



TOWN OF FREEPORT
Town Council Meeting #07-24 Minutes
Tuesday, April 2, 2024
Beginning at 6:00 PM
Town Council Chamber, 30 Main Street, Freeport, Maine

PRESENT: Chair Egan, Vice Chair Piltch, Councilor Smith, Councilor Benoit, Councilor Lawrence and Councilor Pillsbury. Councilor Fournier excused.

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 #06-24 held on March 19, 2024, and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #06-24 held on March 19, 2024, and to accept the minutes as printed. (Lawrence & Piltch) VOTE: (6-Ayes)(0-Nays)(1-Excused- Fournier) (Video record time: 00:07:50 - 00:08:23)

THIRD ORDER OF BUSINESS: Announcements (15 minutes) (Video record time: 00:08:23 – 00:09:22)

The Chair recognized the passing of Linda Bean and extended the Town’s condolences.

FOURTH ORDER OF BUSINESS: Information Exchange (15 minutes) (Video record time: 00:09:22 - 00:12:11)

- Councilor Smith: Highlighted upcoming items that will be going to the Complete Streets Committee including upcoming MDOT work on Griffin Rd, and traffic calming measures for Route 125.
- Councilor Benoit: The Business Fit-Up Grant Committee awarded \$2,750 to Freeport Mind, Body and Fitness. That was the remainder of the grant monies.
- Councilor Egan: We are finally collecting historical photographs of the Florida Lake project. 50 years ago, it was a recreation sight. There will be a signboard with photos.

FIFTH ORDER OF BUSINESS: Town Manager’s Report (15 minutes) (Video record time: 00:12:11 - 00:20:00)

- Cumberland County Emergency Management (EMA) is working in area. There is assistance available for those impacted by the January wind/rain events. There is a link on our website. You have until May 20th to apply for assistance.
- MDOT denied the parklet on north end Route 1. We were told this is a Federal decision. Allowed to happen because of Covid. Can place parklets on town streets. The Manager is going to call the head office at MDOT to see if there is a misunderstanding.
- Citizen with loud gunfire concern at last council meeting: The Manager met with Councilor Benoit and Chief Goodman to review ordinances and State law. The DA's Office will not follow up on those types of charges. The citizen will be encouraged to reach out to the police when the gunfire is happening. She will consult with town attorney about how the gunfire fits into the Noise Ordinance..
- Deputy Code Enforcement Officer Alex Sirois started yesterday.
- Ordinance Committee meeting Thursday-rescheduled to next week.
- Hope to hold tomorrow's Planning Board meeting. We will at least hold the Public Hearing.
- New Public Works employee Shane Gerow.
- Fireworks on the Fourth of July-approvals in place. We are waiting for private property where the fireworks are shot from.
- Storm debris: Public Works recommends going out once in 2-3 weeks for storm debris removal. This will put them behind and is not budgeted. The contract cost for an outside agency to do this is \$50,000 to \$60,000. The transfer station is open and storm debris can be taken there at no fee. The Manager also updated the cleanup progress at Winslow Park. If the banking was an engineered bank that eroded, we will qualify for assistance through FEMA. (Video record time for this item 02:12:47 -02:17:46)

SIXTH ORDER OF BUSINESS: Public Comment Period – (15 Minutes)(Video record time 00:20:00 - 00:23:26

(Non-Agenda Items Only-In person attendees)

- Chalmers Hardenberg: Inquired about the status of the 22 Main Street committee. The Council set this up to reach a progress point by the end of May. There are no meetings on the calendar for April or May. Is this being slow walked to never happen? Initially, the delay was the Manager not realizing it was her job to put the Committee together. There is a meeting the week of April 22nd with the goal of meeting the deadline Council has imposed.

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

ITEM # 90-24 To consider action relative to adopting the April 2, 2024, Consent Agenda.

The Chair reviewed the items on the Consent Agenda. The Vice Chair inquired about the list of unlicensed dogs/owners that usually accompanies the Dog Warrant. It was provided during the meeting.

The Chair added the Appointment's Committee recommendation of Anna Child to the Winslow Park Commission appointments.

BE IT ORDERED: That the April 2, 2024, Consent Agenda be adopted as presented with the addition of Anna Child to the Winslow Park Commission appointments. (Egan & Smith)(6-Ayes)(0-Nays)(1-Excused: Fournier) (Video record time: 00:23:26 -00:25:40)

COUNCIL MEETING #07-24
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(Council Chair Egan) (5 minutes)

ITEM # 91-24 To consider action relative to proposed amendments to Section 501. Temporary Activity and Section 526(A) Food Trucks of the Freeport Zoning Ordinance to increase the number of food trucks allowed as an Accessory Use to up to ~~(six (6))~~ *Typographic error* five (5) food trucks for a maximum period of six (6) months contingent on securing a Temporary Activity Permit. PUBLIC HEARING

Assistant Planner Cecilia Smith: This amendment originated with the Council's desire to loosen restrictions regarding food trucks, specifically surrounding the number of allowed food trucks to allow the creation of a temporary food truck area. Temporary refers to the temporary activity. This is not a pilot program. Eight food trucks were originally proposed, but the Planning Board reduced it to five.

Currently, food trucks are allowed as a temporary activity in any zoning district, but there are certain districts where they are allowed as an accessory business (1 truck as accessory use in the Commercial District 1 and the Nature Based Art Overlay). There is an exemption that allows up to three food trucks, three times a year for up to 3 days. The amendment expands that allowance by allowing up to five trucks for up to six consecutive months.

Map: The areas that are hashed are where food trucks are allowed as an accessory use to any permitted use. The greyed areas (MDA, MDB Commercial 3&4, Industrial 1 & 2 and Local Business) it's allowed as an Accessory to Artisan Food and Beverage.

The Assistant Planner outlined the process the amendment has been through to get back to the Council.

The Chair opens the Public Hearing

Tais De Los Reyes: The owner of Athena's Cantina initiated this idea and gave a recap of the process. She supports the reduction from 8 to 5 food trucks. She displayed a diorama of the proposed food truck park on US Route One. They will be operating mostly at night-time.

The Chair closed the Public Hearing

Councilor Smith asked for clarification on whether food trucks are allowed in Village Commercial 1. Food trucks are allowed in VC1 with a Temporary Activity Permit. Only three food trucks are allowed in VC1 with a temporary activity permit.

BE IT ORDAINED: That proposed amendments to Section 501. Temporary Activity and Section 526(A) Food Trucks of the Freeport Zoning Ordinance to increase the number of food trucks allowed as an Accessory Use to up to ~~(six (6))~~ *Typographic error* five (5) food trucks for a maximum period of six (6) months contingent on securing a Temporary Activity Permit be approved. **MOVED AND SECONDED:** (Pillsbury & Lawrence)(6-Ayes)(0-Nays)(1-Excused Fournier) (Video Record Time 00:25:40 – 00:40:53)

(Assistant Planner, Cecilia Smith) (10 minutes)

ITEM # 92-24

To consider action relative to the proposed adoption of a Property Tax Assistance Program (New - Chapter 67 of the Freeport Code of Ordinances) to provide limited property tax and rental rebates to seniors living in Freeport. PUBLIC HEARING

The Chair opens the Public Hearing
The Chair closed the Public Hearing

Councilor Piltch asked for information regarding how this would look for a typical household showing what the tax bill is, what the State program offers and this is what the town layers on top of that. This program won't be rolled out till next year.

Councilor Lawrence, Chair of Ordinance Committee, explained how the committee came up with the program criteria. Councilor Pillsbury thinks we should set a cap (total outlay for the town) for the first year at \$100,000 to \$125,000. The number quoted of \$191,000 is too high. The assets maximum is \$750,000 (not including the primary residence), which he thinks is too high also. He thinks we should clarify the 5 years residency and whether it needs to be continuous.

The cost, using the \$191,000, to the median household would be \$35.85 for taxpayers not in the program. If we cap at \$100,000 it would lower that tax increase to approximately \$18.00. There was further debate surrounding the \$750,000 asset maximum. Property owners are only asked to attest to their assets, we are not verifying information. We will ask for a Personal Financial Statement.

1,247 homes where the owner is 65+ years. The Manager explained how they arrived at the estimated \$191,000 cost. Based on her numbers we would have 396 eligible owners, and 96 eligible renters.

The ordinance states we get the applications in November, and the Council would make a decision in January, and the funds would be dispersed after people have completely paid their property tax. We do not need to set the Program cap tonight.

MOTION TO AMEND: (Piltch & Smith): to modify in three places:

1. Page 2, Section 67-3: Maximum family income shall be **no more than** 250% of the Federal poverty level.
2. Page 2, Section 67-3: Change the asset limit to **\$500,000**, instead of \$750,000.
3. Page 3, Section 67-6: Change the second meeting in August to the second meeting in **September**.
4. Page 1, Section 67-1: Who have maintained a homestead in the Town of Freeport for the immediately preceding five years.

VOTE: (5-Ayes)(1-Nay Lawrence)(1-Excused Fournier)

BE IT ORDAINED: That proposed adoption of a Property Tax Assistance Program (New - Chapter 67 of the Freeport Code of Ordinances) to provide limited property tax and rental rebates to seniors living in Freeport be approved

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as amended. **MOVED AND SECONDED:** (Lawrence & Piltch)(6-Ayes)(0-Nays)(1-Excused Fournier) (Video Record Time 00:40:53 – 01:10:26)

(Councilor Lawrence, Ordinance Committee Chair) (10 minutes)

ITEM # 93-24 To consider action relative to discussing the proposed Capital Program for FY2025. PUBLIC HEARING

The Chair defined what items fall into the five-year Capital Program and how the process proceeds each year.

Finance Director, Jessica Maloy:

Proposed changes were provided in a new document:

1. Remove \$20,000 from appropriation for communication dispatch upgrade (\$52,000 down to \$32,000).
2. Adjust the current year appropriation to the Bow Street drainage outfall, not to eliminate the project but to cover the project under existing funding from the Concord Gully Brook Watershed appropriation. The narrative of the Concord Gully Brook appropriation was inclusive of the Frost Gully and Concord Gully improvement.

The impact to the current year is a reduction of \$100,000 to the Plan. The net change to the five-year plan is only a reduction of \$50,000 because she is suggesting bumping up replenishing that fund. She explained the average contributions to the Concord Gully Brook fund and what she is recommending for upcoming years.

Police Body cameras: This is a good idea, but there is not an immediate need. Is this able to be pushed out to future years or for just some officers, but not for all. Body cameras are not just for issues. They are a way to supervise. For accreditation, they required us to pull a certain number of body cam footage of incidents to make sure officers perform within policy. We often hire officers with little field training and put them on the streets, it's nice to go to the video tape to review performance. The Manager strongly advocates for the body cameras. We currently have audio for the officers.

The Capital purchases are made with Reserves, so they are not carried on the tax bills.

MOTION: To open the Public Hearing

MOTION: To close the Public Hearing

BE IT ORDERED: That the proposed Capital Program for FY2025 be approved. **MOVED AND SECONDED:** (Benoit & Lawrence)(6-Ayes)(0-Nays)(1-Excused Fournier) (Video Record Time 01:10:26– 01:25:10)

(Finance Director, Jessica Maloy)(20 minutes)

ITEM # 94-24 To consider action relative to setting a public hearing regarding amendments to Chapter 66 Cannabis Establishment Licensing Ordinance.

Town Planner Caroline Pelletier: The Town recently adopted the Cannabis Establishment Licensing Ordinance. We heard at the Public Hearing that one of the establishments had multiple caregivers which **The Town of Freeport is an equal opportunity employer and service provider that celebrates diversity and is committed to creating an inclusive environment for our employees and those we serve.**

would require multiple licenses. In the first round of licensing for Cannabis Cultivation Facility, the cap is set at four and we have received five applications. The proposal before you is to change the number from four to six Cannabis Cultivation Facility licenses. We also clarified the process. On page 7, the number of licenses is increased to six. On page 5, a clause was added so if there are extra licenses at any point in the priority category, we will follow a lottery, just as we do with non-priority licenses. On page 6, it outlines if the number of licenses ever changes, we will follow the same notification and application process for applicants.

The Planner has heard from one applicant that is working on their own to bring an amendment forward to address the Dispensary License they wish to see. They will have to make application to the Planning Board to amend the Land Use Ordinance first, before the Cannabis Licensing Ordinance.

BE IT ORDERED: That a Public Hearing be set for April 23, 2024, at the Town Council meeting starting at 6 pm in Freeport Council Chambers, 30 Main Street relative to amendments to Chapter 66 Cannabis Establishment Licensing Ordinance. **MOVED AND SECONDED:** (Smith & Lawrence)(6-Ayes)(0-Nays)(1-Excused Fournier) (Video Record Time 01:25:10 – 01:32:22)

(Caroline Pelletier, Town Planner)(10 minutes)

Tabled: Conversation with business owner is out of country. (Egan & Lawrence)(6-Ayes)(0- Nays)(1- Excused Fournier) (Video Record Time 01:32:22 – 01:33:02)

ITEM # 95-24

To consider action relative to authorizing the Town Manager to provide Falls Island Marine with notice of the Town’s intent to terminate its lease arrangement of Dunning Boatyard, 3 South Freeport Road, effective December 31, 2024.

BE IT ORDERED: That the Town Manager be authorized to provide Falls Island Marine with notice of the Town’s intent to terminate its lease arrangement of Dunning Boatyard, 3 South Freeport Road, effective December 31, 2024.

(Town Manager, Sophia Wilson)(10 minutes)

ITEM # 96-24

To consider action relative to authorization of the Maine Career and Technical Education Region 10 Warrant and Notice of Election.

BE IT ORDERED: That the Town Council authorize the Maine Career and Technical Education Region 10 Warrant and Notice of Election. **MOVED AND SECONDED:** (Piltch & Lawrence)(6-Ayes)(0-Nays)(1-Excused Fournier)(Video Record Time 01:33:02 – 01:34:00)

(Christine Wolfe, Town Clerk)(5 minutes)

ITEM # 97-24

To consider action relative to a Use of Town Property request.

The Chair outlined the process to apply for Use of Town Property. The stage will be reinstalled by the Public Works Department.

BE IT ORDERED: That the Use of Town Property request from Freeport Farmer's Market for use of Memorial Park on Fridays from May 31st to September 27, 2024, be approved. **MOVED AND SECONDED:** (Pillsbury & Lawrence)(6-Ayes)(0-Nays)(1-Excused Fournier) (Video Record Time 01:34:00 – 01:36:13)

(Council Chair Egan)(5 minutes)

ITEM # 98-24 To consider action relative to a contribution of \$25,000 from American Rescue Plan Act (ARPA) funds to the Tedford Shelter Capital Campaign for a new shelter located in Brunswick.

The balance of ARPA funds is \$53,000. Councilor Lawrence recommends reducing the amount of support to \$10,000.

MOVED AND SECONDED: To reduce the amount of support to \$10,000 and the remainder to accessibility issues and trail management and building. (Lawrence & Egan)(1-Ayes)(5-Nays)(1-Excused Fournier)

The Social Racial Equity Committee submitted a letter of support. Councilor Benoit pointed out that 18 people from Freeport called the Tedford Shelter last year.

Councilor Pillsbury asked for a report of how we spent ARPA funds.

BE IT ORDERED: That a contribution of \$25,000 from American Rescue Plan Act (ARPA) funds to the Tedford Shelter Capital Campaign for a new shelter located in Brunswick be approved. **MOVED AND SECONDED:** (Lawrence & Smith)(5-Ayes)(1-Nays)(1-Excused Fournier) (Video Record Time 01:36:13 – 01:45:14)

(Council Chair Egan)(5 minutes)

SIXTH ORDER OF BUSINESS: Public Comment Period –(Non-Agenda Items Only-virtual attendees) (15 Minutes)(Video Record Time 02:17:43 – 02:18:10)

OTHER BUSINESS:

1. Introduction of draft Climate Action Plan (Sustainability Coordinator, Meddie Smith)(15 minutes) (Video Record Time 01:45:14 – 02:01:50)

Meddie Smith reviewed the procedures used to arrive at the draft Climate Action Plan over the last year and a half. GPCOG as a partner in the project provided critical data. The Plan outlines the Community engagement utilized in the process. The Plan is organized in 5 different topic areas. Across those five areas they have goals, strategies and actions. She recommends focusing attention on the implementation table which lays out all the goals, strategies and actions that are proposed in this final plan. This Plan is a strategic road map for the town leadership to take action on climate change, but also intended to be flexible. It's also meant to achieve and work towards achieving the greenhouse gas reduction targets that were adopted by the Council this past October.

The Town of Freeport is an equal opportunity employer and service provider that celebrates diversity and is committed to creating an inclusive environment for our employees and those we serve.

The Chair spoke to how we will proceed to disseminate this Plan to the public. The draft Plan is available online. There is an email listed to for residents to comment, but the public input portal has closed.

2. Further discussion to prioritize Housing Committee Recommendations (Council Chair Egan)(30 minutes) (Video Record Time 02:01:56 – 02:12:47)

What are the next steps in general and specifically for Planning and Zoning and what steps do staff recommend to accelerate the process to get more housing produced.

Brett Richardson, FEDC Executive Director, provided the Chair with a document he created by taking the recommendations of the Housing Task Force and putting them into a priority matrix. It lays out short term and long term priorities, who's responsible, what the time frame might be, etc. He identified and discussed an example of one of the projects.

We will supply a short list of recommendations to the Planning Board at the next meeting.

Councilor Pillsbury: One piece that is missing is where we want to end up. He asked for some data as to comparable municipalities to ours. Once we know what we have for certain housing stock, where we want to get to and what's an ideal mix and what those impacts are we can establish where we want to get to in terms of the right mix and the right total number. Once we determine the amount of growth we want, we need a mechanism to address the infrastructure. He supports the idea of being creative around the TIF financing and creating policies to support that. It seems very vague as written now, we need to define that.

Key stakeholders on staff are outlining all the things that Council wants to get done. On the 23rd, the plan is to bring to the Council a laundry list to be start being prioritized. The Planning Board is slammed with work. One idea is to take the Housing Task Force, which sunsets in June, and use them as staff resources to vet the ideas/projects before they go back to the Council for policy discussion.

Motion to adjourn at 8:18 pm: (Lawrence & Benoit)(6-Ayes)(0-Nays)

END OF AGENDA (Estimated time of adjournment 10:05 PM)

Requesting Reasonable Accommodation Notice: 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 activities.