

**MINUTES
FREEPORT TOWN COUNCIL MEETING #15-20
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JULY 7, 2020
6:30 PM**

This meeting was held online/virtually, using Zoom teleconferencing

<u>ROLL CALL OF MEMBERS:</u>	PRESENT	ABSENT	EXCUSED
John Egan, 38 Curtis Road (Chair)	x		
Eric Horne, 62 Pine Street			x
Henry Lawrence, 93 Hunter Road	x		
Daniel Piltch, 25 Quarry Lane	x		
Douglas Reighley, 2 Harbor Ridge Road	x		
Sarah Tracy, 2 Pettengil Road	x		
Tawni Whitney, 56 Baldwin Road (Vice Chair)	x		

Chair Egan called the meeting to order at 6:33 p.m. via zoom and welcomed everyone. He explained the process that will be followed for members of the public who wish to participate this evening. He took the roll. All Councilors were present with the exception of Councilor Horne who is excused this evening. Town Manager, Peter Joseph was also in attendance.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

While viewing Vice Chair Whitney's flag, everyone recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #14-20 held on June 16, 2020 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #14-20 held on June 16, 2020 and to accept the minutes as printed.

THIRD ORDER OF BUSINESS: Announcements

Chair Egan announced:

- **NOMINATION PAPERS** will be available starting on July 27TH for the November 3, 2020 MUNICIPAL ELECTION for the following offices:

**COUNCILOR AT-LARGE – 1 seat
COUNCILOR DISTRICT 2 – 1 seat
COUNCILOR DISTRICT 3 – 1 seat
RSU #5 Board of Directors – 2 seats
SEWER District Trustees – 2 seats
WATER District Trustee – 1 seat**

Nomination Papers are due back to the Town Clerk's Office no later than 6:00 p.m. on Wednesday, September 9, 2020. For more information, call Freeport Town Clerk Christine Wolfe at 865-4743, Ext. 123 or email cwolfe@freeportmaine.com

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Councilor Tracy was sad to report that former Councilor Richard DeGrandpre passed away on June 21st. He served many years and gave us so much knowledge, good times and food. He was a Councilor from 2002 to 2014 and served as both Chair and Vice Chair of the Council. She feels he was a good friend, a committed Freeport resident, a business owner and he raised his family here. He was a smiling face and every time you saw him, he had a story, a laugh, a broad smile and even a hug. He will be deeply missed and she wanted to acknowledge his family, Judy, Joanna and Laura. On behalf of the Council, we send our condolences and our heartfelt wishes. We just remember him and those of us who knew him wish we would have had a chance to say goodbye. He will be deeply remembered with affection. He was a legend in this town.

Mr. Joseph mentioned that he worked with Rich. He had very strong opinions and even if you disagreed 100% politically on what you were arguing about, you could still be friends with him. He enjoyed debate. He shared a story about breakfasting with Rich and echoed everything that Councilor Tracy said.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Whitney advised that she attended a FEDC meeting since we last met. Our guest speaker was Linda Bean. It was exciting to listen to Linda talking about her passions for Freeport and she shared some of her hopes for Freeport going forward and her interest in investing in downtown Freeport with an interest in Arts and Culture and preserving the history that is so deep here in Freeport.

Councilor Whitney also attended several meetings with the Main Street Committee on closing down traffic through Main Street. We just had a successful weekend behind us and she was glad because they took the public forum very seriously and really thought hard about should we really do this. There were a lot of mixed thoughts, concerns and fears but we felt we really needed to do something to support the local businesses and give people a feeling of safety to come to Freeport to experience open fresh air dining and shopping. Last weekend proved to really send that message. People wore masks and she had an opportunity to speak with Channel 13 and was able to comment that our hope is for wearing masks will become normal around here and for people to feel that Freeport is a safe place to come. Last weekend was a good version of that and we are moving forward and hope this will continue to be successful for businesses and that people feel safe.

Councilor Tracy noted she knows people really worked hard to get that rolled out by the July 4th weekend and it was a huge push. She wanted to thank everyone who worked on that. She went and it was lovely. It was a very nice atmosphere but we can't make people come. She wishes there were more people and they all learn about all those benefits that space brings. It was well thought out and she commended everyone for all the work they did.

Councilor Piltch noted that the Winslow Park Committee has not been meeting but the park is open. A number of campsites are closed in order to enforce social distancing. Neil is keeping up with the rules and regulations and quarantining. He has been having difficult conversations with people at the Gatehouse about what they are allowed to do and not allowed to do.

Councilor Piltch had an update on our COVID Small Business Loan Program which opened up for business on June 8th. Freeport businesses are encouraged to apply for a \$5,000 loan from the Town. We have had two applications to date. One has been approved to be funded and the other has been approved to be funded tomorrow. There is still money available in that program for any business that wants to take advantage of it.

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Councilor Piltch provided an update on our collaboration with the Police Department. They had a meeting on June 23rd and there were about 30 people in attendance. It was more information sharing from the Town's Police Department about what we currently do and how our policies work and was followed by some open Q & A. It was a pretty good meeting and we got some issues out on the table that needed to be addressed. They had a meeting today just before the Council meeting where the Police Chief followed through on her invitation to invite people to have a look at and review the policies of the Police Department and to weigh in on that so that group is in the process of figuring out what the scope of work is and he feels there will be more discussion because there may possibly be some policy issues.

Councilor Reighley spoke with Neil Lyman today and learned that park usage is up considerably.

Chair Egan explained that he participated in the Complete Streets Committee this morning. They are working on a Complete Streets Policy that will come to the Council for adoption after some discussion. Chair Doug Leland has spent a considerable amount of time in thoughtful, informed and data driven analysis of what is available and the direction for that committee is to specifically focus on pedestrian safety and resident safety in our community to not just motorized vehicles but to bicycles and people on foot as well. It will be comprehensive. Sue Nourse is on that committee so there is a lot of input from the Police Department as well as Adam Bliss from Public Works. We are blazing new ground and he wanted to appreciate the work that Doug has put in to moving that forward.

Chair Egan also participated last evening in the first on-line version of the Freeport Sustainability Advisory Board to the Council. He asked one of the most recent members of that committee to say a little bit about recycling efforts. That committee will be bringing forward a significant recycling proposal including potentially a discussion on town-wide curbside pick-up to encourage recycling and minimize the amount of recyclable materials ending up in solid waste stream and minimize the amount of solid waste stream materials ending up in the recycling path.

Kate Rosenfeld noted she is not prepared to speak but can provide a brief update. She advised that she just stepped off the Sustainability Committee as of June 30th. She attended last night to hand some things off. They discussed last night that about a year ago the Council decided to remove two of the four satellite silver bullets because of contamination and the costs involved in that. Her understanding was that the remaining two bullets would be removed in one year. We are coming up to that date of August 1 when the year would be up and they discussed that last night. Their recommendation would be to leave those two bullets in place. Peter provided last night a summary of the contamination rates looking back to 2018, 2019 and 2020 and it was clear that contamination rates have decreased over the past year at the satellite bullets. Earlier this year the Sustainability Advisory Board brought to the Council a report after working with Adam Bliss and Mr. Joseph looking at the possibility of Municipal curbside so that is something they would like to re-present later this month and see that as a real possibility going forward as being affordable. In most communities with a curbside program, recycling is increased and waste is decreased and contamination rates generally are also lower. They are preparing to bring more information to the Council in a couple of weeks and go over the contamination rates and how they think they have improved. Last May they included information on the proper ways to recycle in a town-wide mailer and they are prepared to do that again. The mailer hasn't gone out yet. Last summer with the funds available to their committee they were able to fund two part-time interns who worked at those two satellite silver bullets to educate residents and help go through what they were bringing in. The committee would be happy to do that again and would be happy to talk about it in the future.

Chair Egan thanked her and asked if this can be an agenda item at our second meeting on July 21st to discuss the final decision on what to do with the two satellite containers in the community today. One is at the Public Safety Building and one is on Hunter Road. We made a decision to leave two and address

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that in a year's time and we are now at that point. There are some additional compelling arguments for the Council to consider and he wanted to have it as a conversation point before action is taken. Councilor Reighley wanted to be sure to invite Rod Regier to our meeting and Chair Egan agreed. Councilor Tracy feels it would be a good discussion to have. She appreciates the Sustainability Committee keeping their eye on the timing. It was a significant discussion last time and she suggested we allow ample time for a full discussion for that before making a decision. She will be needing from Adam and Peter the statistics on the two silver bullets we had this year. Contamination rates was a driving force for some but the fact that the silver bullets were half full by weight and we had many trips going down. That was also a consideration both from an economic perspective and a sort of greenhouse gas waste perspective with trucks trucking these things down and not compacted. That data will be helpful comparing to prior silver bullet data and she would like to have it when we have our discussion. The other question she has for the Sustainability Committee is if the committee gets its wish for curbside pick-up, is it their recommendation that the silver bullets are maintained. It would be good if the committee is clear on their position on that.

Chair Egan added that the data is available now so it is just a matter of Staff compiling it for our discussion in two weeks. He feels the volume data is easily available.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph mentioned that we have talked about pretty much about everything that has gone on in his world for the past two plus weeks. He wanted to take the opportunity to thank Staff that has been working very hard on the Police Department conversations. The Chief, the Lieutenant and two Sergeants did a lot of work doing presentations and Q&A at that meeting. He thanked the entire department that attended. It was a difficult subject matter at this time. They are really setting an example on how a Police Department should behave and be responsive to the community. Also, the Staff that has been working on the Main Street project. There are still revisions going on and he is aware that there is a volunteer business group that will be meeting with some of the businesses that had less than optimal experiences over the past weekend. The majority do not fall in that category but a few were unhappy with some things that happened. That has been a lot of work for the volunteer group and especially for Town Staff, Town Planner Caroline Pelletier, our Police Chief, our Fire Chief and our Public Works folks, both Earl and Adam, have been involved in that process giving feedback throughout the process. He is sure he missed somebody but it has been a lot of work to get that many meetings, zoom calls, etc. He thanked them. He was very encouraged to see everybody waiting in line to go into stores and almost everybody had masks on their faces or had one ready to pull up. To him it looked like near 100% compliance and depending on the time of day, 75-90% of people walking on Main Street were wearing masks or had them ready to go into action while keeping distance. It was great courteous behavior, public health stuff. We are going to keep encouraging that to try to break the cycle. Vice Chair Whitney advised him that in Massachusetts it is not even an option to not have a mask on in public and their infection rates have dropped. He has very few concerns for a public health perspective on Main Street activities.

Mr. Joseph asked the Council Chair to chat under Other Business about the potential offer for the Bartol Building. He is not asking for any decisions, just a public 2 second conversation and temperature of the Council to have further conversation on the matter. Chair Egan noted it would come up at the end of the agenda.

Councilor Piltch wanted to squeeze in another note of thanks to Town Staff. Jessica Maloy has been a huge help in getting the Loan Program set up while it is a busy time of year for her. She started the program from scratch and reached out to the people that applied. Chair Egan echoed all the congratulations to Staff. He was deeply impressed with the presentation and the back and forth response

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from our Police Department, especially Officer Morehouse. That is the example that all police departments in the country should be and hopefully are striving for. It was an excellent and fully transparent presentation by our police department. He thanked the Chief and her team.

SIXTH ORDER OF BUSINESS: Public Comment Period (Non-Agenda Items Only)

Chair Egan explained how the public could participate this evening.

John Lowe mentioned that he appreciates everything the Council is doing. He has one request and that is if somehow, we could set up a timeframe for items to be put up on the Town's website through video services sooner. Many times, it might be a week or more before a meeting is posted on the Town's website. He wished that this could be done fairly quickly. The School seems to be able to do it fairly quickly. He asked if there is a way to link the school meetings to the Town's website. He thanked the Council for everything they are doing.

Mr. Joseph apologized and explained how the zoom technology works. He went on vacation two weeks ago and he couldn't get it to the Cable people for three weeks because his computer was at Town Hall. It was a complete error on his part. He thanked Mr. Lowe for his e-mail. Under regular circumstances it usually takes a few days to get a recording up. Chair Egan advised that the second question from Mr. Lowe is can we get access to a link of the School Board meetings. He mentioned that we would have to pose that question to the RSU. It may be just simply collecting the link off of the RSU website and putting it on our web page so that the link will take you to their streaming service. We need to verify that we can redirect our website visitors to their website. He felt this was a good point and it makes sense to have both of those meeting catalogs available. Mr. Joseph pointed out that he would send a link to the You Tube Channel to Mr. Lowe's e-mail address which specifically gets to his concern about timeliness where everything is broadcast live on YouTube and Facebook. There is no gap and is done through a plug in we purchased. It is like next day availability. The School also has a similar YouTube Channel. He will look it up and send it to Mr. Lowe.

There were no additional public comments provided. Chair Egan closed the Public Comment Period.

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

ITEM # 116-20 To consider action relative to adopting the July 7, 2020 Consent Agenda.

BE IT ORDERED: That the July 7, 2020 Consent Agenda be adopted. (Egan & Reighley)

Chair Egan reviewed the items for members of the public.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Horne) (0 Nays)

ITEM # 117-20 To consider action relative to an Affordable Housing TIF request from Freeport Housing Trust for Property at Quarry Ridge Apartments. PUBLIC HEARING

MOVED AND SECONDED: To open the public hearing (Whitney & Reighley)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Horne) (0 Nays)

Keith McBride, Executive Director of FEDC explained that this is an Affordable Housing TIF proposal for a piece of property at 60 Bow Street known as Quarry Ridge Apartments. Matt spoke to him and Bob Konczal on behalf of the Housing Trust regarding this transaction and as per the Town's TIF policy, FEDC is the organization that works with these applicants and helps them through the process. That has been his involvement. Matt will get into the details and explain what they plan to do with these apartments and why this project makes a lot of sense for the Housing Trust and hopefully for the Town as well. The terms of the deal is that it is a Credit Enhancement Agreement similar but different to the one we looked at for L.L. Bean in that it is much simpler. In this case we are taking a piece of property and putting it back on the tax rolls. It is currently tax exempt because it is owned by Maine State Housing. It will be taxable once it is under the ownership of Freeport Housing Trust and Matt indicated that the closing would take place this fall if the TIF goes through and everything else as well. That is the increase in value whereas in other TIFs you have new development, new buildings and new construction adding to the value of property. In this case you have a change from being a tax-exempt property to being fully taxable as the reason for the increase in taxable property we are capturing in this TIF. The terms of the Credit Enhancement Agreement with Freeport Housing Trust would be identical to that that we already have for the affordable housing TIF known as Oak Leaf 2. 50% of that increase would be returned to the Housing Trust for a period of 30 years to help cover a variety of expenses. That is in Matt's purview. That is essentially the framework of the deal. FEDC as part of the TIF policy has looked at this to make a recommendation. Their recommendation is that there is no new infrastructure development in this TIF, no construction, no new Municipal facilities and there is no economic development component to it other than the availability of affordable housing which we can have a debate whether or not there is an economic benefit development to that. He would argue that there is but there is no Municipal Revenue Fund like we discussed with the L.L. Bean TIF to provide a funding source for additional municipal projects going forward. This is just 50% of the tax value being returned to the Housing Trust and 50% going directly to the Town's General Fund. Included in the Council's packets there was a financial projection showing an estimate of the performance over 30 years. Based on that information, FEDC's recommendation is that this is a way for the Town to participate in the development and retention of affordable housing and if this is a high priority for the Town in its housing goals for the future, this is a great way to get it accomplished.

Matt Peters, Executive Director of the Freeport Housing Trust explained that Quarry Ridge is an apartment complex that contains 34 apartments and is located across the road from Bow Street market. It has historically since the 1980s been affordable housing. He recently went through an ownership transfer and the affordability restrictions were removed from the property. They are purchasing it and working with a variety of agencies as well as the Town in ensuring they can layer back in the income and rent restrictions so they continue operating it as a resource so the Town has a variety of apartment options for all households. In addition to rent restrictions, they also received seven project -based vouchers which is a version of rental assistance from Maine State Housing so seven apartments will be part of a program that serves disabled households. They will be doing over \$1M worth of construction work there. They were before the Project Review Board a few weeks ago showing all the site work they are improving such as drainage, roadway, new curbing, good site improvements and lighting as well. They will be converting 2 of the apartments into fully accessible apartments to meet the Federal Government's Accessibility requirements. The Town's support in this Affordable Housing TIF returns 50% of the annual taxes to the property so that it will help with operating expenses so they can ensure the ongoing affordability out there. He offered to answer questions.

Chair Egan provided some historical information on this property. The risk that Freeport Housing Trust is now mitigating for the Town is that the affordability restrictions that property operated under are being

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replaced. In fact, he would say absolutely enhanced because they will be protected by a covenant on the property that will last 45 years. From his perspective, this is a relatively modest way for the Town to make an investment in affordable housing without having to go through all of the burden and challenge and complexities of having to find a developer and building or buying a property and renovating it. This is a property that is getting a well-deserved upgrade from a trusted local partner that specializes in affordable housing. It is a very modest contribution from the Town in terms of investing roughly 50% of the tax revenue which is new money for the Town because it is not paying anything right now in order to preserve those 34 apartments and 7 will have permanent rental assistance which is really valuable. If you are not familiar with how affordable housing works, one of the tools is to provide rental assistance that sticks with the unit which means that the rent in that unit that the tenant, whether it is today or 10 years from now, is always an affordable rent. That is a valuable resource. The landlord is protected because the rental assistance will pay the difference between what the tenant can pay and what it costs to operate the unit. The landlord is successful in maintaining that unit but agrees to the compliance requirements that allows it to stay affordable to any tenant, whether it is one that is here now or next year or ten years from now. Those are really assets for our community to have as is the opportunity for us to partner with the Freeport Housing Trust again. This is a partner we have worked with extensively.

Councilor Reighley asked Mr. Joseph if the documents submitted tonight are in order. Mr. Joseph advised that the documents submitted tonight are based off the Oak Leaf Terrace Affordable Housing TIF. We have not completed legal review on these documents separate from that process. While it appears to be in order, he would not give 100%.

Councilor Piltch mentioned that in his packet he has the memo from FEDC but does not see the actual paperwork for the TIF and CEA so asked if he is missing something. Mr. Joseph noted it was sent under separate cover in an e-mail to him and it is posted on the website. He suggested that he check his e-mails from him, not Chris Wolfe. Councilor Piltch asked if the Housing Trust were to build additional units on that property, would they be a part of this TIF? Mr. McBride noted that once you designate a TIF District, any increase in value in that TIF gets counted into that District unless the TIF Development Program specifies otherwise that you capped it as just this amount of capture and not go above that. The short answer is yes, any new development on this property during the life of this TIF would add value to the TIF and the new value would be split through the Credit Enhancement Agreement and the Town's General Fund. Mr. McBride asked Matt if there are any plans or ability to do any additional housing development on the lot. Matt advised that the lot is huge but it slopes off steeply off the back side and the developer in the 80s built on the most valuable parts of that parcel. They will look at it to make sure they are not missing anything. They do want to take advantage of the real estate they own and operate to be able to add apartments on to it. They will look at that but it is not part of this development program to add additional apartments in the near future. However, if things change, they are obviously interested in adding more apartments. The technicality is around would it fall under the TIF. The TIF District is identified by the tax map so yes, it does fall under the TIF District. If the additional revenue was generated, it would fall under the TIF District and those new apartments would be the beneficiaries. They might actually come back and ask to amend it so they can get a fresh start and participate at the full amount.

There were no public comments.

MOVED AND SECONDED: To close the public hearing. (Whitney & Reighley) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Horne) (0 Nays)

Councilor Lawrence asked what is the right ratio for affordable housing to the rest of the housing. How close are we to that limit meeting affordable housing in the Town? This seems more like it is low income

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housing. Affordable housing seems to him that someone can buy a house and live in it by their own means. Is there a standard and at what point doesn't it work for the Town? Chair Egan mentioned that from his experience, the ratio of affordability in the community is directly tied to the market pricing that community is offering to the public. When a housing market in a particular community is escalating and is unaffordable based on the amount required of an average individual's household income, that gives you an indication of "unaffordability" or what the gap is to make that. Certainly, those are all estimated figures and are rounded off with "general household". Everybody's income varies dramatically from one end to the next but it is a measure that is used pretty commonly and effectively around this state and around the country and the ratio Councilor Lawrence is speaking of he does not believe is a standard but there is a measure that household income as it relates to housing costs is what is determined to be the affordability ratio. For rental housing it is seen as 30% of your gross income. If it goes over that for your housing costs, then the housing is less than affordable. There are different ratios if you are owning a house versus renting an apartment. Banks use ratios differently when they are underwriting for a loan if you can afford to buy that house. Essentially, they are targeting the same thing which is how much of your household income can you afford to spend on housing. In rental housing, this project will have criteria each applicant does need to meet in order to move in. However, the distinction here is that only 7 of those 34 units will actually have a "guaranteed" rent to the landlord. While Freeport Housing Trust is trying to increase the number of affordable units, they are still renting them to the general market. People still have to pay that rent except for those 7 units.

Matt indicated he looked up the income range people will have when they occupy these apartments. The typical range will be between \$35,000 and \$60,000 per household. If someone is working at \$15 per hour, they are making \$30,000 a year so it is good information to have. The other piece that he just looked up is from the census data. The number of households in Freeport is 3,400 so if we add Quarry Ridge to the rest of Freeport Housing Trust's property, we get a number of about 5% of the population which for him is not the threshold where they can let up on the gas and make sure that they providing a good variety of options for households. Councilor Lawrence understands there are 3,400 households in Freeport but asked is 50% the right number for affordable housing? He feels there has to be some kind of ratio if we have 5% that is probably okay. He doesn't know and he is saying what is the number and where are we in relation to it. He understands what they are trying to do but noted there are more expensive places to live than Freeport and places that are less expensive. Based on the town's numbers, there is going to be affordable housing. Matt explained that some towns do not have affordable housing but Freeport is in a good place and we can add more variety and more affordability even in the ownership market. They currently own 149 apartments and so adding Quarry Ridge in will be 183. That is where he got the 5%.

Mr. McBride pointed out that our Comprehensive Plan speaks directly to the need for affordable housing and he read the language into the public record that speaks to the need for more affordable housing in Freeport. The consistency in the Comp Plan is an important point he wanted to make.

Mr. Joseph explained that while it is on the agenda for approval tonight, we have not had a full legal review back on this yet so if the Council wants to take action, an informal show of support may be appropriate but he is concerned about an approval as written on the agenda that if any items change, even a word or two, they would be back in front of the Council on July 21st. This did not complicate Matt's timeframe with his development plan. Chair Egan suggested not having a formal vote this evening. He believes that Matt has an indication of where the Council is sitting on this particular issue collectively and individually so we will take a vote on the 21st and table this to the second meeting in July.

BE IT ORDERED: That an Affordable Housing TIF request from Freeport Housing Trust for Property at Quarry Ridge Apartments be approved. **NO ACTION WAS TAKEN.**

ITEM # 118-20 To consider action relative to Special Amusement Permits.

BE IT ORDERED: That a Public Hearing be scheduled for July 21, 2020 at 6:30 pm in the Freeport Town Hall Council Chambers to discuss approving Special Amusement Permit applications for the following:

Cadenza, 5 Depot Street, Freeport
Harraseeket Inn, 162 Main Street, Freeport
Stars and Stripes Brewing, 8 Varney Road, Freeport

BE IT FURTHER ORDERED: That copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 3 and the Town's website. (Reighley & Piltch)

Mr. Joseph noted that these are routine and a little sad because none of these businesses will be doing live entertainment immediately but these are for the year so we are hopeful that there will be some return before 365 days from now to having some types of entertainment.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Horne) (0 Nays)

ITEM # 119-20 To consider action relative to Freeport Ordinance Chapter 60, Emergency Ordinance: Temporary Suspension of Certain Ordinance Standards to Safely Accommodate Expanded Outdoor Business Activities due to COVID-19, previously approved by the Town Council on 05/19/20.

BE IT ORDAINED: That Chapter 60, Emergency Ordinance: Temporary Suspension of Certain Ordinance Standards to Safely Accommodate Expanded Outdoor Business Activities due to COVID-19, set to expire on July 17, 2020 be re-enacted pursuant to Article 2.14 Emergency Ordinances of the Freeport Town Charter. (Lawrence & Reighley)

Chair Egan pointed out that this is a continuation of a decision the Council made previously in 30-day increments. Town Planner, Caroline Pelletier explained that it was for 60-day increments but there is no change in the language in front of the Council. She advised that she has issued 13 temporary activity permits for a variety of things. She anticipates that as this goes forward and it gets busier and more people are coming to Freeport, we might see some additional outside sales. This ordinance will be really important if the weekend closure of Main Street is successful. There are more plans to put up additional signage for that project and we might see people wanting to put up additional store fronts or pop ups in other locations. This is food for thought if you want to see Main Street go forward and could definitely support that endeavor as well allowing existing businesses to use the space around their own property. If a business wants to consider this, they need to contact Code Enforcement or Planning. Everything gets submitted to Bonnie at permits@freeportmaine.com. The form and a little handout are on our website.

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They are trying to get them turned around within 48 hours. Chair Egan is hoping the weather predictor got it wrong for this weekend and we will see some nicer weather for closing Main Street to vehicular traffic.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Horne) (0 Nays)

ITEM # 120-20 To consider action relative to the Municipal Dog Warrant.

BE IT ORDERED: That the Municipal Dog Warrant signed by the Town Council on April 28, 2020 be repealed and replaced with a warrant having an August 31, 2020 deadline. (Piltch & Reighley)

Mr. Joseph explained that normally at this time of year we would be summoning people that have unlicensed dogs to court to answer to a judge why they don't have their dog licensed. Because of the COVID shutdown we were not able to license those dogs and owners were not able to get to the vet. He, the Police Chief nor the Town Clerk want to send a large number of summons to court to have the court laugh at us and say that is great. We will get to it next year when we get to these minor civil proceedings that you need taken care of or just laugh at us and say "dismissed". We would like to extend the dog warrant and try to get the numbers down so we can give it to one, two or how many people that were delinquent before we go through enforcement proceedings. He is just asking for the Council to extend the deadline for people who fairly have not had the chance to procure a license.

ROLL CALL VOTE: (6 Ayes) (1 Excused-Horne) (0 Nays)

OTHER BUSINESS:

1. Update on Downtown Business Activity

Chair Egan noted that the Council has discussed the Main Street closure to vehicular traffic earlier.

Mr. Joseph agreed that we talked about the Main Street closure for sure. There are a few things that we are trying to iron out like are there people outside of the closure area and how to get business directed to them. He wanted to acknowledge that. He wasn't sure where this was going when it went on the agenda. He doesn't feel there is any emergency that needs to be discussed here in terms of the closure but wanted to acknowledge that they are working on trying to address some of the concerns outside of the closure on the north and south of the barricades. Those are the complaints that we are receiving at this point from businesses that they are getting bypassed. FEDC, Visit Freeport, some business groups and some individual business owners will be reaching out to the specific shops that are being impacted this week to see if there are any adjustments we can make. That is where we are at for the Main Street closure.

Mr. Joseph explained that we had talked to the Facilities Committee previously about the possibility of lease versus sale of the Bartol Building. There was no interest from the Facilities Committee in terms of sale as a long-term disposition item of the Bartol Library Building. Since that time, he has been approached by our next-door neighbors through their representatives. The Moser family from Thomas Moser Furniture own the lot on the corner next to Town Hall. We have discussed this lot individually and separately at several other times about whether there is any long-term use that the Town could see in that lot. The answer has been it is very interesting but we don't have a long-term plan for it. He received an inquiry through their representatives asking if there was any interest in discussing with the Town instead of a sale, a potential swap plus or minus cash to make equal value but for the Bartol Library Building that the Town owns for the vacant land the Mosers own next to Town Hall. He is looking for a temperature from the Council so he can get back to them if that is a discussion the Council is willing to entertain. He

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knows there has not been a lot of appetite to sell the Bartol Library Building and is asking if this changes anybody's perception at least entering the conversations if it a swap for the land adjacent to the Town Hall instead of just a straight-out sale.

Councilor Whitney would like to pull back since we are in the process of hiring a developer to help Freeport re-envision what downtown can be and re-energize it. She feels it is a little soon to give up the heartbeat of our downtown as they have already had some previous interviews with consultants. That building is so interesting to the consultants. It has been vacant for a while but to give up on it now right as we are starting to create a watercolor for the future doesn't seem like the right time to her.

Councilor Reighley noted the reason we didn't consider the worth of the lot next door is because we really have no plan, desire or need for it. Exchanging a property we have for a lot we were not going to use does not make a lot of sense.

Councilor Tracy is not inclined to give away ownership of the Bartol Library Building but would be open to discussions or at least exploring if they have any interest in a long-term lease. She agrees with Vice Chair Whitney that we are starting a process and want to keep our options open but the intention of the re-visioning is that it would happen in the next six months or so. We are not that far away from the process and she does not see the harm in keeping a conversation alive. If we had a long-term lease with a local high-end business that has natural products right in our downtown that are almost art pieces, that sounds pretty good to her. With respect to the property next door, we don't have a plan for it but it could be a gem. It is the gateway to Freeport and there is a lot of potential there. She would be in favor of keeping a conversation going and seeing where it is going. She would not signal that we are willing to sell the Bartol Library Building.

Councilor Lawrence feels that all the points raised have been right. He feels we should hold on to it a bit longer.

Mr. Joseph added Councilor Horne's input since he is not here. Councilor Horne's long-term concerns are more what happens if that lot is sold and is developed for something other. His thoughts align very closely with what Councilor Tracy said in the second half of her comments which are that there is a lot of potential for that lot and a lot of things that might not be desirable development wise. If the Town does not have an interest in it, we will have no say in it. He was not immediately in favor of selling or trading the Bartol Library Building but was in favor of entering into a conversation with them.

Chair Egan pointed out that the potential partner here is not interested in a long-term lease of the building but Mr. Joseph can verify that through their professional contact. Mr. Joseph agreed and believes they are much more interested in potential long-term ownership rather than a lease but he will confirm that. Mr. McBride indicated that this is the first he is hearing about the proposal and the Council's thinking is in the right direction. It is a very interesting property next to Town Hall and has been described as the gateway. It seems it would be right for a very-Freeport development to set the tone for downtown as people are coming in from that direction. That property has been on the market for at least a decade and there have been a lot of development proposals. Some of them just didn't seem like the right thing. If it was under the Town's control, it could be used for a public function or more controlled as to what development the Town really wants to see happen at that lot. On the other hand, you already have something very uniquely Freeport with the Bartol Library so it is a difficult decision. He does not envy having to make that decision so he is glad he is not a Town Councilor at this time. He is interested in doing a little more in-depth work on the exchange. The piece that is missing is what does the Town have in mind for a use for that lot. He does not imagine the Town keeping it for speculation so it can sell it at a

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profit later on. What is the plan and what is it worth to us? Is that plan worth the Bartol Library and that is a high cost.

Mr. Joseph pointed out that there is no plan and no one has come up with a great idea to use that property. There is no plan to do anything there. The interest he has heard is that there is an opportunity there but we don't know what it is. He is hearing that the Council would not be offended if he approached them in a year or six months from now asking what they think. Chair Egan noted he would not be offended if we had another conversation about it. He doesn't feel the Bartol Library is worth trading away for a piece of land no matter how approximate it is to Town Hall and the gateway to downtown.

Councilor Reighley noted he has been missing a button shop for a long time and that is what used to be on that corner. One of the things we need to address is that the Bartol Library Building is still sitting dormant and we need to probably do some cleaning up of that building so it could possibly be more marketable. The fake walls that are in there block the light from coming into that building and it would show a lot better if we got some of that out of there. Mr. Joseph asked how much he is willing to spend on interior renovations. Councilor Reighley felt we could bring in Boy Scouts in to demo it but asked how far \$50,000 would get us.

Councilor Tracy agreed with Councilor Reighley that the Bartol Library is still an issue and it would be helpful to get feedback on what it might take to make it more desirable in some ways. At least the Council could entertain it and perhaps decide it doesn't want to spend the month but at least we would know. In terms of the lot she feels there is a lot of potential that could happen with that property if we just keep the dialogue open. One of her constituents pointed out that all these towns have beautiful post offices and literally the rent is paid by the federal government. We've got one in a tiny building that nobody can get in or out of easily particularly when there is a lot of traffic. Why not build a beautiful post office that marks our community on the corner of two main roads where you can get in and out and the Federal Government pays the rent? Those kinds of things we should be thinking of or a beautiful park. She doesn't feel we should let this pass by due to inaction. It is a hallmark piece of property and it would be a shame if we lost it to something that is an eyesore. Maybe the swap is not the right thing but we should keep our eye on it and start thinking about what we could do.

Mr. Joseph noted he would continue conversation now that he has received feedback from seven Councilors. He is sure they are interested in moving it.

Councilor Reighley pointed out that part of this discussion was supposed to be on the street closure. He went and visited downtown on Saturday at 10 a.m. and returned at 3 p.m. on Saturday. In that time, he cruised the parking lots and the garage was 10-15% occupied and the overall parking lot situation was probably at maximum 30% utilization so that basically said we didn't have a lot of people coming into town. He personally interviewed Desrosiers, Mangy Moose, Jockey and Blue Lobster all outside of the barrier area and they all reported that they had a poorer day with the street closure than they did the day before on Friday. They felt that because the physical barrier was there people didn't go beyond it so his sense from them is that closing down Main Street is not as successful as we may have wished it to be. He is suggesting that we consider not continuing to have Main Street closed. Mr. Joseph feels those were accurate comments from the businesses Councilor Reighley quoted. They were not thrilled about Saturday and or Sunday but he can confirm that that was the case. A lot of people were thrilled about Saturday but the businesses Councilor Reighley listed were not thrilled about Saturday or Sunday. Some other businesses were enthusiastic about their volume on Sunday.

Vice Chair Whitney added that those businesses were part of the closure at one point and they listened to their feedback. They wanted traffic so they actually decreased the size of the closure to benefit because

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they heard them. They are definitely on their radar and are concerned and want to make sure their businesses are doing better. She mentioned working with Visit Freeport on different signage, etc. to increase business both left and the right. They are trying something. Mr. McBride added that there is an effort to collect broader data from businesses in the closure and outside of the closure and people who do live downtown and how they feel about the traffic being closed. They are trying to collect as much broad feedback so they can make a much more comprehensive conclusion about how businesses feel about it continuing and whether or not it is a beneficial thing. He feels there are people who are determined to try to have this cancelled and will oppose it no matter what. No one involved has an idea that this must go on and we must get it approved. They really just want to tap into the true feelings and whether or not it is working. If they have a feeling that it is, they will continue to perpetuate it. If we have a strong indication that it is not working, we will then suggest that we not continue it. They do not have the data yet to support either of those conclusions and he asked the Council to give them time to gather it before making any decisions. Chair Egan agreed that one weekend does not make a trend with a brand-new experience for anybody including people coming to Freeport that had no idea they would be met with a Main Street closure and having to figure out what to do. He is sure there were a number of reactions behind the steering wheels coming in when they weren't ready for it. He thinks it has been made clear to both the proponents and potentially the opponents of this activity that the organizing group has their ears wide open and if it is really apparent that it is not working for the collective group of the impacted businesses, that it not continue. The starter set was for two weekends not just one.

Councilor Tracy had marketing questions. The theory is if we can draw more people to Freeport that even if there is some adverse impact, a bigger pie is better overall. She asked how it is going with getting the word out. Mr. Joseph explained that we got a tremendous amount of free press organically but we didn't purchase any advertising because we didn't know if we were going to continue with this for more than two weeks and also there was some valid concerns about potential public health problems. He does not see those public health problems materializing since people were very responsible this weekend which he is happy about. If we want to advertise this, let him know and we can do it for the weekend or longer than the weekend. He is not 100% sure this will continue beyond this Saturday and Sunday which is why he is a little hesitant. He needs guidance.

Vice Chair Whitney explained that there is a delicate balance between being respectful of the health concerns and trying to promote business. They decided not to do the commercials on the radio for fear that it would create a festive feel but yet if we don't do some sort of outreach like that, is it going to be enough to say that this is successful. Will two weekends be enough to invest in banners and signage to spread past our closure. She feels two weeks are not enough of a test but that was what the original timeline was, especially when it is going to rain this weekend. She asks if we should move forward and promote ourselves and one of our concerns was people wearing masks and they did get great feedback on that.

Chair Egan noted that at our next meeting we will have two events behind us and possibly a third. He will direct the Manager to make sure this is a continuing item on the agenda for the 21st that we have more conversation and recognizing that the Council meeting is not the only opportunity for Councilors to share their opinions and recommendations to go ahead and communicate with Vice Chair Whitney and the Manager.

Councilor Reighley noted that traditionally rainy weekends wither a big draw for downtown Freeport so this will be a good test. Last Saturday and Sunday he feels we didn't have a real test of what the population is coming in. Councilor Tracy mentioned being unclear about what our direction is. The Council is not meeting until the 21st so she asked who would make the decision on whether that moves forward on July 18th. Mr. Joseph advised that MDOT has approved the closure for the whole summer but

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we were clear that there was a two-week test period and we would advise them if we were going to continue or not. They asked us for a report after two weeks on how it was going and were there any problems. There is a little bit of DOT evaluation but they are basically asking for feedback from us on whether we think it is a good idea and are we going to continue to do it. He would say that those in favor are greater than those opposed. Chair Egan asked if Vice Chair Whitney, Keith McBride and the Manager could form a group to assess the data and responses after this coming weekend and can advise by e-mail to the rest of the Councilors. Councilor Reighley offered to serve as well and Chair Egan noted he would be happy to include him in the conversation. Chair Egan didn't know how to do it since three Councilors together are considered a public meeting. Mr. Joseph noted that they could always have a special meeting. The option is to have a meeting in between the two meetings after this upcoming weekend. It is not convenient but possible. Councilor Tracy suggested running it for three weekends and then re-evaluate at the next regularly scheduled Council meeting. Councilor Reighley suggested letting MDOT know that we need to have three weekends before we have a chance to talk about it and don't let it slide. Mr. Joseph pointed out that they are very open to working with us right now. They are being great so it won't be an issue. Chair Egan asked Councilors if they have any issue with them giving the organizing group a green light for the Council's perspective for a third weekend which would get us to our next meeting in July before we have to make any decision on whether it goes forward. There was no opposition voiced and Mr. Joseph added that with the understanding that if some of the small businesses can demonstrate that they are being unfairly impacted and we agree with that, Councilors do not have a problem with him killing it after two weeks. Councilor Tracy asked him to consult with Council leadership but she doesn't have a problem with small businesses pulling the rip cord if it checks out. Chair Egan feels that the Manager, Vice Chair Whitney and Keith McBride have the political idea of what the Council is comfortable with here and can convey it to the organizing group.

2. Discussion regarding creation of promotional video for Board and Committee vacancies. (Council Chair Egan) (10 minutes)

Chair Egan advised that he participated in the Appointments Committee courtesy of Johanna's organizing and reviewed names of candidates for the numerous positions that are open on the various Town's committees and boards. It was a significant task to come up with that many names. We have an ongoing pool of potential interested folks and they were fortunate to be able to fill and nominate names which were voted on earlier in the Consent Agenda. There are still some vacancies and we have seen some Council seats go uncontested in recent years. It reminded him that we could do a better job of convincing the public and selling ourselves in our activity of getting involved with your municipality a little bit better. Immediately what came to mind is our dramatically underutilized capacity of a tv station to do production work and thought there may even be some students potentially interested in this. We could propose an action plan to see if we can get some potential student involvement from the high school and other participants along with our current Staff to film some raw footage and edit into a 2- or 3-minute promotion video about participating in Freeport. He is the last person on earth to produce such a thing since he has no AV talent. He knows that a compelling video can move you to say that you want to be a part of that. To the degree that we are all participating in our spare time in this function on the Council, there is an enormous amount of people making that same commitment on our committees and his effort here is to recognize that contribution by that broad section of the public who are participating in our committees. That is an idea that he wanted to bring up for a brief discussion this evening.

Councilor Reighley believes that if we do something like this, GPCOG would be definitely interested in seeing it and shifting it to all the communities that are members of GPCOG. Chair Egan agreed. Mr. Joseph noted he has Staff availability to throw at a project like this right now and if it sounds like it is the will of the Council, we can make it happen. Councilor Piltch likes the idea but wants to be sure it doesn't look amateurish. He hopes we can recruit some volunteers who have video production in their

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background. Chair Egan feels there may be a request for a small allocation to pay for such professional quality production to be able to promote that. He asked if there is any opposition to moving forward with that idea. It isn't anything that will happen by August or September but it is certainly something that we can start putting together. He has energy for it but zero talent. Councilor Tracy feels it is a great idea and it would be great if it was a showcase piece. She knows we have Susie Pheiffer in our community who has done fabulous videos for FCS but she is not volunteering her, but she might have some ideas. There is a resident in her district who is a New York marketing executive. We have a lot of talent in this town so she feels it could be something special. Chair Egan requested that she forward the names of the individuals she knows of so we can start making connections.

Councilor Piltch asked for general guidance around the discussion he has been involved in with the Police Department and the community at large. He asked if there is any interest by the Council to do anything more organized than what is happening. He feels comfortable knowing that things are proceeding as they should and he would be happy to contribute. He asked the Council if there is any desire to have more structure coming from the Council and is there anyone who wants to be more involved. He would be happy to make a point to share what comes across his desk. Chair Egan noted he would be very interested to have a formal follow-up on a Council agenda in September. We unearthed a number of dynamics at that community forum as well as other discussions we have had on race issues, fairness in equality and social justice in our community. He doesn't think we are doing any of those any good service if we mention having one meeting and then move on to our regular business. He is extremely interested in having a follow-up discussion and potentially a presentation of information and dynamics that have been unearthed by the current processes that are underway sometime in September and he would also like to throw out the idea for us to potentially explore an opportunity to have our ordinances and policies reviewed for any inherent or unseen racial bias that may be occurring but we are not aware of. This is something that many communities are undertaking but he is not prepared to ask for an allocation or a budget item this evening or even next meeting but he would like to move that so just put it on the radar for other items coming up. He thanked Councilor Piltch for asking.

MOVED AND SECONDED: To adjourn at 8:38 p.m. (Reighley & Lawrence)
ROLL CALL VOTE: (6 Ayes) (1 Excused-Horne) (0 Nays)

Respectfully submitted,

Sharon Coffin, Council Secretary