special meeting shall meet the requirements for delivery to the Councilors' residences. The call for said special meeting shall set forth the matters to be acted upon at said meeting, the time and place of such meeting, along with the names of the Councilors calling for the meeting. No business shall be transacted at this meeting except as stated in the notice and nothing else shall be voted upon at such special meeting. Notice of all special meetings shall be given in compliance with the Freedom of Access Law; T.1, Section 406; M.R.S.A.

Section 4. Workshop

The Mayor may call a workshop session of the City Council to discuss any matter. No binding vote shall be taken on any matter under discussion, but a non-binding vote on any matter under discussion may be taken. Public Participation at a workshop shall be at the discretion of the Mayor.

Section 5. Executive Sessions

Executive Sessions may be scheduled by the Mayor or called by a vote of 3/5 of the City Councilors at a Regular Meeting. All Executive Sessions shall be held in accordance with M.S.R.S. § 405(1)-(5) for purposes described under M.S.R.S. § 405(6).

Section 6. Multi-Media Presentation of City Council meetings/Workshops and/or Related Meetings

All regular City Council meetings shall be multi-media format to include live broadcast on the public access channel/s, live streamed over the internet, and shall incorporate a videotelephony platform allowing public participation by remote connection, following rules of conduct laid out in Section 6-A and Section 6-B, remote participation in public meetings and public proceedings. A recorded version of live broadcast shall be rebroadcast on the public access channel/s and preserved and made available via internet streaming.

Pursuant to the current recommendations of the U.S. CDC and adoption by the State of Maine CDC, the City Council shall follow the recommendations for the conduct of meetings indoors in the public space. For the duration of the COVID-19 Pandemic and in consideration of the SARS-CoV-2, BA.2, or other variants and related levels of transmission, all public and elected or appointed officials present in person at the public proceeding shall wear a face covering indoors under the following directions;

1. For meeting dates when the U.S. CDC Community Level for SARS-CoV-2 or other variants are "Low" or "Medium" for York County, all unvaccinated or immunocompromised attendees are recommended to wear a face covering for the duration present at the public proceeding or indoors within the public space.
2. For meeting dates when the U.S. CDC Community Level for SARS-CoV-2 or other variants are "High" for York County, all attendees must wear a face covering for the duration present at the public proceedings or indoors within the public space.

Failure to televise or record any meeting shall not affect the validity of actions taken at the meeting. All other City Council meetings or workshops may be televised at the discretion of

the Mayor, after discussion with the Council, but will incorporate a videotelephony platform for public participation, pursuant to 1 MRSA §403.

Section 6-A. Rules for Virtual Public Meetings and Workshops

The following City of Sanford rules for hosting Virtual Public Meetings, subject to the restrictions in Section 6-B, shall apply to all Boards and Committees established by the City of Sanford Charter and/or by the City Council.

Posting

All Boards and Committees shall include the Meeting ID (zoom or other) and Password on the official Agenda posted for Public Meetings and Workshops. Attending a Public Meeting or Workshop should not require members of the Public to call in for this information.

Board and Committee Member Requirements

- All Members of Boards and Committees must identify themselves as such for the virtual meeting. (E.g. Jane Smith, Zoning Board).
- All Members of Boards and Committees must remain visible on camera to the Public who are attending the meeting.
- All Members of Boards and Committees must be muted when not speaking or voting.

Staff Requirements

- All Staff must identify themselves with their position and/or title as well as their name for the zoom meeting.
- All Lead Staff must always be visible on camera to the Public who are attending the meeting.
- Secondary Staff must be visible on camera to the Public attending the meeting when an agenda item involving them is being presented to the Board and Committee members.
- All Staff must be muted when not speaking.

Presentation of Material

During discussion, materials that are being used as part of the discussion should be visible to all virtual meeting attendees.

Public Attendees

The City of Sanford offers multiple ways to watch and participate in virtual public meetings:

- Watch and/or participate in the meeting directly in Zoom, or similar platform, by joining the meeting as an attendee. To join a Zoom meeting, follow the link on the meeting agenda.
- Dial in to the meeting with your phone. This method will also allow you to participate in public comment opportunities. The toll-free dial-in numbers for each meeting will be posted prior to each meeting on the meeting agenda.
- Watch the broadcast on WSSR, local channel 26 or view the live stream of the meeting. These broadcast methods will NOT allow viewers to participate in the meeting. Do not try

to simultaneously watch the broadcast and participate via Zoom as there will be a delay.

Public Comment

Attendees will have the opportunity to speak during public comment periods. During public comment, those wishing to comment will be asked to use the “raise your hand” function to speak. This can be done by clicking on the “raise your hand” option located at the center of the control bar at the bottom of the screen, or by Dialing *9 to "raise your hand" if connecting by phone. The Chair of the meeting will acknowledge each attendee raising their hand in turn. When acknowledged, the attendee must unmute their microphone. At that point, as in regular public meetings, the attendee should state their name and address prior to asking a question or making a comment. When finished speaking, they should mute their microphone until they utilize the “raise your hand” function again.

Public comments may also be submitted in advance of the meeting via email using the form on the City of Sanford website.

Executive Session

To ensure privacy during Executive Session, the following procedures will be followed:

- A separate, private Zoom meeting for Executive Session will be created.
- Once a motion to move to Executive Session is approved in the public Zoom meeting, participants in Executive Session will exit the public meeting.
- Staying in the Zoom app, participants in Executive Session will then join the private meeting created for executive session.
- Executive Session is done securely in private.
- Once Executive Session is complete, participants will leave the private Zoom meeting and re-join the public meeting using their panelist join-link for any potential report from Executive Session and adjournment in front of the public.

Section 6-B. Remote participation in public meetings and public proceedings.

Pursuant to 1 M.R.S.A. § 403-B, public bodies established in the City of Sanford Charter and by the City Council including the Budget Committee, Planning Board, Zoning Board of Appeals, Board of Assessment Review, Housing Authority, and Board of Education may hold public meetings using remote methods under the following limitations:

- A. Remote methods means telephonic or video technology allowing simultaneous reception of information and may include other means when such means are necessary to provide reasonable accommodation to a person with a disability. Remote participation may not be by text-only means such as email, text messages, or chat.
- B. Notice for remote participation in public meetings and public proceedings shall be made in the same manner as other public meeting notices in accordance with 1 M.R.S. § 406, City Charter, City Code, and a body’s bylaws, and must indicate the method by which the meeting may be joined using remote methods.
- C. All documents and materials considered by the body must be made available to the public who attend remotely, to the same extent they are made available to members of the public who attend in person.

D. Remote public proceedings.

- a. Members of bodies must be present at the location indicated in the public notice for public proceedings except in the following circumstances:
 - (1) The existence of an emergency or urgent issue that requires the public body to meet solely by remote methods;
 - (2) Illness, other physical condition or temporary absence from the jurisdiction that causes a member of the body to face significant difficulties traveling to and attending in person at the location in the notice under 1 M.R.S. § 406, Public Notice.
- b. A body may not determine that public attendance at a public proceeding will be limited solely to remote methods except when there is the existence of an emergency or urgent issue that requires the public body to meet solely by remote methods.
 1. Existence of an emergency is hereby defined as linked to, but shall not be limited to, the U.S. CDC U.S. CDC Community Level for SARS-CoV-2 or other variants as mapped by County Level if reaching “High” for York County, Maine. At such times the public proceedings will revert to remote methods only in conformance with this Policy.
 2. Community Level rates as established as “Moderate” or “Low” for York County, Maine shall not be considered an emergency for this section.
 3. All work sessions of the Council subcommittees shall remain by remote methods only, posted and made available to the public by remote means, for the duration of the U.S. CDC Community Levels for SARS-CoV-2 or other variants for York County, Maine for any level as physically impracticable and shall be addressed through notification and making remote means available to all pursuant to 1 M.R.S.A. § 403 (1).
- c. Members of a body using remote methods will be considered present for purposes of quorum and voting.
- d. In all public proceedings using remote methods, voting shall be by roll call that can be seen and heard if using video technology, and heard if using only audio technology, by other members of the body and those in attendance.
- e. A member who will be participating by remote methods shall notify the Chair as far in advance as possible.

Pursuant to 1 M.R.S.A. § 403-B, and after public notice and hearing, this policy has been adopted on May 3, 2022.

Section 7. Quorum

As per Article II, Section 211, of the City of Sanford Charter, a majority of the City Council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least twenty-four (24) hours’ notice of the time and place of holding an adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken. Every ordinance, order, and resolve shall require on final passage the affirmative vote of four (4) members of the City Council.

Section 8. Agendas

The City Council shall take up items, which appear on its agenda in the following order, unless a majority of those councilors present and voting vote to take an item out of order:

- (1) Call to order by the Mayor
- (2) Pledge of Allegiance
- (3) Moment of Silence
- (4) Roll Call
- (5) Acceptance of the Minutes
- (6) Mayor's Report
- (7) City Council Sub-committee Reports. (items not on the agenda)
- (8) City Managers Report
- (9) Communications/Presentations
- (10) Public Participation
- (11) Public Hearings
- (12) Consent Agenda
- (13) Old Business: (Ordinances, orders or resolves not reached on the agenda of the previous meeting, including items tabled and second readings).
- (14) New Business: (Ordinances and Orders)
- (15) Council Member Comments
- (16) Future Agenda Items
- (17) Adjournment.

When appropriate and in compliance with the Freedom of Access Law, 1 M.R.S.A. § 405, the Council may conduct any agenda item in executive session.

Public participation under Item 10 above shall be subject to Rule 38 of these rules and shall be limited to matters that are lawful and appropriate for public discussion. Any person wishing to speak during the public participation segment of the agenda must first notify the City Manager of the person's wish to speak and the matter or matters upon which the person wishes to speak. No action will be taken on items presented during "Public Participation." A person is not required to speak during the public participation segment of the agenda if the person wishes to speak to a particular agenda item, but may wait to be recognized to speak at the appropriate time.

Council member comments under item 15 above shall be limited to a maximum of 5 minutes per Council Member.

All council actions on licenses shall be placed as a "consent agenda" item and shall be approved with the declaration of unanimous consent by the Mayor. Any one councilor may object to the consent agenda and may ask for any or all items on the consent agenda to be tabled approved or disapproved by vote of the entire council. All staff comments or concerns shall be made known to the Council before said approval of unanimous consent agenda.

Section 9. Enactment Form

The City Council shall act only by ordinance, order or resolve. Final passage of any item

shall require four (4) affirmative votes except where a greater number is required by Charter or Ordinance. All ordinances, orders and resolves shall be confined to one subject, which shall be clearly expressed in the title.

Section 10. Ordinance, Order and Resolve Reading

Every ordinance, order or resolve shall be read by title only unless the Council votes to have it read in full.

Section 11. Reading on Two Separate Days; Waiver

No ordinance, except for an emergency ordinance enacted according to section 214.1 of the Charter, shall be passed until it has been read on two separate days. The first reading shall include a Public Hearing. The second reading shall follow the first by no less than fourteen days (Article II, Section 214 of the City Charter).

Section 12. Yeas and Nays Taken

The yeas and nays shall be taken upon the passage of all ordinances and entered upon the record of the proceedings of the City Council by the City Clerk. The yeas and nays shall be taken on the passage of any order or resolve when called for by any member of the City Council. Every ordinance, order and resolve shall require, on passage, the affirmative vote of four (4) members of the City Council, except for emergency ordinances enacted according to section 214.1 of the Charter, which require five (5) affirmative votes.

Section 13. Tie Votes

Tie Votes on any motion means that there has been no action taken on the motion.

Section 14. Tabled Agenda Items

Tabled items will be taken up under Old Business at the next regular meeting of the Council unless the Council has voted to postpone the matter to a later date certain.

Section 15. Ordinance Take Effect

After receiving final passage by the City Council, an ordinance shall take effect as described in Article II, Section 214, of the City Charter or at a later date specified within the ordinance.

Section 16. Order, Resolve Take Effect

All orders or resolves shall take effect upon passage.

Section 17. Emergency Ordinances

In accordance with Section 214.1 of the Sanford City Charter, the City Council may, by vote of five (5) of its members, pass emergency ordinances, orders or resolves to take effect at the time indicated therein, but such emergency ordinances, orders or resolves shall contain a section in which the emergency is set forth and defined, provided however, that the declaration of such emergency by the City Council shall be conclusive.

Section 18. Item for Meetings

1. No ordinance, order, or resolve shall be in order for action at any meeting of the City Council unless such ordinance, order, or resolve shall be filed in the office of the City Manager on or before noon on the Tuesday prior to the regular meeting held on the following Tuesday and before noon seven days prior to the day of any other special meeting.
2. All agenda items must be approved by the Mayor for inclusion on the agenda. The Mayor may, in consultation with the City Manager, use his/her discretion in placing and scheduling items for the agenda, provided the Mayor may not unreasonably delay placing items on the agenda requested by other Councilors. All Councilors may suggest items for future agendas during regular meetings at the time designated for that purpose.
3. Agenda items shall not be removed from the agenda after the agenda has been published.
4. New items may be placed on the agenda at a Regular City Council meeting if all of the Council members present vote unanimously to take action on the item, and subject to any specific notice requirements provided by law or this Charter for the taking of the proposed action.
5. Items placed on the agenda without necessary written background information may be tabled by a majority vote of the Council.

Section 19. Mayor to be Presiding Officer

The Mayor shall take the chair at the time appointed for the meeting, call the members to order, cause the roll to be called, and, a quorum being present, and proceed to business.

Section 20. Role of Deputy Mayor

The Deputy Mayor will serve in the absence or disability of the Mayor and perform any duties as designated by the Mayor.

Section 21. Preserve Order

The Mayor shall preserve decorum and order, may speak to points of order in preference to other Council members, and shall decide all questions of order subject to an appeal to the Council by motion seconded, and no other business shall be in order until the question on appeal is decided.

Section 22. Introduction of Items on the Agenda

Introduction of all ordinances, orders and resolves appearing on the City Council Agenda that are in order for Council action shall proceed as follows:

- (a) The item shall be announced by the Mayor as it appears on the agenda;
- (b) The ordinance, order or resolve shall be read by the Mayor according to Rule 12;
- (c) The issue shall be explained by the City Manager, or his/her designee;
- (d) A motion shall be made and seconded prior to Council debate;
- (e) The issue shall be discussed by the Council, and
- (f) The item shall be opened for germane public input.

A motion to withdraw from the agenda, to postpone indefinitely, to postpone to a day certain, or to postpone until after a certain event may be made at any time.

Section 23. Debate

When a question is under debate, the Mayor shall receive no motion but to:

- (1) recess the meeting
- (2) lay on the table
- (3) for the previous question
- (4) postpone to a day certain
- (5) refer to a committee or some administrative official
- (6) amend
- (7) postpone indefinitely

which several motions shall be precedence in the order in which they stand arranged.

Section 24. Motion to Adjourn, Recess

The Mayor shall not entertain a motion to adjourn the meeting if there remains unfinished business, but may at any time entertain a motion to recess the meeting to a date, time, and place certain. A motion to recess the meeting is subject to debate. A motion to adjourn and the motion to lay on the table, or to take from the table, shall be decided without debate.

Section 25. Reconsideration

When a vote is passed, it shall be in order for any member who voted in the majority, to move a reconsideration thereof at the same, or the next regular meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered. No motion to reconsider a vote passed at a previous meeting shall be in order for consideration at the next regular meeting unless an item to that effect is contained on the agenda for such next regular or unless five (5) of the members present consent to such reconsideration.

Section 26 Motion for Previous Question

Upon the motion for the previous question being made and seconded, the Mayor shall put the question in the following form: "Voting is now on whether there shall be further debate on (state the motion)." All debate shall then be suspended. If the motion for the previous question is adopted by a two-thirds majority of the Councilors present, the motion to which it applied shall be voted on at once without further debate.

Section 27. Not to be Debated or Amended

No debate shall be allowed on a motion for the previous question. Neither is it susceptible of amendment. All questions of order arising incidentally thereon must be decided without discussion whether appeal be had from the chair or not.

Section 28. Manner of Speaking

When a member is about to speak, said member shall respectfully address the Mayor, confine comments to the question under debate, and avoid personal statements about other Councilors, City officials or employees, or others. All questions and answers will be directed

through the Mayor.

Section 29. Not to Interrupt

No member speaking shall be interrupted by another, but by a call to order or to correct a mistake.

Section 30. Breach of Rules

When any member shall be guilty of a breach of any of these Rules, said member may, on motion, be admonished or censured or may be required to make satisfaction therefore by taking such action or refraining from such conduct as may be stated in the motion, and shall not be allowed to vote or speak except by way of apology or excuse, until such satisfaction has been made.

Section 31. No member to speak on behalf of Council unless designated

No member of the City Council, other than the Mayor, shall represent to anyone or knowingly allow anyone to infer that he/she speaks on behalf of the City Council unless that Councilor has been officially designated by act of the Council or appointed by the Mayor.

Section 32. Disclosure of Interest

As per Article XIV, Section 1409, of the City of Sanford Charter, Disclosure of Interest is determined as follows:

- A. 1409.1 Financial Interest: A City Official, Budget Committee Member, or employee who has a financial interest in a contract with the City or in the sale, purchase or lease of any land, material, supplies or services to or from the City, shall disclose the interest and abstain from negotiating, voting upon or otherwise participating in decisions involving such contract, sale, purchase or lease, unless the contract, lease or sale is awarded through a competitive bidding process. Similarly, a City Official or Budget Committee Member who has a financial interest in any matter before the body, committee, subcommittee or commission of which they are a member, shall disclose the interest and abstain from voting on any matter involving the interest. A copy of the disclosure and the abstention shall be recorded with the City Clerk. A City Official, Budget Committee Member, or employee has a "financial interest" within the meaning of this section if the Official, Member or employee owns at least a ten percent interest in the business or economic entity or ten percent or more of the stock of the corporation involved in the pending transaction or matter.
- B. 1409.2 Relationship: A City Official is disqualified in any quasi-judicial matter before the body, committee, subcommittee or commission of which the Official is a member, if the Official is related to any of the parties to within the sixth degree (second cousin). The City Official shall disclose the interest and abstain from voting unless all parties waive the disqualification in writing.
- C. 1409.3 Appearance of Conflict: A City Official or Budget Committee Member shall avoid the appearance of a conflict of interest, whether there is a technical conflict or not, by disclosure of the facts underlying the potential conflict and, where appropriate, by abstaining from voting on the matter. If, after disclosure, the City Official or Budget Committee Member believes the interest will affect the Official's or

Member's ability to make a fair and impartial decision faithful to the public interest, the City Official shall abstain from voting.

- D. 1409.4 Participation: An abstaining City Official or Budget Committee Member may but need not remain in the meeting room during debate or votes on that issue. An abstaining City Official or Budget Committee Member who wishes to be heard on a matter may join other members of the public and speak as a member of the public during that portion of the meeting when the public is being heard. In no case shall an abstaining City Official or Budget Committee Member participate in discussions or deliberations or otherwise act in an official capacity in the matter as to which the City Official or Budget Committee Member has abstained.
- E. 1409.5 Judgment of Qualifications: If there is any doubt as to whether a City Official or Budget Committee Member has a conflict of interest in any matter, the Mayor shall determine the qualification of the challenged member. The decision of the City Board, Committee or Commission shall be final.

Section 33. E-Mails & Other electronic communication

E- mails, text messages, and other electronic communication exchanged between City Councilors, and/or between City Councilors and City Staff, and/or between City Councilors and City Committee or Board Members, shall be restricted to notifications and/or to general information. At no time should City Councilors participate in e-mail, social media, text messages and other electronic communication debates among themselves on policy issues, as such debates and deliberations should only occur at meetings posted in accordance with Maine State Law and/or the Freedom of Access Law.

The City recognizes that social media can be a valuable way to communicate with members of the community and relay important information. Social media includes websites such as Facebook, Twitter, Instagram, LinkedIn; blogs, and/or any other website where one posts or communicates information in a public or quasi-public Internet forum.

Official City Social Media Presence. The City has its own social media presence and only certain, designated persons are permitted to create and/or maintain the City's social media profiles. Any and all content created for or on the City's social media accounts and systems, and the accounts themselves, are property of the City. The City, under the authority of the City Manager and his/her designee, has ultimate discretion over the content posted on its social media accounts and may remove or alter content at any time. This policy also applies to the City's website and electronic systems.

Elected Officials. Elected City officials are not prohibited from posting items on the City's social media sites, or any other non-City controlled social media site. However, elected officials act as a body under Maine law. The Council may, as a body, decide to post information on the City's social media sites, but only as a collective and when considered the action of the entire Council.

Individual elected officials should understand that even when they are engaging in off-duty conduct, including use of social media sites, their actions, words and behavior may reflect upon themselves and the City Council. When and if an individual elected official makes any comment on any City-owned social media site, the elected official must make it clear that the comment is made in his or her capacity as an individual, and not on behalf of the City or City

Council unless otherwise authorized, such as through delegation by the City Council. If there is any ambiguity with respect to posting on any City-owned social media site, the elected official should seek prior guidance from the Mayor or the Council as a whole with respect to such posting.

When an elected official makes any comment relating to City business on a non-City owned social media site, the elected official must make it clear through conspicuous disclaimer that any individual opinions or views expressed are those of the individual, and do not express the views of the City or the City Council. Personal sites controlled by the elected official must at all times provide personal, not municipal, contact information.

All other policies apply. The City expects elected officials to comply with all applicable employment policies, including the City's harassment, discrimination, freedom of information, and personnel/confidentiality policies, when using social media related in any way to their elected capacity. Elected officials should refrain from making discriminatory, harassing, threatening, violent, abusive, defamatory, or obscene emails, text messages, and other electronic communication related in any way to their elected capacity, or publicizing any confidential information which he/she may have access to due to his/her position with the City.

Elected Officials' Rights. This policy in no way restricts, or should be construed to restrict or inhibit, an elected officials' right to engage in forms of protected free speech, including political speech, as permitted to the fullest extent of the law, so long as the elected official makes it clear that personal comments are made in his or her individual capacity, and not on behalf of the City or City Council.

To the extent that any dispute arises concerning whether any comments or postings made by any elected official violate these standards, or the City's Code of Conduct applicable to elected officials, such matters may be referred to the City Council for review, which may also seek an opinion from the City's legal counsel in relation to legal authority applicable to any potential disputes. If the City Council determines that any elected official has violated standards applicable to elected officials under the Code of Conduct or Rules of Procedure, the City Council may take any appropriate action authorized under the City's Charter or Council Rules of Procedure and other authority to address such violation.

Section 34. Member Excused from Voting

Every member present when a question is put shall vote unless the member is precluded from participation therein because of interest or the appearance of interest or unless he or she is otherwise prohibited by law from participation or unless the member has been absent or has otherwise not had the opportunity to obtain and review sufficient information on the matter to enable the member to cast a properly informed vote.

- a. Any member abstaining on grounds of interest or the appearance of interest must do so at the commencement of deliberations on the item under discussion and shall not participate in said deliberations or vote on such item.
- b. Any member abstaining as permitted hereunder shall clearly state such intent, the reason for such abstention and the legal or factual basis therefore prior to the commencement of deliberations on such item.

Section 35. Motion to be Reduced to Writing

Every motion shall be reduced to writing, if the Mayor shall so direct.

Section 36. Division of Question

Any member may require the division of a question when the sense will admit it.

Section 37. Motion for Referral

A motion for referral to a committee or administrative official, until it is decided, shall preclude all amendments to the main question.

Section 38. Priority of Business

All questions relating to priority of business to be acted upon shall be decided without debate.

Section 39. Procedure for Addressing Council

Any person wishing to address the City Council will be given an opportunity to do so in accordance with Rule 8 and the following procedures:

Procedure. No person shall be permitted to address the City Council on an agenda item during the City Council deliberations. Persons wishing to address the City Council on an agenda item shall signify their desire to speak by raising their hands when the Mayor announces consideration of such item by members of the Public. After being recognized to speak by the Mayor, such persons will preface their comments by giving their name. All questions and answers will be directed through the Mayor.

Time Limit. Persons addressing the City Council on an agenda item shall be permitted to speak only once per item and shall limit their remarks to a maximum of three (3) minutes. Persons addressing the City Council during the public comment period at the beginning of the meeting shall limit their remarks to non agenda items and shall limit their remarks to a maximum of five (5) minutes. Persons addressing the City Council during a public hearing shall limit their remarks to a maximum of five (5) minutes and may be allowed to speak more than once at the discretion of the Mayor. It shall always be at the discretion of the Mayor to extend or limit the Time a person may speak when addressing the City Council.

Decorum. Persons present at Council meetings are requested not to applaud or otherwise express approval or disapproval of any statements made or action taken at such meeting. Citizens will strive to be accurate in their statements, avoid personalities, and conduct themselves in the courteous manner expected of all meeting participants. The Mayor may limit or cut off any commentary that is not germane or that is scurrilous, abusive or not in accord with good order and decorum.

Violation. Any person who shall continue to violate these rules, after warning by the Mayor, shall be ejected for the remainder of the meeting then in progress.

Section 40. "Robert's Rules of Order"

In all cases where the parliamentary proceedings are not determined by the foregoing Rules of Order and Procedure, "Robert's Rules of Order" may be referred to for guidance to decide the course of proceedings but the Mayor and City Council will not be bound by said rules.

Section 41. Council Standing Committees, Council Representation on Committees and Ad Hoc or Temporary Committees

A. Standing Committees. At its first Regular Meeting in January, or as soon thereafter as possible, there shall be chosen the following committees enumerated below (“Standing Committees”), each Standing Committee to consist of such members of the Council as the Mayor may designate and appoint after full discussion by the City Council. Each Standing Committee shall advise the full Council on such matters as are referred to it for review by the City Council, Mayor, or City Manager after consultation with the Mayor. Such Standing Committees shall serve at the pleasure of the Mayor.

All Council Standing Committee meetings having three Councilors or more shall be posted pursuant to (1 M.R.S.A. § 406) within City Hall and on the City’s website. Council Standing Committee meetings will be posted as public meetings and not as a business meeting of the full City Council. No quorum of the City Council can be established at a Council Standing Committee meeting and therefore no voted Council actions may be taken.

The Chairperson of the Council Standing Committee shall open all meetings with the opening statement:

“This is a work session of the “Name of Committee” and not a business meeting of the City Council. The meeting is open to the public but is not a public hearing. The Chairperson shall conduct the work session with the Committee Members and may elect to call upon the public in attendance for either questions or to obtain input and information. All work products will be developed by consensus and forwarded as advisory to the full Council for any matter warranting legislative action by the City Council at a business meeting so posted and assembled.”

The Standing Committees (and a description of functions) are as follows:

- 1) Economic and Community Development Committee
 - a) Review proposals for Economic or Community Development Projects and Grants
 - b) Review proposals for Housing that require City participation.
- 2) Appointments Committee
 - a) Advertise all Committee and Board vacancies and recommend appointments to City Council.
 - b) Review any changes in the status of City Committees including the creation or dissolution of any Committees.
- 3) Zoning and Land Use Committee
 - a) Serve as the City Council representatives on the Contract zone committee.
 - b) Review any proposals to amend the zoning ordinance.
- 4) Municipal Operations and City Property Committee
 - a) Reviews any proposed sale or lease of City owned properties.
 - b) Reviews proposal by the Administration to amend rules and regulations other than Zoning.
 - c) Reviews proposals by the Administration to modify City Services.
- 5) Public Safety Committee

- a) Reviews issues pertaining to public safety including amendments to rules and regulations pertaining to the Police and Fire Departments
 - b) Reviews requests for road closures for events
- 6) Solid Waste Committee
- a) Reviews issues pertaining to solid waste collection and handling including recycling and operation of the transfer station
 - b) Reviews proposed changes to City ordinances pertaining to solid waste

B. Ad Hoc or Temporary Committees. The Mayor may designate and appoint other ad hoc or temporary Committees (“Ad Hoc Committees”) for specific purposes or to review specific issues stated in their appointment by the Mayor or brought forward by other City Councilors or the City Manager. Such Ad Hoc Committees shall serve at the pleasure of the City Council.

C. Designated Committees. City Council representatives on the following Designated Committees and or Boards (“Designated Committees”) shall be designated and appointed by the Mayor after full discussion by the City Council. Such Designated Committees shall serve at the pleasure of the Mayor. The Designated Committees are comprised of the following:

- 1. Airport Advisory Committee
- 2. Housing Authority Council Representative
- 3. Sanford, Shapleigh and Acton Dam Committee

D. Remaining Committees. City Council Representation on any additional committees and/or boards, including sub-committees (“Additional Committees and Sub-Committees”) shall be designated and appointed by the Mayor after full discussion by the City Council. Such Additional Committees and Sub-Committees serve at the pleasure of the Mayor.

E. Removal, Suspension, or Re-designation.

- 1. As to all Committees that serve at the pleasure of the Mayor, the Mayor may remove, suspend, or re-designate members of such committees after full discussion by the City Council for conflicts real or perceived, violations of Council Rules of Procedure or Conduct. In addition, the Mayor may take such action at the request of a majority of the City Council.
- 2. As to all Committees that serve at the pleasure of the City Council, the City Council may remove, suspend, or re-designate members of such committees after full discussion by the City Council for conflicts real or perceived, violations of the Council Rules of Procedure or Conduct. In addition, the City Council may take such action at the request of the Mayor. If a Council Member is unable to fulfill a committee assignment for a specific meeting, notification must be given to the Mayor in advance of the meeting.

Section 42. Meeting Minutes

- 1. Minutes of any Council meeting will not be official until they are accepted and approved by the City Council.
- 2. All minutes of the City Council will contain the wording of the motion and any amendments as well as the names of the Councilors casting positive and negative votes. Upon request a Councilor’s name may be included with a minority vote along with a statement giving the minority opinion.

Section 43. Procedure for Filling a City Council Vacancy

Should there be a vacancy on the council and should the council determine that it is in the best interests of the city that the vacancy be filled; the council will proceed as follows:

1. The council will post a notice of the vacancy and publish the notice in a newspaper of general circulation, allowing at least seven (7) days for persons to apply in writing using a form provided by the City or in such other form as the council may accept.
2. The application shall state, among other things, the applicant's qualifications and experience relevant to the position of City councilor.
3. At the close of the application period, the council will review, in Executive Session, all applications received that follow the requirements of this procedure. In addition to reviewing applications and other information the council considers pertinent, the council may at its option interview any candidate or candidates.
4. The Council will endeavor in all cases to appoint the applicant the council judges best qualified to fill the vacant seat(s) that the Council chooses to fill, bearing in mind that in a given case the council may determine that it is not in the best interests of the City to fill a vacant seat. The Council will consider the number of votes received by an applicant who ran for the City Council in an election that took place within four (4) months of the date on which the position became vacant.

Section 44. Suspension of Rules

Any provision of these rules not governed by the Charter or code may be temporarily suspended at any meeting of the City Council by a vote of four or more City Councilors. The vote on the suspension shall be taken by yeas and nays and entered upon the records.

Section 45. To Amend Rules

These Rules of Order and Procedure may be amended, repealed, or replaced or new rules adopted by the affirmative vote of four (4) members of the City Council. An amendment must be submitted in writing at a preceding meeting and shall be placed on the Agenda under the order of new business.

Section 46. City Council Self- Evaluation

The City Council shall conduct an annual self-evaluation, as part of the City Council Goal setting process.

Section 47. Adoption

These Rules shall be reviewed and adopted at the first organizational meeting of the City Council each January, provided that if the Council does not act at said meeting the Rules remain in effect as most recently adopted or amended until the Council acts.

Memo



Number:

To: City Council

From: Lorisa Ricketts, Administration

Date: 2023-01-03 18:00:00

Subject: Ordered, to review and adopt the City Council Code of Conduct for 2023.

RECOMMENDATION

Ordered, to review and adopt the City Council Code of Conduct for 2023.

ATTACHMENTS

- [Code of Conduct 2023.pdf](#)

SANFORD CITY COUNCIL CODE OF CONDUCT

City Council members agree to adhere to the following Code of Conduct during all City Council meetings, while representing the City Council on any Committee or sub-committee and while representing the City Council in the Greater Sanford and Springvale area.

1. A City Councilor will always treat a fellow City Councilor with the respect he or she would expect to receive in return.
2. A City Councilor will always address a citizen, employee, fellow committee member and fellow City Councilor with respect.
3. A City Councilor will not make accusatory remarks toward a citizen, employee, fellow committee member and fellow City Councilor.
4. A City Councilor will not make disparaging remarks, in or out of City Council or Committee meetings, about citizens, employees, fellow committee members and other members of the City Council.
5. A City Councilor will remember at all times that as an individual he or she has no legal authority outside the meetings of the City Council, and that he or she shall conduct relationships with the City Staff, the local citizenry, and all medium of communications, including any and all social media, on the basis of this fact.
6. A City Councilor may not give direction to City Staff but must make all requests through the City Manager's Office with the full knowledge of the Mayor.
7. A City Councilor will listen to all citizens but will refer all complaints to the proper authorities, and will discuss such complaints only at a meeting after failure of an administrative solution.
8. A City Councilor will support a decision graciously once it has been made by the majority of the City Council. This rule shall not be construed to limit any member of the Sanford Town Council First Amendment Rights' as guaranteed under the U.S. Constitution.
9. A City Councilor will not criticize employees publicly, but will make such criticism to the City Manager for investigation and action if necessary.
10. A City Councilor will not criticize a fellow City Councilor publicly, but will make such criticism to the Mayor of the City Council for investigation and action if necessary.

11. A City Councilor will make decisions only after all facts bearing on a question have been presented and discussed.
12. A City Councilor will not discuss the confidential business of the City Council in the home, on the street, or in the office; the place for such discussion being the City Council meeting.
13. A City Councilor recognizes that all electronic transmittals sent or received in the performance of their duties as a City Councilor is subject to the Freedom of Information Act.
14. A City Councilor shall endeavor at all times to work for the benefit of the citizens of the City of Sanford.

Adopted this 3rd day of January, 2023.

Memo



Number:

To: City Council

From: Lorisa Ricketts,

Date: 2023-01-03 18:00:00

Subject: Ordered, to review the City Hall Room Use Policy and adopt proposed amendments.

RECOMMENDATION

Ordered, to review the City Hall Room Use Policy and adopt proposed amendments, see background.

Background Information:

The Policy governing the use of meeting spaces currently in effect was adopted in September 2014 pre-COVID. The Policy worked well during that time thru to 2020 when spaces were closed due to COVID. Post COVID and the re-opening and renewed requests for use of space, several areas of clarification are now sought reflected in the amendments as attached. Issues: 1. historic City Hall Auditorium Space - has not been refurbished as once proposed in lieu of the Performing Arts Center investment made at Sanford High. Restrooms and lack of refurbishment are issues and the space is largely not set for meeting/performance purposes. The amendments seeks to remove this space from use consideration until or if refurbishments are made. 2. Historically meetings for "elections" were not charged for the use of the Third Floor Conference Space pre-COVID. Post-COVID clarifying interpretation needed around the meeting and or charge for the Third Floor Conference Room as it relates to "elections" and who is subject to charge. Reflecting upon the historical use and fee versus no fee, elections were interpreted to include those entities working on the installation of municipal, county, and state elected offices as part of the governmental activities for which the spaces are given priority and preference. Seeking a clarifying definition representative of the historic use, the Amendment to the Policy is using Title 21-A Section 1013-A to define a Municipal, County, or State Party Committee for elections and as registered. See attached Title 21-A Section 1013-A.

Sub-Committee or Board Recommendation:

None

Administrative or Departmental Review :

Administration reviewed the State definitions seeking to clarify "elections."

ATTACHMENTS

- [Policy for the Use of City Hall Meeting Rooms Revised 1-3-2023.pdf](#)
- [title21-Asec1013-A.pdf](#)
- [POLICY FOR THE USE OF CITY HALL MEETING ROOMS.doc](#)

POLICY FOR THE USE OF SANFORD CITY HALL MEETING ROOMS

Sanford City Hall is a not-for-profit, tax-supported institution with rooms designed primarily for use in City Hall governmental and program related activities (such as: City Council, School Committee, City Committees/Boards meetings and secondarily for Municipal, County or State Party Committees for elections, 21-A §1013-A). When the rooms are not needed for City meetings, they will be available for use by other individuals or organized groups, subject to the policies and guidelines established by the City Council.

APPLICANTS

Applicants reserving the meeting room shall provide the name, address and telephone number of the person who is responsible for the meeting room. The person reserving the meeting room shall notify the City Manager's Office as to the hours that the room will be used. The person reserving the meeting room shall complete a Meeting Room Reservation Form and agrees to abide by all policies of City Hall regarding use of facilities, and accepts responsibility for any damage caused to the building or its equipment, resulting from the meeting.

APPLICANT (S) RESPONSIBILITY

The person signing the reservation form will also be held responsible for leaving the room neat, clean and in orderly condition. If it is not returned in such condition, the deposit fee will not be returned and the individual or group using the room may be billed for any charges resulting which exceed the deposit amount.

Users agree to abide by all ordinances and regulations of the City and will comply with all State and Federal laws and regulations. Users accept full responsibility for all damages caused to the building and/or meeting room. Applicant is responsible for bringing in all needed equipment and supplies for event.

DEPOSIT

There shall be a 50% deposit made prior to the use of the room, which deposit may/will be refunded if the meeting room that individual or group uses is returned in a clean condition. No admission may be charged by the individual or group for persons who attend or participate in the meeting.

EQUIPMENT

City Hall equipment or furnishings may not be removed from City Hall without advance written approval. We understand that occasionally local civic organizations may wish to use tables, chairs, podiums, easels, video or other City Hall equipment for a worthwhile community event. However, these items are entrusted to the care of City Hall personnel and may not be used elsewhere without advanced written approval. [Reservation for use of a room in City Hall does not include use of equipment without advanced written approval.](#)

ROOM ACCESS & HOURS OF AVAILABILITY

If meetings are being reserved for outside of the normal City Hall business hours, ~~7:30am 8:00am~~ to ~~4:305:30~~pm., Monday through Thursday, arrangements to obtain access shall be made with the City Manager’s Office.

- ~~• City Hall Auditorium..... Evenings & Weekends Only~~
- City Council Chambers..... 7:30am to 9:00pm
- City Hall- Annex Conference room.... 7:30am to 9:00pm

PARKING

Parking is severely limited at City Hall. Off Premise parking is strongly encouraged and recommended. Free unlimited parking is available in the Municipal Parking Lot (s) located on Roberts Street (Benton Playground), the Sanford Police Department and the School Street Municipal Parking lot.

REFRESHMENTS

Light refreshments may be served in connection with a meeting. Alcohol may be served with the approval of City Council prior to the event. The room must be left clean. The user is responsible for all table and chair arrangements. Smoking and the use of tobacco products in the City Hall is strictly prohibited. An outside ashtray is available; do not litter the area outside of City Hall.

RENTAL FEE

A fee of \$50 per hour will be charged for the use of City Hall Meeting Rooms. Payment is due prior to the scheduled event. Please make check payable to: Treasurer- City of Sanford. Please submit separate check for refundable deposit.

RESERVATIONS

The meeting room may not be reserved more than thirty (30) days in advance and reservations shall not be longer than 2 consecutive days. Meetings are scheduled on a first come first serve basis. Reservations for the use of a meeting room within City Hall can be made by contacting the City Manager’s Office at 919 Main Street, Sanford, ME 04073 or by phone at 207-324-9173.

Room reservations must be made or scheduled during regular City Hall hours (Monday – ~~Thursday Friday 8:007:30AM~~am to ~~4:305:30~~pm) only. **It is understood that the City’s need for the meeting room (s) will have first priority in room use.** A contact person and phone number must be given in case of cancellation due to inclement weather or other circumstances that would cause a cancellation. Parties canceling reservations should notify the City Manager’s Office at least 48 hours prior to schedule meeting.

RESPONSIBILITY

The City shall not assume any liability for individuals or groups attending the meeting in City Hall. Further, the City cannot and will not be held responsible for loss or damage to exhibits or any type of vandalism to them in the meeting rooms or be held responsible for any lost personal property of those attending meetings.

ROOM CAPACITY

Maximum seating capacity in meeting rooms is as follows:

- ~~City Hall Auditorium* 100~~
- City Council Chambers..... 96
- City Hall Annex Conference Room..... 15

*Large gatherings may be permitted only with approval of Codes Enforcement and the Fire Marshal.

ROOM USE

The fact that an individual or group is permitted to meet at a City building does not in any way constitute an endorsement by the City of the individual’s or group’s policies or beliefs.

Rooms may be used for meetings which are open to the public; public lectures; panel discussions; film and slide presentations; group discussions; workshops; programs; and organizations or individuals engaged in educational, cultural, intellectual, governmental and charitable activities.

Rooms may NOT be used for any purpose which may interfere with the regular operation and use of City Hall Meeting room(s); programs involving the sale, advertising, solicitation or promotion of commercial products or services; or personal, company or family parties.

All meetings and programs must be open to any member of the public. No person’s right to attend the meeting or program will be denied or abridged because of origin, age, race, sex, background, views, sexual orientation, disability, membership or lack of membership in an organization or group, or for any reason. Rooms may NOT be used for activities not protected by the first amendment.



CITY HALL MEETING ROOM (S) RESERVATION FORM

PLEASE PRINT

Room Requested: _____

Date of Meeting: _____ Meeting begins at _____ and ends at _____

Expected Activity: _____ Expected Attendance: _____

Full name of group you represent: _____

Responsible Party: _____

Mailing Address: _____

Telephone Number: () _____ E-mail address: _____

The City will not set up your meeting room. Please arrive 15-20 minutes early to set up chairs and tables as needed.

I have received and read the "Policy for the Use of City Hall Meeting Rooms" and understand the regulations included. I understand that any failure to abide by this policy, by myself, or my group, may result in loss of future use of the meeting rooms. I accept responsibility for all damage caused to the building, furnishings or equipment beyond normal wear and/or usage as determined by staff.

Responsible Party Signature

Date

City Signature

Date

§1013-A. Registration

1. Candidates, their treasurers and political committees. A candidate shall register the candidate's name and the name of a treasurer with the commission at least once in each legislative biennium, as provided in this section. A candidate may have only one treasurer, who must be appointed pursuant to paragraph A or B. For purposes of this section, "legislative biennium" means the term of office a person is elected to serve in the Legislature.

A. No later than 10 days after becoming a candidate and before accepting contributions, making expenditures or incurring obligations, a candidate for state or county office or a candidate for municipal office who has not filed a written notice in accordance with section 1011, subsection 4, paragraph A shall appoint a treasurer. The candidate may serve as treasurer, except that a participating candidate, as defined in section 1122, subsection 6, or a candidate certified in accordance with section 1125 may not serve as treasurer, except that the candidate may serve as treasurer or deputy treasurer for up to 14 days after declaring an intention to qualify for campaign financing under chapter 14 until the candidate identifies another person to serve as treasurer. The candidate may have only one treasurer, who is responsible for the filing of campaign finance reports under this chapter. A candidate shall register the candidate's name and address and the name and address of the treasurer appointed under this section no later than 10 days after the appointment of the treasurer. A candidate may accept contributions personally or make or authorize expenditures personally, as long as the candidate reports all contributions and expenditures to the treasurer. The treasurer shall make a consolidated report of all income and expenditures and provide this report to the commission.

(1) A candidate may appoint a deputy treasurer to act in the absence of the treasurer. The deputy treasurer, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. A candidate certified in accordance with section 1125 may not serve as deputy treasurer. When a treasurer dies or resigns, the deputy treasurer may not assume the position of treasurer unless the candidate appoints the deputy treasurer to the position of treasurer. The candidate shall report the name and address of the deputy treasurer to the commission no later than 10 days after the deputy treasurer has been appointed. [PL 2011, c. 389, §9 (AMD); PL 2011, c. 389, §62 (AFF).]

B. A candidate may authorize one political committee to promote the candidate's election. No later than 10 days after appointing a political committee and before accepting contributions, making expenditures or incurring obligations, a candidate for state, county or municipal office shall appoint a treasurer of the political committee. The treasurer of the political committee is responsible for filing campaign finance reports under this chapter. No later than 10 days after appointing a political committee, the candidate shall register with the commission the following information regarding the political committee:

- (1) The name of the committee;
- (2) The name and address of the committee's treasurer;
- (3) The name of the candidate who authorized the committee; and
- (4) The names and addresses of the committee's officers. [PL 1995, c. 483, §4 (AMD).]

C. No later than 10 days after becoming a candidate, as defined in section 1, subsection 5, a candidate for the office of State House of Representatives or Senate may file in writing a statement declaring that the candidate agrees to accept voluntary limits on political expenditures or that the candidate does not agree to accept voluntary limits on political expenditures, as specified in section 1015, subsections 7 to 9. A candidate who has filed a declaration of intent to become certified as a candidate under the Maine Clean Election Act is not required to file the written statement described in this paragraph.

The statement filed by a candidate who voluntarily agrees to limit spending must state that the candidate knows the voluntary expenditure limitations as set out in section 1015, subsection 8 and that the candidate is voluntarily agreeing to limit the candidate's political expenditures and those made on behalf of the candidate by the candidate's political committee or committees, the candidate's party and the candidate's immediate family to the amount set by law. The statement must further state that the candidate does not condone and will not solicit any independent expenditures made on behalf of the candidate.

The statement filed by a candidate who does not agree to voluntarily limit political expenditures must state that the candidate does not accept the voluntary expenditure limits as set out in section 1015, subsection 8. [PL 2015, c. 350, §4 (AMD).]

[PL 2015, c. 350, §4 (AMD).]

2. Authorized political committees.

[PL 1991, c. 839, §5 (RP); PL 1991, c. 839, §34 (AFF).]

3. Party committees. The district, county and municipal committees of parties shall submit to their state party committees the names, mailing addresses and e-mail addresses of all their officers and of their treasurers and the name and address of the principal paid employee, if any, within 10 days after the appointment, election or hiring of these persons. Municipal committees shall file copies of the same information with the municipal clerk. No later than June 15th of each year, the state party committee shall submit to the commission a consolidated report of the names, mailing addresses and e-mail addresses of the chair and treasurer of the district, county and municipal committees of that party or of another officer if a chair or treasurer has not been appointed.

[PL 2021, c. 132, §4 (AMD).]

4. Reporting by registered treasurers. Any contribution accepted and any expenditure made or authorized by or on behalf of a candidate registered under this section or qualified under sections 335 and 336 or sections 354 and 355 must be recorded and reported as provided in sections 1016 and 1017. [PL 1991, c. 839, §6 (AMD); PL 1991, c. 839, §34 (AFF).]

5. Changes in registration information. Every change in information required by this section to be reported to the commission shall be reported within 10 days of the date of the change.

[PL 1989, c. 504, §§4, 31 (NEW).]

SECTION HISTORY

PL 1989, c. 504, §§4,31 (NEW). PL 1989, c. 833, §1 (AMD). PL 1991, c. 839, §§4-6 (AMD). PL 1991, c. 839, §34 (AFF). RR 1995, c. 2, §35 (COR). PL 1995, c. 384, §1 (AMD). PL 1995, c. 483, §§4,5 (AMD). PL 1999, c. 729, §1 (AMD). PL 2007, c. 443, Pt. A, §7 (AMD). PL 2007, c. 642, §9 (AMD). PL 2007, c. 642, §14 (AFF). PL 2009, c. 366, §2 (AMD). PL 2009, c. 366, §12 (AFF). PL 2011, c. 389, §9 (AMD). PL 2011, c. 389, §62 (AFF). PL 2015, c. 350, §4 (AMD). PL 2019, c. 323, §4 (AMD). PL 2021, c. 132, §4 (AMD).

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POLICY FOR THE USE OF SANFORD CITY HALL MEETING ROOMS

Sanford City Hall is a not-for-profit, tax-supported institution with rooms designed primarily for use in City Hall related activities (such as: City Council, School Committee, Committees/Board meetings and elections). When the rooms are not needed for City meetings, they will be available for use by other individuals or organized groups, subject to the policies and guidelines established by the City Council.

APPLICANTS

Applicants reserving the meeting room shall provide the name, address and telephone number of the person who is responsible for the meeting room. The person reserving the meeting room shall notify the City Manager's Office as to the hours that the room will be used. The person reserving the meeting room shall complete a Meeting Room Reservation Form and agrees to abide by all policies of City Hall regarding use of facilities, and accepts responsibility for any damage caused to the building or its equipment, resulting from the meeting.

APPLICANT (S) RESPONSIBILITY

The person signing the reservation form will also be held responsible for leaving the room neat, clean and in orderly condition. If it is not returned in such condition, the deposit fee will not be returned and the individual or group using the room may be billed for any charges resulting which exceed the deposit amount.

Users agree to abide by all ordinances and regulations of the City and will comply with all State and Federal laws and regulations. Users accept full responsibility for all damages caused to the building and/or meeting room. Applicant is responsible for bringing in all needed equipment and supplies for event.

DEPOSIT

There shall be a 50% deposit made prior to the use of the room, which deposit may/will be refunded if the meeting room that individual or group uses is returned in a clean condition. No admission may be charged by the individual or group for persons who attend or participate in the meeting.

EQUIPMENT

City Hall equipment or furnishings may not be removed from City Hall without advance written approval. We understand that occasionally local civic organizations may wish to use tables, chairs, podiums, easels, video or other City Hall equipment for a worthwhile community event. However, these items are entrusted to the care of City Hall personnel and may not be used elsewhere without advanced written approval.

ROOM ACCESS & HOURS OF AVAILABILITY

If meetings are being reserved for outside of the normal City Hall business hours, 8:00am to 4:30pm., arrangements to obtain access shall be made with the City Manager's Office.

- City Hall Auditorium..... Evenings & Weekends Only
- City Council Chambers..... 7:30am to 9:00pm
- City Hall- Annex Conference room.... 7:30am to 9:00pm

PARKING

Parking is severely limited at City Hall. Off Premise parking is encouraged and recommended. Free unlimited parking is available in the Municipal Parking Lot (s) located on Roberts Street (Benton Playground), the Sanford Police Department and the School Street Municipal Parking lot.

REFRESHMENTS

Light refreshments may be served in connection with a meeting. Alcohol may be served with the approval of City Council prior to the event. The room must be left clean. The user is responsible for all table and chair arrangements. Smoking and the use of tobacco products in the City Hall is strictly prohibited. An outside ashtray is available; do not litter the area outside of City Hall.

RENTAL FEE

A fee of \$50 per hour will be charged for the use of City Hall Meeting Rooms. Payment is due prior to the scheduled event. Please make check payable to: Treasurer- City of Sanford. Please submit separate check for refundable deposit.

RESERVATIONS

The meeting room may not be reserved more than thirty (30) days in advance and reservations shall not be longer than 2 consecutive days. Meetings are scheduled on a first come first serve basis. Reservations for the use of a meeting room within City Hall can be made by contacting the City Manager's Office at 919 Main Street, Sanford, ME 04073 or by phone at 207-324-9173.

Room reservations must be made or scheduled during regular City Hall hours (Monday – Friday 8:00am to 4:30pm) only. It is understood that the City's need for the meeting room (s) will have first priority in room use. A contact person and phone number must be given in case of cancellation due to inclement weather or other circumstances that would cause a cancellation. Parties canceling reservations should notify the City Manager's Office at least 48 hours prior to schedule meeting.

RESPONSIBILITY

The City shall not assume any liability for individuals or groups attending the meeting in City Hall. Further, the City cannot and will not be held responsible for loss or damage to exhibits or any type of vandalism to them in the meeting rooms or be held responsible for any lost personal property of those attending meetings.

ROOM CAPACITY

Maximum seating capacity in meeting rooms is as follows:

- City Hall Auditorium* 100
- City Council Chambers..... 96
- City Hall Annex Conference Room..... 15

*Large gatherings may be permitted only with approval of Codes Enforcement and the Fire Marshal.

ROOM USE

The fact that an individual or group is permitted to meet at a City building does not in any way constitute an endorsement by the City of the individual's or group's policies or beliefs.

Rooms may be used for meetings which are open to the public; public lectures; panel discussions; film and slide presentations; group discussions; workshops; programs; and organizations or individuals engaged in educational, cultural, intellectual, governmental and charitable activities.

Rooms may NOT be used for any purpose which may interfere with the regular operation and use of City Hall Meeting room(s); programs involving the sale, advertising, solicitation or promotion of commercial products or services; or personal, company or family parties.

All meetings and programs must be open to any member of the public. No person's right to attend the meeting or program will be denied or abridged because of origin, age, race, sex, background, views, sexual orientation, disability, membership or lack of membership in an organization or group, or for any reason. Rooms may NOT be used for activities not protected by the first amendment.



CITY HALL MEETING ROOM (S) RESERVATION FORM

PLEASE PRINT

Room Requested: _____

Date of Meeting: _____ Meeting begins at _____ and ends at _____

Expected Activity: _____ Expected Attendance: _____

Full name of group you represent: _____

Responsible Party: _____

Mailing Address: _____

Telephone Number: () _____ E-mail address: _____

The City will not set up your meeting room. Please arrive 15-20 minutes early to set up chairs and tables as needed.

I have received and read the "Policy for the Use of City Hall Meeting Rooms" and understand the regulations included. I understand that any failure to abide by this policy, by myself, or my group, may result in loss of future use of the meeting rooms. I accept responsibility for all damage caused to the building, furnishings or equipment beyond normal wear and/or usage as determined by staff.

Responsible Party Signature

Date

City Signature

Date