



TOWN OF FREEPORT
Town Council Meeting #05-24
Tuesday, March 5, 2024

Minutes

Present: Chair John Egan, Vice Chair Daniel Piltch, Councilor Eric C. Smith, Councilor Joanna Benoit, Councilor Henry Lawrence, Councilor Darrel Fournier, Councilor Matthew Pillsbury (arrived at 6:24 p.m.).

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Everyone stood for the Pledge of Allegiance.

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #04-24 held on February 27, 2024, and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #04-24 held on February 27, 2024, and to accept the minutes as printed. (Lawrence & Fournier)(5-Ayes) (0-Nays)(1-Excused- Pillsbury)(1-Abstain- Smith) (Video record time: 00:01:35 - 00:02:30)

THIRD ORDER OF BUSINESS: Announcements (15 minutes) (Video record time: 00:02:30-00:02:50)

There were no announcements.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes) (Video record time: 00:02:50 – 00:06:32)

Councilor Fournier with resident concern: They own property that the Town put a zoning line through, so they have to meet different zoning requirements for the same property. He requests the Town Manager work with the resident and staff to come up with approach to address issue. The town tries to put zoning lines along property lines. It could require an ordinance change. We could try to find a temporary fix to allow them to use the property.

FIFTH ORDER OF BUSINESS: Town Manager's Report (15 minutes) (Video record time: 00:06:32 – 00:11:30)

- Started the day greeting voters at the Polls at the High School. She thanked everyone involved in making it a success.
- Village Station auction: As long as the Freeport Village Station stays with the tenants in the buildings, the value will remain, the ownership is not the issue. Last year, the Assessor lowered the value of the building, but it remains one of the top 10 highest assessed properties in Freeport. Freeport Village Station is a TIF District and there is a 2-part credit enhancement agreement. The

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developer gets 100% of the proceeds from that and of the increment which equates to \$600,000/year. The TIF District and Credit Enhancement Agreement are set to expire in FY26. We will be discussing how the town wants to approach that. Credit Enhancement Agreements usually have language requiring the town to consent to the transfer to the new owners. Part of what the town got for the return of the money was free parking. The movie theater's credit enhancement agreement expired. The town is on target for what they thought the return was going to be.

SIXTH ORDER OF BUSINESS: Public Comment Period – (15 Minutes)
(Non-Agenda Items Only- for in person attendees)(Video record time:
00:11:30 - 00:12:13)

There was no public comment.

SEVENTH ORDER OF BUSINESS: To act on the following items of business as read by the Council Chairperson:

ITEM # 70-24 To consider action relative to adopting the March 5, 2024, Consent Agenda.

The Chair reviewed the Consent Agenda which contained all of this year's Short-term rental registrations. There were no complaints filed with the Code Officer. There was one noise complaint filed with the Police Department. The homeowners installed decibel monitors to help keep the noise down. Complaints should be directed to the Codes Office.

BE IT ORDERED: That the March 5, 2024, Consent Agenda be adopted.
(Egan & Lawrence)(6-Ayes)(0-Nays)(1-Excused: Pillsbury) (Video record
time: 00:12:27 – 00:15:20)

(Council Chair Piltch) (5 minutes)

ITEM # 71-24 To consider action relative a new Liquor License for AKI Sushi Tapas Boba
located at 10 School Street. PUBLIC HEARING

The Chair opens the Public Hearing
The Chair closes the Public Hearing

There was no public comment. This was an existing restaurant space that has been vacant for some time. The owner, Tina Cigri, explained that this was their restaurant in Brunswick, but the property rents were too high.

BE IT ORDERED: to discuss a new Liquor License for AKI Sushi Tapas
Boba located at 10 School Street be approved. (Fournier & Lawrence)
(6-Ayes)(0-Nays)(1-Excused: Pillsbury) (Video record time: 00:15:20 –
00:18:20)

(Town Clerk, Christine Wolfe) (5 minutes)

ITEM # 72-24 To consider action relative to setting a Public Hearing regarding amendments to
Chapter 48, Parking and Traffic Ordinance, Section 48-308 South Freeport and
Town Wharf to allow the one Harbormaster parking spot to be located at the
discretion of the Police Chief.

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The ordinance as it stands now specifically locates where that one parking spot will be located. It is in the wrong place. We need to be out of the way of the people working the waterfront and using the equipment.

BE IT ORDERED: That a Public Hearing be set for March 19, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street for amendments to Chapter 48, Parking and Traffic Ordinance, Section 48-308 South Freeport and Town Wharf to allow the one Harbormaster parking spot to be located at the discretion of the Police Chief. (Lawrence & Fournier)(6-Ayes)(0-Nays)(1-Excused: Pillsbury) (Video record time: 00:18:20 - 00:20:26)

(Town Manager, Sophie Wilson)(5 minutes)

ITEM # 73-24 To consider action relative to setting a Public Hearing regarding an Affordable Housing TIF and Credit Enhancement Agreement for Wildewood Acres.

BE IT ORDERED: That a Public Hearing be set for March 19, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street regarding an Affordable Housing TIF and Credit Enhancement Agreement for Wildewood Acres. (Benoit & Lawrence)(6-Ayes)(0-Nays)(1-Excused: Pillsbury) (Video record time: 00:20:26 – 00:22:09)

(FEDC Executive Director, Brett Richardson)(10 minutes)

SIXTH ORDER OF BUSINESS: Public Comment Period: Part II – (15 Minutes)

(Non-Agenda Items Only-for Virtual attendees)(Video record time: 00:22:09 – 00:28:00)

David Stevenson, Owner Hazy Hill Farms: Asking that the Town Council consider adding the Dispensary Cultivation option to the newly adopted Cannabis Ordinance. Both cultivation owners in Freeport are looking to adopt this license. It's a commercial grow license for medical growers. It has higher security requirements than caregivers. It has unlimited amounts of plants and canopy. Freeport only allows manufacturing buildings to be 10,000 square feet so that canopy couldn't be more than 600-700 square feet. The OCP agrees that the Dispensary License would be best for the grower and OCP. He'd be happy to pay for legal costs associated with this. Would the council consider this?

OTHER BUSINESS:

1. Train Station Lease (15 minutes) (Video record time: 01:12:45 – 01:24:48)

The Hose Tower is privately owned and leased by the Town month to month. The owner is happy to consider extending the lease with the Town, but at fair market value instead of the theoretical dollar rent. Staff learned that we must keep the platform cleared, but there is no requirement to have a greeter. The cost to maintain part-time staff would be \$74,000. There was some discussion about

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the need for a greeter. Potentially could use Visit Freeport members as part-time summer greeters for the train. We will maintain status quo until the end of this fiscal year and not continue the lease of the Hose Tower.

2. Community Effort to Build a Skate Park (15 minutes) (Video record time: 00:28:00 - 01:12:45)

They came to the council in 2021 with the idea. Leon Gorman Park was identified as the perfect spot. When they surveyed for possible locations, they had two things in mind. The first is that children from every school could walk to the place where they could skate and secondly that it was free. Since 2021, they have done a lot of background research on the property. They had a survey done. Nor'easter Skateparks is the company they are working with. They have met with several town officials and departments without any issues.

Chris Hogan, owner Nor'easter Skateparks gave a presentation outlining the proposed skate park, the work already completed and his company's qualifications.

Councilor Fournier brought up the sewer lines in Leon Gorman Park. They will integrate any necessary aspects into the construction and engineering when that time comes. Secondly, he asked if they had considered the snow dump lot behind the High School. That location wasn't considered by the group. The manager clarified that the snow dump is grandfathered.

Councilor Benoit asked about maintenance and longevity. Maintenance is minimal with only a concrete sealing needed annually. Mr. Hogan described the materials used and explained how far technology has advanced.

L.L.Bean supports this project.

Part of the gift to the town in building this park, because it is privately funded, will be an endowment to help take care of it for the life of the park.

Poured in place concrete will keep the noise down. At 50 feet it is about the same decibel level as a normal conversation. The group plans to fund this project 100%. There is already a porta potty at the location. Parking may be an issue. This will be open year-round. There is some lighting there now but may need to be upgraded.

The group was instructed to continue discussions with town staff specifically with regard to the impervious area and anything that would need to be added for ms4 compliance.

There was public comment in support. The chair outlined the next steps for the process.

3. Capital Budget Workshop (Finance Director, Jessica Maloy)(30 minutes)
(Video record time: 01:24:48 – 02:03:17)

- Gave definition of Capital expense
- Outlined the goals of the Capital Planning Process:
 - Maintain stable tax rate
 - Ensure that equipment & projects are planned in advance
 - Reserve appropriate levels of funding for these projects to avoid unnecessary borrowing
 - Be proactive in replacement
- The total plan being presented is \$2,102,325. This is a reduction from last year.

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- Comprehensive Town improvements make up 32% of the proposed Capital budget

Capital request amounts:

Police Department: \$416,000 with unaudited Reserve Balance of \$373,342

Audio Recording Equipment	24,000	
Body/Car Cameras	180,000	Manager \$250,000
Bullet Proof Vests (5 Year Replacement Plan)	25,000	
Audio/Video Car Cameras (Rolled into Body/Car Cameras)	30,000	Manager \$0
Communications/Dispatch Upgrade (Moved from FY28)	-	Manager \$52,000
New Patrol SUV and Changeover Equipment	65,000	

Rescue Department: \$30,000 with unaudited Reserve Balance of \$676,149

Rescue Equipment - Patient Training Simulator Mannequins	30,000	
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Public Works: \$340,000 with unaudited Reserve Balance of \$745,078

Truck Chassis Replacement (Single Axle), Plow & Wing (Truck 7)	230,000	
Forklift Replacement	25,000	
Pickup Crew Cab & Plow Replacement (Truck 1)	60,000	Manager: 65,000

Solid Waste

Heating System Replacement	26,000	
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Comprehensive Town Improvements: \$680,000 with unaudited Reserve Balance of \$2,627,992

Complete Street Improvement Work	300,000	
Gateway and Corridor Planning	-	Manager 150,000
Mallett Drive Shared Use Path	750,000	Manager \$300,000
Lower Main Street Railroad Overpass Widening (Move to FY2026)	300,000	Manager \$0
Wayfinding Signs_Year 2	25,000	
Flying Point Road Rehabilitation		Manager 80,000
Concord Gully Brook Watershed Restoration	25,000	
Bow Street Drainage Outfall		Manager 100,000

Municipal Facilities: \$657,000 unaudited Reserve Balance \$368,106

Computer Upgrades -Townwide	30,000	
Town Wide Flooring Upgrade	15,000	Manager
	30,000	
Furniture	15,000	
Library Roof Replacement	120,000	
PW Air Compressor System (Moved to FY26)	30,000	Manager \$0
PW Vehicle Lift	-	Manager 33,000
Library Public Computers	12,000	
Red Light Upgrade_Year Three_Final	30,000	
Town Wharf - Float Replacement	7,500	

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Revaluation Reserve Fund	7,500	
Public Safety Building Planning	-	Manager 60,000
File Digitization	-	Manager 10,000

Cable:

Equipment Replacement (Channel 3)	20,000	Manager 35,000
Equipment and other improvements (Channel 14)	4,000	

Destination TIF Village Improvements: \$197,325

Sidewalk - Bow St. North Side Park St. to Rail Road Track (4500 sq.ft)	45,000
Economic Development Activities	152,325

Concord Gully Brook TIF:

Lower Main Street Study	35,000	Manager 45,000
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The Finance Director also reviewed the Reserve Account status (7.7 million as of Dec 31, 2023). We make about \$225,000 a year on those funds. We are annually rolling in \$300,000 to the Reserves. The Manager explained that at the rate of use of the Reserve Account, the Town will deplete the account in the future. This is not a cash funded Capital Plan. The Council should be looking at ways to allocate more revenue into the Plan, change the scope of expectation that the Plan is funding or settle in and be prepared to pull bonds and having debt payment.

Three people to look at where we are going with our Capital Plan. For years we paid cash for everything. Maybe it's time to look at it not during the budget season when they are under the gun. We need strategic planning around it. Councilors Pillsbury, Fournier and Lawrence will regroup in May and work on this.

4. Planning Upcoming Council Workshops (30 minutes) (Video record time: 02:03:17 – 02:18:00)
 - a. Goal Setting
 - b. Community Group and Committee Updates
 - c. Council, Committee, Staff Process

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Goal Setting: The Council does goal setting in December/January. This is not an outwardly facing goal year, it's more of an internal take a look at things with fresh eyes year. Councilor Benoit expressed how important the goals would be, especially to her as a new councilor. This will be on the annual calendar for December 2024. Councilor Fournier wishes to have facilities tours each year before budget time. Councilors can set this up as individual tours through the manager and department head.

Community Group and Committee Updates: We are looking at April 9 and April 16. A third date may be added. The Library will be part of the regular budget process. How this was conducted in the past was discussed. The Chair would like something in writing regarding outside agency requests before they appear in person at Public Hearing. One of the meetings in May will have outside agency representatives present.

Council, Committee, Staff Process: no discussion

EXECUTIVE SESSION

ITEM # 74-24 To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(A) pertaining to Town Manager Performance Goal setting.

MOTION: That the Town Council enter Executive Session.
(Lawrence & Fournier)(7-Ayes)(Video time 02:18:00)

MOTION: That the Town Council exit Executive Session at 9:44 pm. (Benoit & Smith) (7-Ayes) (15 minutes)

Motion to adjourn (Lawrence & Piltch)(9:45 pm)

END OF AGENDA (Estimated time of adjournment 8:55 PM)

ADA Notice - Requesting Reasonable Accommodation

Please contact the Town Clerk's Office at (207) 865-4743 or email swilson@freeportmaine.com prior to scheduled meetings or events to discuss auxiliary aids or services needed to participate in Town Council activities. The public is welcome to attend. For additional information see the Town of Freeport website at www.freeportmaine.com