

**MINUTES
FREEPORT TOWN COUNCIL MEETING #24-20
HELD REMOTELY USING ZOOM TELECONFERENCING TECHNOLOGY**

TUESDAY, DECEMBER 1, 2020, 6:30 p.m.

| <u>ROLL CALL OF MEMBERS:</u> | PRESENT | ABSENT | EXCUSED |
|---|----------------|---------------|----------------|
| Edward Bradley, 242 Flying Point Road | x | | |
| Jake Daniele, 264 Pownal Road | x | | |
| John Egan, 38 Curtis Road (Chair) | x | | |
| Henry Lawrence, 93 Hunter Road | x | | |
| Daniel Piltch, 25 Quarry Lane | x | | |
| Douglas Reighley, 2 Harbor Ridge Road | x | | |
| Tawni Whitney, 56 Baldwin Road (Vice Chair) | x | | |

Chair Egan called the meeting to order at 6:30 p.m. and explained the ground rules for anyone joining in. There are a couple of portions of the agenda this evening for members of the general public to participate in the conversation. He explained the raised hand feature on the zoom screen to identify someone's interest in addressing the Council. Chair Egan took the roll and everyone was in attendance as well as the Town Manager.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Viewing Vice Chair Whitney's flag, the Pledge was recited.

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #23-20 held on November 10, 2020 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #23-20 held on November 10, 2020 and to accept the minutes as printed. (Reighley & Piltch) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

THIRD ORDER OF BUSINESS: Announcements

Councilor Bradley announced that Freeport High School competed in the State of Maine's Mock Trial Competition. This year they won and became the new Mock Trial Champions for the State of Maine. He read the names of the leaders and the team into the record. He asked if there is any way we could put up one of those banners. He feels it would be appropriate. Councilor Reighley pointed out we have a new electronic sign in front of the Public Safety Building. Councilor Bradley noted he is pushing for a banner to rival any banner that any team in Freeport has ever had. He offered to help pay for it if necessary. He would like to see it go up but doesn't know how to make it happen. Chair Egan asked him to coordinate with the Principal. Mr. Joseph added that Caroline and Nick can make it happen. The big banner slot is

COUNCIL MEETING #24-20

DECEMBER 1, 2020

completely open after Sparkle Weekend. We can allocate that to whoever would like to do it, either the School or the Town. He mentioned that they could also do the electronic sign. Councilor Bradley mentioned that would be great and explained he didn't mean to dismiss it. He just didn't know what it is.

Councilor Bradley advised that when COVID hit, the Arts and Cultural Alliance took a hit too. They made a decision not to slow down but keep going with the church renovation. The Arts and Cultural Alliance has an online virtual tour of the building in its current state which shows the renovations to date and gives a sense of what is going to happen in there already. It's there for anyone that wants to look at the Arts and Cultural Alliance website and get a sense of what all the Town money has helped make happen, as well as all the private donations. Chair Egan added that when someone says there is nothing to do in downtown Freeport, we can point them to that website and the virtual tour and say, hang on, there's going to be a lot to do in downtown Freeport when that facility is up and running. He thanked the ACAF group for getting it going.

Chair Egan announced:

- The Appointments Committee is seeking residents interested in serving on the recently established Social and Racial Equity Assessment Ad Hoc Committee. Applications are available at Town Hall and also on the Town's website. They can be e-mailed or mailed to residents by contacting Johanna Hanselman at the Town Office at Telephone 865-4743 X120. The opening for that will be until the end of December but will be extended if necessary. He is aware that there are a number of community folks helping to identify potential members for this committee and that group may be able to offer some additional support for people who might have childcare, elder care or transportation issues.
- The deadline for nominations for the 2020 Citizen of the Year is next week, December 10. Each year the Freeport Town Council presents a Citizen of the Year Award to honor those who have significantly contributed to the quality of the Town. Nomination forms are available at the Town Office and on the Town's website, Freeportmaine.com. If someone has a hero that they have been supporting and applauding for in our community, this is your chance to get them recognized by the entire town for Citizen of the Year.

FOURTH ORDER OF BUSINESS: Information Exchange

Vice Chair Whitney advised that she is on a committee with Johanna Hanselman and Chief Nourse. When COVID first hit, residents pooled together some donations to help people affected by the pandemic. If anyone has been affected by COVID, she requested that people reach out to them because they may be able to help. As we start to get into winter, she knows it can get really tough.

Vice Chair Whitney explained that she has been spending a lot of time with Mary Davis, President of FEDC doing a lot of fun work with members from all over town and they want to present a slide show of the work they have been doing over the last couple of months. Councilor Piltch will take it after their slide show. Ms. Davis provided an overview of the project they have in gear. They are asking to bring a full discussion and review to the Council at its next meeting on December 15th. This is about moving from outlet town to experience Freeport for the downtown transition plan. She explained why FEDC is involved in this downtown planning and read their Mission Statement. They feel they have made a lot of progress going forward. With all the vacancies in downtown and everything that is going on in retail they feel they have to focus on Freeport's downtown area with a focus on new diverse events. They came forward with a Service Strategy Statement identifying four areas they plan to work on. They plan to focus on keeping feet on the street through experiences and events. They planned to move forward and have

COUNCIL MEETING #24-20

DECEMBER 1, 2020

volunteer teams in place and then COVID hit. They rallied in March and April and asked where are they going now that COVID is in place. They determined that they needed to continue to focus on the short-term events. They will be at the Planning Board tomorrow night to talk about some proposed changes to zoning to help them prepare for the kind of development they want in downtown Freeport. If they want to start to take actions now about what is next and what they want Freeport to look like after COVID comes back to normal. They must have a view of what downtown wants to look like, what the residents want it to look like and what they want it to look like because the actions they are going to take in the next 3-6 months are going to start to define that future.

Vice Chair Whitney feels this group has been able to get a lot of work done quickly. Collaborating has been a gift for them. It is showing what a great town Freeport already is. After talking with professionals, they learned that Freeport is such a great place that we are not actually as bad off as we thought. We have so much good that is standing here already before Amazon and before COVID and before we were an outlet town. We still have all those assets. When the group really started to realize that this is an opportunity for us to move forward, things started to happen. When driving downtown, you can see some of the work of this group. We have Maine Organic Farmers in the Gymboree Building, we have Wild Oysters which is hand-made bags and accessories, Maine Wicked Goods is moving to 115 Main Street and are decorating the gap between the Gap and American Eagle. We have a Winter Farm Market going into the Bartol Library Building open on Saturdays. They tried to listen to what the community said they wanted and they want stuff for them. With these they feel like they are showing that feedback is important to them. They reached out to Mr. Tuna and he is possibly going into one of our buildings. They reached out to the Historical Society and they are putting a window together at the old Children's Place storefront. ACAF has already filled a space. They reached out to the Owl's Head Museum and they are bringing antique motorcycles until February to the Wilson's Leather building. Everyone was excited to be a part of Freeport. The landlords have been phenomenal. That is where they are but they are not stopping.

Ms. Davis explained why this transition planning is important for the Town and FEDC and why we are doing it now. They need views from stakeholders about what they want downtown to look like. They need an expert with outside ideas. Downtown cannot wait until the Comprehensive Plan is done. They talked to a lot of consultants as well as many other organizations but all roads led to Principle. They were asked to do a proposal which they did for us and after some deliberating, they came back with a plan for us that fits our dollars and will give us this updated view of downtown to help us align to the future. They will be here on the 15th and she will provide a website so the Council can go in and look at it. These folks are all about creating authentic spaces. They did a before and after design. The Working Group wants to bring a proposal to the Council on December 15 which would include Principle being with us. They will ask to discuss, review and allocate money. They want to start on this as quickly as they can. They feel they can get engagement from folks in January. The Working Group would manage the planning and outcome process and will bring back outcomes as they come about and hoping to enact outcomes in a planned view check so that they are approving and doing as they go along with the plan. They will then determine follow-up work as needed so they are taking a bite of this at a time. They plan to coordinate with Caroline and the Comprehensive Plan as they go along so they understand how downtown Freeport fits into the plan and how we go forward.

Councilor Piltch wanted to chime in because as he has been involved a bit in the process, he has been asking a lot of questions and felt it would be helpful to ask the questions in public and share the answers that he found out. For him, the project was identifying what the project isn't and where it fits in the conversations around town. It is not a town-wide comprehensive planning effort. This project is not meant to address that. This project is focused on the downtown area. There is a lot of effort and urgency being focused in the short term. What are we doing about COVID, what are we doing about empty storefronts? That is the sort of short-term stuff if we don't have a plan or vision, that short-term stuff does not lead to

COUNCIL MEETING #24-20

DECEMBER 1, 2020

long-term outcomes. It just puts a Band-Aid on. Mary was describing how do we come up with that vision? His question is what do we need to do and can we do it ourselves? He doesn't know that it is going to be something we can tackle effectively on our own. It will be nice to see how they led this conversation in other places and bring the community into the conversation so it is not what the Council or FEDC wants but what does the Town want to do. There are bunch of things they are not doing but help us to paint our vision of what we want to do with the downtown. We have seen a sketch so far but they are coming back with a detailed proposal about what exactly they are planning on doing and he is looking forward to that. He is confident it will be a good presentation and discussion.

Chair Egan is excited to see that the Principle Group is involved because he was going to recommend them for coming forward to help us gather the momentum that is right in front of us with where is Freeport going and the pivot our community is going through. He looks forward to their presentation on the 15th.

Councilor Reighley advised that both the Ordinance Committee and the Complete Streets Committee have had multiple meetings since our last Information Exchange. Regarding the Complete Streets Committee, they are looking forward to the vote we will have tonight. There is a provision in this policy for an annual review so they want to keep it alive and not have a dead document before us for many years. They are looking forward to the Council's vote tonight on the Complete Streets Policy.

Councilor Reighley mentioned they were unable to get Sarah Tracy tied in for one more meeting on the Short-term Rental Ordinance. He and Councilor Piltch are waiting for Caroline to summons them for a last reading of the document. It is ready and once they review it, they will move it forward and hopefully it will be on the agenda for the 15th of December. Chair Egan thanked Councilor Reighley for his patience, guidance and leadership on these two really important pieces of Ordinance language and process. The start of the Short-term Rental piece was probably almost 18 months ago and came from a couple of residents who noticed things going on in their neighborhood. He thanked Councilor Reighley for getting it to the point where the Council can vote on it at our next meeting and similarly for Complete Streets. We will have a vote on Complete Streets later in this meeting but both of those documents represent a true grass roots input from a broad section of our community. It is not just four people in a room deciding where things are going to happen which is the way our government should happen. Councilor Reighley thanked the volunteers in Freeport.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph mentioned he is in the Town Hall and it has been opened since Monday. They had a closure for about a week's time because there was a positive COVID exposure at Town Hall. A Town Hall employee found out that they had a positive exposure from a family member who tested positive. That employee went home on their own but was advised that they had to quarantine. It was the Wednesday before Thanksgiving so the Town Hall was closed Wednesday and Thursday. The employee developed symptoms over the weekend and later tested positive. We immediately talked with the CDC with what that meant and talked to the employee to ascertain their contact with the public. We were lucky that there were no contacts with the public. We have been keeping a list asking people to sign in so that was helpful even though we didn't have to use it. CDC issued the quarantine directive and they are all still under this quarantine until this coming Thursday. We had six quarantined and six that were not. We tested everybody before coming back to work and while it's not foolproof, but it is a pretty good sign that everybody tested negative. We are fairly confident that there was no spread at Town Hall as a result of that exposure. We are sending well wishes to our employee who is recovering as we speak. He is wearing a mask because the directive states that he is in a public building and has to have one on. All of our employees continue to do a good job and this is why we require a mask to enter Town Hall. We are doing it to keep people safe. He thanked everyone for complying and helping out. He also mentioned that they do a lot of things

COUNCIL MEETING #24-20

DECEMBER 1, 2020

remotely so if a resident needs a vital record, needs to get married or needs to register a new car they just bought or transferred into their name, they can come into the building or set up an appointment if they are not well enough to come into the building. Outdoors we can even go to their car. If anyone has anything that would make them at risk for COVID, they will see them outside. Most of those things can be accomplished remotely. It is less community opportunity for transmission. He thanked everyone in the public that has helped. Chair Egan is glad to hear the infected employee is continuing to improve.

Mr. Joseph reported that we have a short-term agreement with the Cumberland/Falmouth Farmer's Market. They will be going into the Bartol Library Building for at least a month, maybe two or three. They will see how it works for the first month but they are looking for indoor space for the winter. They will be open on Saturdays starting this weekend. We still have the building on the market for a long-term rental. He encouraged everyone to stop by and check them out. The mix of vendors might change from week to week but this group does the Cumberland/Falmouth Farmer's Market in the summer. He did not know the hours at this time. Hopefully we will get some long-term interest in the building with people sniffing around and maybe something will come out of it. Basically, we remain swamped right now, particularly in the Planning and Codes end of the building with the amount of activity going on right now and has been going on. Some of those employees have been out on vacation and due to the COVID quarantine and things like that. He thanked everyone for their patience. They are getting caught up. There is an immense amount of business coming through the building right now for some reason which is a good thing. This warm weather and extended building season is probably not helping out because some projects are just breaking ground as we speak. Nothing is frozen and there is no snow on the ground. It is one good sign for the economy but there are bad signs as well.

Councilor Bradley, being new to the Council, asked what is the state of the Town's economy? Are we okay? Should we be lobbying for money from the federal government? He has no idea what our current state is and asked if Mr. Joseph has a take on this that he could share.

Mr. Joseph explained that we are not as exposed and not in as much danger as he is seeing right now having gone through 2007-2009. This is not as bad from a Municipal perspective as what was going on then. In this point of time there are not a huge number of residential foreclosures and our residential property base is about 75% of the tax base. In 2008, a huge number of residential foreclosures happened because of lending problems and things on the bank end. It was a huge crisis for any state where their municipalities relied on property tax revenues heavily like Maine and Freeport does. We are not seeing that right now, but it is something we need to watch incredibly closely. He anticipates there will be some commercial failures obviously and some commercial tax foreclosures, but we are fortunate that the split is 75/25 so it is about 25% of our property tax base. If we were having a crisis in commercial real estate, it would be less of a panic thing for us from a cash flow perspective than it would be if we were having a residential foreclosure crisis. There is an exposure and we need to watch it, but it is not something that has him panicking right now. He is sure the Council would be the first folks to hear from Jessica and him during the budget process about what their projections are. We do have some shortfalls that they already put into the budget this past year for revenue sharing from State sharing of sales tax revenues which will obviously be down this year and meals and rooms tax receipts which will be down. They are watching that, but it is a small portion compared to our property tax revenues. New car registrations, and excise taxes are things we need to watch in this economic downturn to see how they fare. Councilor Bradley asked if it would be appropriate to ask for an update on that on a monthly basis and watch the revenues as they come in so the Council will have a formal mechanism for staying on top? Mr. Joseph agreed that it would be something fairly easy. He would be glad to do that. Chair Egan mentioned it could be a bullet point in the Town Manager's report. Mr. Joseph agreed.

SIXTH ORDER OF BUSINESS: Public Comment Period – (30 Minutes) (Non-Agenda Items Only)

COUNCIL MEETING #24-20
DECEMBER 1, 2020

Chair Egan explained to members of the public how to provide comments and to please limit their comments to three minutes.

Susannah Hancock speaking on behalf of the Sustainability Advisory Board, they would ask that the Town capitalize on the momentum and enthusiasm exhibited by many residents surrounding issues of zoning when the Town looks at the next Comprehensive Plan. 150 residents cropped up on Facebook as a result of the recent Bean proposed development. She understood from Chair Egan when he spoke to the Advisory Board two weeks ago, that it has traditionally been challenging to generate the energy and enthusiasm needed from community members ahead of the Comprehensive Plan. While we are not quite due for the next one quite yet, the process is likely commencing in the immediate foreseeable future and the Advisory Board is concerned that we stand to lose this resource of enthusiasm and passion if we don't build upon the current momentum now into long-term zoning and Town vision. As part of that Board, they are offering their services in any way that may be of help.

Chair Egan explained that the Council will have an Other Business discussion this evening on early steps to engage from a Town perspective to capitalize on the momentum and enthusiasm from an enormous representation group from our community on what comprehensive planning, zoning and future project development issues look like for our community. This is very timely. It will be a standing item for a while because it is going to be an engaged process for us to map out what the input looks like and creating a road map for getting to the Comprehensive Plan.

Jim Ahearne explained that he was pretty much going to address what Susannah just did. He thanked Chair Egan for servicing the conversation on the Comprehensive Plan. He also thanked the Council for all the work Councilors are doing.

Keith McBride of FEDC advised that they have to take a moment to acknowledge and thank an outgoing Board member who resigned abruptly upon his election to the Council. Mr. Bradley had been on their Board since 2014 until just this November. He explained all the projects Mr. Bradley was involved in over the years. He noted that their loss is the Council's gain and Freeport continues to benefit from the contributions and direction provided by Mr. Bradley. He thanked Councilor Bradley for his direction as a member of their Board. They really appreciated him and regret that they didn't do this in a Board meeting but it was rather quick the way things turned around with his election to the Council. He noted that Councilor Bradley is always welcome at their meetings. He also thanked the Council for giving him a chance to embarrass Councilor Bradley publicly. Councilor Bradley thanked Keith for his kind words.

Since there were no other speakers, Chair Egan closed the public participation portion of the meeting.

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

ITEM # 164-20 To consider action relative to adopting the December 1, 2020 Consent Agenda.

BE IT ORDERED: That the December 1, 2020 Consent Agenda be adopted.
(Egan & Reighley)

Chair Egan reviewed the items on the Consent Agenda for members of the public. Councilor Reighley mentioned that today at the Complete Streets Committee meeting, people asked why one appointment was filled but the second vacancy was not filled. when there were a host of people interested in serving on Complete Streets. Chair Egan noted he serves on the Appointments Committee and it was his understanding that we did not have an identification of other individuals from the pool of applications.

COUNCIL MEETING #24-20

DECEMBER 1, 2020

That was the appointment list that we had in front of us as the committee. If there are other members of the public interested in Complete Streets, they could certainly take that action. There was no effort to exclude anybody he assured Councilor Reighley. They tried desperately to try fill all the positions they had. Councilor Reighley feels that is what they wanted to hear.

ROLL CALL VOTE: (7 Ayes) (0 Nays)

ITEM # 165-20

To consider action relative to proposed amendments to sections 104 and section 413.C.5 of the Freeport Zoning Ordinance, which would replace “masonry” with “non-combustible” and “non-masonry” to “combustible” for the purposes of measuring setbacks, and add a definition for “non-combustible” to the ordinance, along with related changes. **PUBLIC HEARING.**

MOVED AND SECONDED: To open the Public Hearing (Whitney & Reighley) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Keith McBride of FEDC wanted to say that this is a good common-sense change in our Ordinance. It is speaking the language of the development community. The concept of masonry for fire protection purposes is a bit outdated. Updating it to non-combustible reflects the more modern building materials that a lot of people are using today. It is just common sense and our Codes Officer and Town Planning both agree with that assessment. He encourages this and hopes we can make some more future changes to help bring our codes and Zoning Ordinance into the modern era of construction so we are speaking the same language as some of the contractors and it makes good economic sense.

MOVED AND SECONDED: To close the Public Hearing. (Whitney & Reighley) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Councilor Bradley indicated he has no objections but asked are we still including masonry or are we excluding masonry? Mr. Joseph explained that this was originally raised on a side setback where we have a provision in the Zoning Ordinance where you can have a narrower side setback specifically in the Village District where buildings are on top of each other. This will still allow brick and mortar or cement block and mortar or stone and mortar type construction but it will also allow a whole slate of non-combustible materials that are just as fire resistant and safe but were not allowed previously. This actually generated from the side patio for the Arts and Cultural Alliance project.

Councilor Piltch mentioned that this is an applicant-driven thing from the Freeport Historical Society and asked what changes they are making that would make them request this change? Ms. Pelletier explained that the Historical Society is proposing to relocate an existing structure more commonly known as Frosty’s and then they are proposing to construct a new vault which they have needed for a long time. They wanted to have walls of steel construction which would be non-combustible but is not considered masonry so they decided it was worth it to them to come forward for the change so they could build with reduced setbacks. We have had similar requests for some other projects as noted for ACAF so Staff felt it made sense and used the terminology out of the Building Code and kind of left it vague so if there are new materials out there that evolve and are not combustible it will allow the opportunity to go forward. It does include adding a definition as well to support it.

Jim Cram, applicant for the original amendment confirmed that what Peter and Caroline said is accurate. He explained his history in the construction field and that he does have a building permit. In the spring they will start construction on the new vault in the same scale and size as Frosty’s barn. Councilor Reighley added that Complete Streets just approved two spots for the public vendor carts. Councilor

COUNCIL MEETING #24-20

DECEMBER 1, 2020

Lawrence mentioned he would like to find more situations like this in our Ordinances so we can expand those types of definitions. Chair Egan agreed and Mr. Joseph is confident the Council will be seeing a slew of these over the next five years.

BE IT ORDAINED: That proposed amendments to section 104 and section 413.C.5 of the Freeport Zoning Ordinance, which would replace “masonry” with “non-combustible” and “non-masonry” to “combustible” for the purposes of measuring setbacks, and add a definition for “non-combustible” to the ordinance, along with related changes be enacted. . (Whitney & Reighley) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

ITEM # 166-20

To consider action relative to setting a public hearing to discuss the establishment of the 'Nature-Based and Art Overlay District' - to include the following changes to the Freeport Zoning Ordinance:

- 1) Amendments to Section 104 – Definitions, Section 301 – Zoning Districts, 514 Off-street Parking and Loading, and Section 515 Noise Regulation, as proposed;
- 2) Creation of a new Section 428 – Nature-Based and Art Overlay District, as proposed; and
- 3) The addition of the newly created overlay district, identified as Tax Assessor Map 22, Lot 8 (95 Desert Road), to the Official Zoning Map.

BE IT ORDERED: That a Public Hearing be scheduled for December 15, 2020 at 6:30 pm via Zoom meeting to discuss the establishment of the 'Nature-Based and Art Overlay District' - to include the following changes to the Freeport Zoning Ordinance:

- 1) Amendments to Section 104 – Definitions, Section 301 – Zoning Districts, 514 Off-street Parking and Loading, and Section 515 Noise Regulation, as proposed;
- 2) Creation of a new Section 428 – Nature-Based and Art Overlay District, as proposed; and
- 3) The addition of the newly created overlay district, identified as Tax Assessor Map 22, Lot 8 (95 Desert Road), to the Official Zoning Map.

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 and the Town’s website. (Bradley & Reighley)

Chair Egan mentioned that we are simply setting the date for a public hearing. We are not taking any action this evening.

Ms. Pelletier advised that this has been before the Planning Board but has not been before the Council. It is for two parts. Part One would be a zoning map amendment and Part Two would be text amendments to the Zoning Ordinance. The applicants own the Desert of Maine and are on a 50-acre parcel. It has some campsites and functions as a desert. They are seeking a zoning change to create an Overlay District at that parcel. It would create a new zone. The underlying zone would remain the same. The Overlay would be

COUNCIL MEETING #24-20

DECEMBER 1, 2020

an additional layer of standards on top of the land area. They are proposing to amend the definition of campground to allow some structures which currently is not allowed there. They do have some size and use restrictions built into it. They have standards for the new Overlay District itself and they also had to amend the list of zoning districts parking requirements and noise regulations. Town Staff worked closely with the Town Attorney and the applicants to come up with the language that is before the Council tonight. There was a good amount of public input at the Planning Board meeting. She received about 30 letters in advance of the meeting and then had another 13 people come in at the meeting. Most people were in favor but she heard from an abutter that had concerns about traffic and noise.

ROLL CALL VOTE: (7 Ayes) (0 Nays)

ITEM # 167-20

To consider action relative to a bid award for a new wheel loader with or without a 5-year extended warranty to Chadwick-BaRoss of Westbrook, Me.

BE IT ORDERED: That the bid award for a new wheel loader to Chadwick-BaRoss in the amount of \$117,700.00 with or without the recommended 5-year extended warranty for an additional cost of \$4,313.00 be accepted.

Note: \$125,000.00 was included in the FY21 Recycling Capital Budget for the purchase of a new wheel loader. The total cost of the new loader with the 5-year extended warranty is \$122,013.00 This will be a saving of \$2,987.00 (Piltch & Reighley)

Chair Egan asked what would happen with the machine he was watching in action on Saturday while Suzanne was operating it. Public Works Superintendent, Earl Gibson advised that it would be traded in to Chadwick.

Councilor Reighley asked if the Council needs to approve it as the \$122,013.00 including the 5-year warrantee? Mr. Gibson explained that yes, they asked for that because more equipment is getting complicated with computer systems and it would be good for the Town to have a warranty.

MOVED AND SECONDED: To strike the words *or without* from the **BE IT ORDERED.** (Reighley & Piltch) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Chair Egan noted that the Council will vote on adding in the \$4,313.00 to the **BE IT ORDERED.** **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Chair Egan advised that we now have a total dollar amount of approval in the **BE IT ORDERED.** of \$122, 013.00 which includes the additional cost of the warranty.

ROLL CALL VOTE: (7 Ayes) (0 Nays)

Adam Bliss thanked the Council for the appropriation last winter. The machine they have has lived a long and useful life of 24 going on 25 years now. It was given to the Recycling Center by Public Works and we have certainly had our use with it at the Transfer Station. It has done double time during the pandemic. We are setting all-time records for bulky waste disposal. Our recycling tonnage rates are way up and it is a tremendously busy facility right now. Chair Egan is glad it is presenting some value to us as a trade in as old and beat up as it may be. It seems to be working pretty well. Mr. Bliss thanked Mr. Gibson for handling the bidding process.

COUNCIL MEETING #24-20
DECEMBER 1, 2020

ITEM #168 -20 To consider action relative to the adoption of a Complete Streets Policy by the Town Council.

BE IT ORDERED: That the Complete Streets Policy be adopted as presented.
(Reighley & Piltch)

Chair Egan noted that the Council has a copy of the Policy that was in our packets and he will open up the floor for comments or questions.

Councilor Bradley mentioned it would be helpful to him to know what this does so he can compare it to what it says. Councilor Reighley advised that the Complete Streets Policy is something that is now unique within our committee network and it is the actual working guiding document this committee will use and follow. Every year it will also include a review to ensure we are alive and active and not just doing something out of repetition. It is a document that has been very well thought out and involves language which is utilized throughout the country and one that hopefully others will be able to copy. He asked if that helps Councilor Bradley?

Councilor Bradley noted it helps but asked if this is a regulation that requires action or is it a policy that governs consideration of different projects? Councilor Reighley explained that the Council can just receive it tonight or can accept and approve what is in there. We have a number of simple steps but what we have right now is to adopt as presented.

Mr. Joseph explained to Councilor Bradley that his question hits at the crux of the conversation right before he came on the Council. This is specifically related to Town projects so his reading of it is a policy that kind of guides our development. Yes, that is really what it is. It is not a regulation. It is not hard and fast. There are no dollar penalties for breaking it like a Zoning Ordinance. The simplest way to think about it is that it is designed to guide municipal projects as we develop street projects so everything from a new street layout to rebuilding a sidewalk on a street and the things we take into account on how we do that. It is a set of guidelines for the Town Engineer, him, the Public Works staff, the Council as we are considering funding these projects. It prioritizes how we do and don't do complete streets projects and the steps we take if we decide not to make an inclusive complete street and just want to do a bad 1980s designed street it tells us we have to find for these reasons and do it now.

Councilor Bradley advised that when he read it, he found it had a lot of very specific references to standards elsewhere that would take a year to read them all. He asked if it gives us the discretion to reject any of those standards if the funding amount is too much for us? Mr. Joseph advised that it is obviously a consideration and is a decision that would have to be made at the budget level. It doesn't force the Council to do anything. We can still do bad street development. It is ultimately the Council's appropriation and his signature that gets projects done. This is just saying the Council is now telling Staff, please don't design a project without at least considering these things. If they come to you, they are going to have to say the reason they didn't put a multi-use path, sidewalks, crosswalks, etc. is because it is way too much money. That is probably a bad reason for them to give but maybe it doesn't fit because the right-of-way is only 25 feet wide and we can't put in all these additional features. It does ask us to have that conversation. If we are not going to do those things, we should have that conversation with the Council.

Chair Egan mentioned there was also a significant amount of conversation this fall on whether or not the Complete Streets Policy applies to private property development or is it just public infrastructure. We are starting off that we are going to test drive this and initially adopt it and

COUNCIL MEETING #24-20

DECEMBER 1, 2020

move it forward in public processes. The origin of the Complete Streets Committee was for those committee members to start looking at transportation and circulation within our community on transit methods beyond the automobile. All of our road language and our land use ordinance related to streets and roads was entirely oriented towards navigation of an automobile. Those streets and roads are used by a number of other methods, walking, strollers, scooters, motorcycles, etc. so that was one of the origins where that conversation came from was the community. If we are out here building roads and spending public money, we should be including and thinking about larger constituency groups than just people behind the wheel of a car. The document that you have here is at least two years in development and largely shepherded by Doug Leland who chaired the Complete Streets Committee and did an enormous amount of work in moving this forward. It is a guiding policy at this point and is not meant to be regulatory punitive. It is to give a voice to this committee to inform Town decisions and public spending as it relates to roads and navigation ways. Mr. Joseph added that ultimately the decision is always with the Council on what to budget for and build but it leaves the Complete Streets Committee in there to make a recommendation if we are going to waive any of our standards.

Councilor Reighley explained that when he started as liaison to Complete Streets three years ago it was known as Traffic and Parking at that time. The Ordinance in Traffic and Parking was one page with a lot of headline topics with nothing filling it in or any definition or concept. What we are doing now is we are filling in a lot of blanks with this Policy. We will see this coming true with more and more ordinances within the Town. It will offer a lot more guidance and give us a much better direction.

MOVED AND SECONDED: To adopt as presented. **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Chair Egan thanked Doug Leland and Councilor Reighley for their efforts.

OTHER BUSINESS:

1. Discussion regarding bicycle/pedestrian improvements on upcoming MDOT bridge projects on Mallet Drive and Desert Road, including discussion of potential special election and potential bond issuance to fund Town portion of project costs.

Chair Egan mentioned that the Council has had a lot of conversation about this coming forward with a number of citizen-driven groups. We have presentation information in our packets including some e-mails subsequent to the mailing package that describes the improvements that are proposed. There is a cost sharing requirement for these improvements and initially we were quite surprised at the relatively short timeframe that the Council had to consider for funding those improvements and cost sharing. The Council has worked out a plan to have a special election likely in early March that includes the potential for a bond vote. The purpose of the election would be for the town to endorse a bond in the round number of \$1.2M which will get further conversation this evening. There is a broad and diverse constituency group from our community that has heavily encouraged and endorsed improvements and one of the many compelling reasons is that there is a 75-year window that will close at least when MDOT goes ahead with bridge improvements starting late in 2021 and building in 2022 that if we don't get our elements included and participate in a cost share for those elements, it will be another 75 years before we have another opportunity to address these two vital connectivity roads between the east side and the west side of our

COUNCIL MEETING #24-20

DECEMBER 1, 2020

community over 295. We have a number of informative materials and have had significant discussion about this previously at the Council. However, this is a new Council and we have two new members and he does not want to short the opportunity for our Staff to present information we have gone over previously. We do have two other items following this. He would like to keep this to a half hour but it is an opportunity for us to be talking about how we can get comfortable with the opportunity here to cost share with MDOT in bridge improvements for bike and pedestrian access on these new bridges and more importantly to also work on the details of how we can spread that information across our community and build some momentum and enthusiasm for an election in early March which is way out of sequence from our normal voting processes and would be focused on this one single item.

Mr. Joseph explained that these two specific construction sites that are part of a 4-bridge package that MDOT is doing as one project. We have the two bridges in Freeport at Exit 20 and Exit 22, the overpasses over the highway specifically. You can get from exit ramp to exit ramp on both of those bridges plus a little bit beyond the exit ramps to what is existing there. This also includes the overpasses on I-295 over Route One at Exit 17 in Yarmouth. Two separate bridge projects but we will not be talking about those but they are part of the entire project MDOT is doing so it is four bridges in one project. This is being funded with federal dollars and all of the hurry up pressure that both the State and the Town are facing is due to specific deadlines from the federal government on how those dollars have to be spent and how they have to be advertised and noticed and things like that. There is a very strict guideline for this grant which will fund the majority of all four of these bridges. There is a strict time that has to be followed which is why this is a middle of the year decision for the Council to make. It cannot wait for the budget process in June because they will be putting this out and awarding the contract this summer so they have to design now which is why we are facing this question now. MDOT as part of these four projects will replace the bridges over the overpasses. At the Desert Road Bridge, they will include a sidewalk separated from the travel lanes because there is an existing sidewalk adjacent to the bridge and plans from the town to expand the sidewalk across the bridge to the Desert Road neighborhood. That is included in the bridge project with MDOT. They will not build a sidewalk at Mallett without a cost share from the Town because currently there is no sidewalk on either side of that bridge. They will also not build without a Town cost share a multi-use bike path at either of those bridges so those three components, sidewalk at Mallett Drive or/and a multi-use path at Mallett Drive, and a multi-use path as opposed to just a sidewalk at the Desert Road Bridge. All three of those have financial implications to the Town should we choose to move forward with them. The current estimate from DOT is about \$1.2M for both of those bridges and hang a 10-12-foot-wide multi-use path off of the north side of Desert Road and the south side of Mallett Drive and connect that path into the existing sidewalk structure at Desert Road and into what will essentially be a path structure on Mallett Drive. There are other options beside bond financing. Bond financing per our Charter requires a referendum vote. The Council could decide to open the checkbook and write a check for \$1.2M in the middle of the year outside of the budget process but he, the Finance Director and pretty much everybody that looks at that idea as well as the Council thinks it is a bad idea and don't recommend it. This project does lend itself to bond financing. The lifespan of the bridge is expected to be 75 years so a 20 plus or minus year bond would be completely appropriate to finance this and would be well within the expected life of the project. We have a very low debt load right now and bonds are at a historic low and look to remain that way in the near term.

The last time the Council discussed this it favored putting it in front of a referendum to the public so voters could decide whether to bond. We need details we need feedback on so he and the Town Attorney can craft the specific language used to call that election, but we may need to talk about generic project

COUNCIL MEETING #24-20

DECEMBER 1, 2020

questions first before he talks about the specific feedback he needs from the Council.

Councilor Reighley asked if the \$1.2M includes all the connections to all the different trails or are we having to have more connecting pieces later? If we are going to bond something, we should bond it for the full amount rather than trying to get the rest of the money for the rest of the items later. Mr. Joseph advised that the Desert Road Bridge will connect us to the existing sidewalk, the crosswalk and the stop light as you move towards Shaw's from the Interchange. It will not connect us on Mallett Drive and it can't because we are nowhere in our design process being able to give the Council a number. That is 3-5 years in the future. It will not connect Mallett Drive but DOT does require a forward-thinking plan of how it is going to connect. While a lot of the visioning has been done, we are not at the process where we could add another million or two or whatever it needs to be to this bond project to create a sidewalk or bike path down Mallett Drive.

Mr. Bliss pointed out that there is a strategy for determining the amount bonded if that is the will of the Council. If we can demonstrate to the DOT a form of consolidated planning documents that he has been working on, that tells a story of Freeport's commitment to building infrastructure that connects into the bridge crossings, then our cost responsibility goes down. It is a sliding scale at the Department's discretion up to a maximum of 50% cost share.

By comparison, Desert Road which already has infrastructure in place, the cost share is zero for a sidewalk to go across Desert but 50% if we widen that to become a multi-use path. Chair Egan added that we also have planned infrastructure bike and pedestrian pathways on the west side of that interchange as a result of some additional developments that are happening over there. There is a catcher's mitt on the west side too for people walking or biking over that bridgeway. Mr. Bliss displayed three slides providing vision coming out of Active Living and Complete Streets Committees that he feels ties in what we heard from Mary Davis earlier tonight. Mr. Bliss screen shared three slides quickly and described what the Council is looking at.

Chair Egan asked what sort of endorsement does Mr. Bliss need for the concept alignment of connectivity in our community in terms of them being endorsed or adopted in order to demonstrate to DOT that there is actually planned, approved and heartily endorsed infrastructure coming to these two locations so we can reduce our cost share on the bridge improvement. Mr. Bliss mentioned he asked that same question to the DOT. He took those planning documents, the Active Living Plan, FEDC Vision 20/25, a build a bridge design charrette and committee meeting minutes, budget appropriations past and future and developed a story map. It can be thought of as an interactive presentation with map-based features built into it. They said if he could provide them with that story map showing a commitment by the Town to connect into the bridges and provide Council meeting minutes that show support for those connections, that would suffice. He has assembled that map and presented it to members of the Active Living and Complete Streets Committees. He and Mr. Joseph have written a letter requesting that the Department consider adding the additional infrastructure across the bridges and what we are looking at is an appetite by the Council for the connectivity into the bridges. Chair Egan asked what kind of a deal do we get if we can convince DOT that we as a community are endorsing the vision and connectivity, not that it is entirely driven by the dollars here, but if we have the ability to convince our general public members of the community about why we are asking them to vote in March on a bond for bike and pedestrian trails, it would help a lot if we are able to say we are able to negotiate additional cost savings by showing them the work that has been going on which is not insubstantial by any means. There are fabulous illustrations here of what is being

COUNCIL MEETING #24-20

DECEMBER 1, 2020

proposed and contemplated by the various committees. What roughly is the savings in our cost share that might be available if DOT goes along with it.

Mr. Joseph noted his understanding is that we need this to get to \$1.2M. We will have to have a firm figure before we can put this out to vote. The vote to call the election cannot happen on the 15th. It will have to happen later and is not relevant to tonight's conversation. What Mr. Bliss is trying to show is a sales pitch to DOT. It won't get us to the 50% cost share for the bike/ped sections. If they don't like what they see, but he thinks they do, they would have told us to go away, we don't have a chance if that was the case. If they didn't like what they see, for example, they could have indicated that it is all on us and it would have been closer to \$2M or \$3M in that case.

Mr. Bliss advised that the \$1.2M figure was developed by the DOT and assumed 100% cost responsibility for the Mallett Drive crossing. If we can demonstrate we are committed in a reasonable time frame of connecting into that crossing, that 100% can drop to up to 50%. Mr. Joseph feels we need to ask the question. Mr. Bliss feels there is enough evidence that demonstrates that commitment beyond just planning documents but also within our 5-year Capital Plan. Mr. Joseph asked Mr. Bliss to get DOT prove him wrong and have them come back and say it is less than \$1.2M, he would be the first one leading the charge. Getting back to Councilor Reighley's question, Mr. Bliss noted that if there is a reduction in cost responsibility at Mallett Drive, that would most likely be offset by infrastructure built on Mallett Drive in the form of a multi-use path or sidewalks or safe routes to school crossings but we also need to be aware that the Mallett Drive repaving project which will become a Complete Streets Project will be happening in the next 2-5 years. That work is inevitable. We are still in the planning phases. He has a meeting next week to look at safety concerns. He is working with PACTS to conduct these field evaluations. Mr. Joseph recommends putting the Mallett Drive project into the Capital Program and consider it. It is not a mid-year emergency and shows good faith to the public. The Council can recommend a bond as part of the Capital Budgeting Process and have a separate referendum at the next election. Where it is not a pressing need, the most appropriate way to do it would be to put it into our Capital Program and have the discussion there. We would already have the answer to the Desert and Mallett Drive Overpass questions from the public at that point of time in March/April.

Councilor Reighley pointed out that everything we have asked for in these two projects the State is willing to do. Nothing has been eliminated. All he wants to do is that the Active Living Committee and the Complete Streets in their design of the trails and pathways which will become the alternate ways of travel within our community is addressed at the same time. Councilor Lawrence clarified that Councilor Reighley is saying bond if we can now. If it says \$1.2M, we say it is going to be \$1.5M and then if we get the extra 50% on Mallett Drive, we can throw that into these construction projects. Councilor Reighley agreed. Councilor Lawrence noted it is not just the base, it is all of it and if we do that, the State has got to come back and say, "you are committed to this and we see what you got." Councilor Reighley added it is like when you are building a house, and you put the basement on too.

Mr. Bliss to further answer Councilor Reighley's and Chair Egan's question, if we can group these projects together, we will most likely receive lower prices building them all together at once associated with the bridge project rather than piece meal building them individually over different points in time. The DOT asked us if we had a preference when the bridges were built. His reaction is let's not prioritize Mallett because the construction is over a 2-3 period, it is still to be determined, let's push Mallett Drive after Desert and Exit 17 so we can hopefully coordinate the paving project of Mallett with the bridge

COUNCIL MEETING #24-20

DECEMBER 1, 2020

work, again in the interest of economies of scale.

Councilor Piltch noted he thinks Councilor Reighley is saying increase the bond and also include the non-bridge work at Mallett Drive, which is different than Mr. Joseph's suggestion to bond just the bridge work and we already have some money set aside in the Capital Program and we will revisit it in the spring. We already were planning to do some repaving on Mallett Drive so let's pay for that out of our Capital budget and bond only the money we need for bridge work. As for the amount of the bond, if we stick to just bonding bridge work itself. We don't know for sure but it will either be \$1.2M if we fund 50% of the 12-foot multi-use path at Desert Road and 100% of the multi-use path at Mallett Drive. If we can convince DOT our plans are to really to connect a multi-use path at Mallett Drive, there is an opportunity where they may end up contributing about \$300,000 more in cost share so our bond will go down to around \$900,000. Mr. Joseph agreed. He is not saying don't build them at the same time and he is not saying we don't end up bonding a future road construction project whether it is Mallett Drive or some other project tied to this. That would be easy for us to figure out when we are in our Capital Budget process and looking at our reserves and whether we are going to have money to put into Capital project this year. That would be a more informed time for us to make that decision. If we do end up bonding the projects, we would issue them likely in the same bond issue anyway. The bonds could go a full year before we need to issue them because of the construction timing. There is a lot of lead time where we can combine projects and look at financing and fine tune the number. If the number goes down, for example, we have had conversations about when the newly approved TIF financing is going to start rolling into that TIF account and whether that would overlap this project being approved and the bond being issued. If that happens and there is money for the Town to use, even if it is \$100,000, and the Council chooses to use that money, we would simply bond \$100,000 less and offset it with tax revenue we already received. All of that can happen moving forward. The one thing that cannot happen moving forward is us telling DOT in the next three months or less, whether or not we are committed to spending up to X\$. We have to give them a hard commitment. We have to have a vote from the public in our back pocket that we can then draw down. The Council has to vote to appropriate that money and Staff can write a check in the future before he can sign a contract with the Council's permission to share this project with DOT. Without any of those things he cannot promise DOT three years from now that he can hand them a check for \$1.2M.

Chair Egan wanted to check back on two things. We have been talking about this for a while but we have two new Councilors and asked them if they feel they are in the loop here in terms of what we are moving forward on and give them a chance to ask questions. He then wants to get a temperature reading on the opportunity for the Town to work with GPCOG that might be able to help behind the scenes with developing a campaign for our communications. They can't actually be associated with a campaign but an effort for us to have communications between now and the election time so we can share information with our community.

Councilor Daniele explained that he has been on Active Living and worked with Mr. Bliss. He feels he has done a phenomenal job. Those maps have come a long way and the graphics are wonderful. He thanked him for doing that. He asked if it is possible to have voter fatigue if we don't ask for extra funding right now? If we ask for \$1M or \$1.5M or something that gets us the bridge work and every couple of months we ask for another million. Would it be better to say, we have this vision of a connected Freeport and call it Connect Freeport Bond and say this is what we can accomplish and show Mr. Bliss' slide. His question is should we shoot higher? Mr. Joseph responded and mentioned if we were not under a time crunch from DOT to get them an answer in 2-3 months, he would say absolutely it makes all the

COUNCIL MEETING #24-20

DECEMBER 1, 2020

sense in the world even though we are under a time crunch. His question is if we can come up with a defensible number and explain to the public what it is for. He feels it makes all the sense in the world to bond these long-term transportation projects at today's rates. He just does not know if we can explain it in two months with everything that is going on right now. Councilor Daniele doesn't want people to vote no because it is too much money and we lose the bridge. He asked if it was possible to do two bonds? Mr. Joseph noted they can structure it however this Council pleases. Chair Egan added that we have one more meeting to hash it over and get to a general plan and go through out process, etc. You can't have an election on two weeks' notice. He appreciates the efforts here to try and get as much under the tent as we can while we have folks coming to the fold but there is some balance to that perspective in terms of being able to demonstrate what we actually have plans for and what is still in the visioning stage.

In trying to put Councilor Daniele's mind at ease, Mr. Joseph advised that for the Mallett Drive project, it is on the 3-5-year horizon before we would need to write a check. These bridge projects are on the 1-2 -3 year horizon before we would be writing a check but we need the appropriation now to give DOT the commitment. For the Mallett Drive projects, we don't need a decision from the voters or the Council for an appropriations decision for 3-5 years to start the paving project. That would be less likely to have voter fatigue if it is spread out. Chair Egan pointed out we want to be transparent with our constituency and feels it is perfectly reasonable to say we are going to ask you to commit to a dollar amount now so we can take advantage of the cost sharing leverage we have with DOT but here's what is coming. We will be talking with you about additional expenditures and additional budget capacity and potentially additional bonding for these other items and get everybody talking about the larger big picture which is the connectivity between the east and west parts of our community and the importance of having non-automobile pathways. He wants to be able to rely on professionals to work with us to be able to tell that story and paint what that vision is. It's the larger picture and it is a lot for the general public to digest in one bite but he doesn't think it is a reason for us not to be sharing it. It makes sense for us to be sharing it in stages so people can digest it in smaller bites upon their actions at the polls to make a vote.

Councilor Bradley noted he was not involved in the earlier discussions to figure out what the Council was being asked to do tonight. When he came here, he thought the Council was being asked to talk about what scale of improvement we wanted to fund on the two locations where the bridges were going across Mallett Drive and Desert. His questions related to the different options we liked and what did they cost but he didn't see any consistency in the documents he was provided so he could answer those questions off line. He asked in order to deal with DOT and get the deal we might be looking for on the concession on cost sharing, what kind of commitment do we have to make to the larger visions that Councilor Daniele and Chair Egan seem to know all about and he just saw on a few maps that Mr. Bliss put up and he has never seen before. Is it a binding legal commitment that we have to make to go forward with that or is it just to show we are thinking about it and it is in process? Chair Egan recalled that the binding commitment is that we are going to pay for the cost sharing improvements that they are going to design and build on the bridge. If we are going to participate with them in cost sharing, we have to at least commit to roughly the \$1.2M. Councilor Bradley advised that he is 100% for all of this. It makes perfect sense. He has been involved in a number of things with the federal government. Sometimes you say one thing and it means we are working on it and they think you are committed to doing it. He asked if the story plan is a representation to the DOT that this is what Freeport will do or is this a story plan that shows what we are thinking about doing? Mr. Bliss advised that we are very clear in all our documents that it is not a commitment and we are very clear about that.

COUNCIL MEETING #24-20

DECEMBER 1, 2020

Chair Egan advised that we have seen parts of the plan but not in a formal presentation which is precisely why he is talking about have a compelling precise crisp message between now and March whenever we have the election so that the general public has that same idea. Now they will know what they are voting on. They will be voting on our participation in a cost sharing and look at the larger picture of what we have of this investment in infrastructure brings us and we go to the larger map of being able to use a bike or your feet to go from various parts of our community which are isolated and sectioned off now.

Councilor Bradley mentioned that when he looked at the documents, he was given for this meeting there were basically three options for each location, the standard bridge, one was a standard bridge with rights of way for pedestrians and a 6-foot sidewalk and then the third option was the standard bridge with 6 foot right of way for bikes on both sides and a 12-foot intermodal and there were different numbers associated with each of those options. He believes the \$1.2M number includes a determination that the 12-foot intermodal is the right way to go at both locations and he didn't know if this had already been decided. The numbers for both are really significantly different and if you were willing to stay with 6 foot, you could cut the number down to \$800,000 for our cost sharing without going through what is being discussed showing the DOT. If we go to the lower number, he could see a really good reason not to go to bond. Save the bonding for the larger projects later on. He thinks \$1.2M for the bridges is a lot of money and we can probably get it passed but it will take a concerted campaign to get it passed. He shared his experience with ACAF. He asked if there is enough benefit for the 12-foot intermodal at both locations to pay \$1.2M or something like that? He is aware the Council has talked about this and knows what it wants to do and he will go along with what the Council votes. He did not want to say yes, without asking if these things had been considered.

Mr. Joseph advised that the previous Council had given a head nod to go ahead with preparing a bond issued for \$1.2M question to go before the voters. That does not matter at all because the previous Council is not going to vote on it. This Council will vote on it. It was moving towards that but if the current Council does not want it, it is fine to say, no. Councilor Bradley noted he trusts his fellow Councilors and if they feel this is the right way to go, that's the right number. He cautioned that this is a large amount of money for Freeport for this purpose alone. He didn't feel the need to have the discussion again. Mr. Joseph mentioned that the materials that had the options was carried over from the last Council packet. He explained that if we are talking about \$1.2M, we are not committing to doing any additional work to get that cost share at \$1.2M. If they say they are willing to go lower on our end, that is a much different question. Hey, are we going to spend \$700,000 or \$800,000 and commit to do this additional \$1.2M? That is a much different question than he is suggesting the Council put forward to voters and it warrants more discussion than we can have here tonight. Chair Egan answered the question on why we are spending \$1.2M on improvements that do not lead to anything tangible right now. That is a part of the argument about why we are making the investment in the bridge is because there is a plan and there have been a lot of constituencies coming forward to participate in the planning of those, granted they are in small pockets but we need to tell that bigger story. Councilor Bradley noted he is all for connecting both sides of our town. Councilor Lawrence added that he has lived on both sides of Freeport and now he lives on Hunter Road. In 2003 he thought that these bridges are terrible. He couldn't go to the Pownal Road Fields on a bike. Living in the Village was great. He found it scary to have his daughter bike down to the Harraseeket Yacht Club. He asked why is the town separated by the highway? We need to fix it and this fixes it. In the next 70 years when this bridge needs to be replaced, we will get the same bridge. Having

COUNCIL MEETING #24-20

DECEMBER 1, 2020

the extra width makes sense. It is a large amount of money but this is the way we should go.

Councilor Daniele added that we do have the TIF funding coming in so we actually have mechanisms to pay for this stuff. He believes connectivity is part of what it was earmarked for. We should make sure the bridge looks good. More discussion followed.

Mr. Joseph added that the Council needs to determine if there should be one question for the bond issue or two questions. Chair Egan advised that it is one DOT project and again we don't want to get to a place where we are choosing one part of the community over another. Other Councilors agreed it should be one bond but Councilor Bradley didn't chime in yet. Councilor Daniele asked if we could ask for \$1.3M to be safe? He would hate to be a little short. Mr. Joseph indicated we are around \$1.2M but he would suggest adding 10%. Councilor Lawrence agreed we should add a little buffer so we don't get caught short. Councilor Piltch noted that we should all be prepared to ask the question Councilor Bradley asked tonight especially on Mallett Drive do we need a 12-foot-wide path when there is nothing yet to connect to? He is in favor of it but we should be prepared to justify if we want to support it. He would like to have help in communicating our message out and explain why we think the project is important. He thinks Active Living has folks that volunteered to help. Chair Egan has talked to GPCOG and learned that it may be \$2,000 or \$2,300 in order for them to commit staff time to work with Adam Bliss and Mr. Joseph in terms of the materials which he feels is a very wise investment. They are already a part of our planning process with PACTS and they have an initial conversation with them tomorrow to outline what that might look like. He will have a better sense of that number after they talk to them. Mr. Joseph has the ability to work with a dollar amount at that level for a consult input. He wanted to make sure the Council knows we have that option and he will try to pursue it before we engage with any signed contract.

Mr. Joseph advised that the path on Mallett Drive will be connected to the shoulder but it won't be a seamless 12-foot path. It is going to be a 5- or 6-foot shoulder where they stop with the construction project. Chair Egan pointed out we are talking about a 75-year vision and we need to plan for a number of things we can't even imagine what might happen over at the west side of town that might involve foot and bicycle traffic. Councilor Bradley mentioned that a 75-year window on the bridge makes it a no brainer and if the Council buys 12 feet, he buys 12 feet. He is a little less bullish on one bond as opposed to two. He may be concerned about the vote. He cautioned that the Council should not sit and expect the public to understand what you see the benefits are. The Council should tell them what the benefits are. He suggested that the Council campaign for this thing.

Chair Egan noted that the action plan for our next meeting would be to propose language for a special election with the bond dollar amount he has better insight on after communications with DOT and we will go from there and set the election as late in the winter as we can get away with DOT to give us more chance to conduct this education effort with our community. Mr. Joseph noted the date could be as early as the 16th. He feels a Tuesday election works best but it is not required but it is our common practice. He needs everyone's perspective so he will have something to propose. We will have to have a public hearing. Mr. Joseph advised that he will have a discussion with DOT to see how late we can make it work with them. Chair Egan noted the later the better because it would give us more time to spread the word. Mr. Joseph pointed out that if late March is a possibility, he may not put this in front of the Council just for timing sake because it will be a lot of work to get those orders ready for the Town Attorney.

COUNCIL MEETING #24-20

DECEMBER 1, 2020

2. Discussion regarding upcoming Comprehensive Plan update process

Chair Egan advised that he specifically asked to have this on here to take advantage of what we heard about earlier in the FEDC commentary and what we have individually been receiving in e-mails, phone calls, and voice calls from constituents about the large project that was proposed earlier this fall on land surrounding the golf course. He attended the Planning Board meeting where there were over 100 participants who commented to the Planning Board. Comments there as well as in information he has received indicate there are a lot of people who said how can this happen; how can we get involved and how can we learn more about what zoning is. There is a window here in his opinion that is open for us to have a larger conversation about incorporating a huge swarth of our community who now in the face of a potential project which people may feel one way or other about, has an interest about what comprehensive planning as a community looks like. Even though our Comp Plan is not due for a little while, it is a great opportunity for us to take advantage of the momentum that is out there. There are social media groups, constituent groups, business groups, FEDC has already identified a number of constituent groups who are interested in participating in this. He suggested taking advantage of it. There is no penalty for us to start having a community input process on comprehensive planning as it relates to updating zoning. We heard our Planner earlier this evening say that Staff are bringing elements of zone change language edits identified by applicants. Let's go further and take a comprehensive look at those opportunities while we have the window of all of this interest in the overall process, he is interested in getting some groups identified and some meetings scheduled so we can start convening and getting this public process. It is encouraging. It is the first time in his 5 years on the Council of hearing a huge amount of people that want to participate in the public process. That was the reason for having this on the agenda. He would love to hear other Councilors' perspective on this dynamic.

Councilor Pilch mentioned he would love to get more information on the comprehensive planning process and what is about to come before the Town in the next couple of years so that he can respond to all the folks that are interested. Chair Egan advised that all communities in Maine are required to go through a Comprehensive Plan process. Many times communities do not have Staff capacity so there tends to be to use one of the many consultants that have responded to this cottage industry demand from communities to write a Comprehensive Plan and there are plenty examples of a perfectly compliant and relatively boring and non-controversial comprehensive plan process which will meet all the State requirements and potentially fall short of what a community talks about in terms of a vision but it is done and it is not a lot of money spent on a consultant and it gets it out of the way and the Town can go about doing other things. On the other end of the spectrum is the opportunity to work with small constituent groups that are part of a larger web that are looking all of the different issues that a community has to understand. It would take somebody with a particular skill to take all those dynamics and weave them into a document that goes through numerous iterations and public presentations. It will range from density, zoning, parking and what do we do about housing versus commercial, green space versus a planned unit development. There is a potential for a community to completely reinvent its zoning process and enter into master planning for various elements of the town that are right for development. Tonight, we are just starting to talk about it.

Caroline Pelletier, Town Planner noted in more recent times even before the events of the fall, she has been hearing from the community that they feel it is time to update the Comprehensive Plan. They "expire" after 12 years and the State officially thinks the status goes to unknown. Officially the status of

COUNCIL MEETING #24-20

DECEMBER 1, 2020

our plan would change to unknown in 2023. As soon as we brought our Assistant Planner on board, we started searching what other communities are doing and how they are getting these things done. This summer we reached out to the State of Maine and requested a data package and we just received it at the end of October. We haven't had a chance to go through it. It is on the State's website if anyone is interested in looking at that. She has been reaching out to other communities. Less and less of our neighboring communities are doing entire Comp Plans in house which is how we did our last one. They usually use a consultant and the price tags are anywhere from \$40,000 up to a few hundred thousand dollars. GPCOG will work with communities for a fee to update some of the data and inventory parts of the Comprehensive Plan. The Planning Board has a meeting scheduled tomorrow and they were going to talk about the Comp Plan. They are hoping in January they can go to them with a rough outline as to the steps we might take to achieve this. They agree with the Council and the community that there seems to be a desire to get going on this. It is great to see the community involved and passionate. A big part of the Comp Plan is surveying our community and our stakeholders to see what they like, what they don't like, what they want, what they don't want. They have \$25,000 in this year's budget that they can put towards Comp Plan work and that might be a good first step for Freeport to take when we have a lot of momentum. There is a lot of different talk going on in Freeport and different moving parts. We want to make sure we coordinate so people know where to share their opinions, when and what they are contributing to. She feels that together we can definitely achieve that.

Chair Egan noted we would not be taking any action this evening but he wanted to bring it up as a topic we will be talking about at meetings going forward through the winter because of the opportunities we have with a lot of community interest and investment in participation. Historically, the Planning Board has been driving the Comp Plan process, but Ms. Pelletier feels it is up to the Council on how it wants to get this done to reflect what is important to the community.

Councilor Whitney feels it is important that she and Mary Davis to get the community's input because that is what it is all about. Having a consultant to steer us down the path is the fastest way to get there. She feels we are moving in the right direction at the right time. It is so impressive to see Freeport coming together in times of COVID. It is great to see people coming forward and hearing their opinions. She loves collaboration!

3. Presentation of FY20 audit results

Jen Conners of Runyon, Kersteen, Ouellette advised that the audit went very well. She thanked Jessica and Staff because once again they were well prepared and very accommodating. This year was especially challenging and they did most of the audit remotely. They were on site one day to do testing of the more document-intensive parts of the audit. The staff of the Town did a lot of gathering of information and scanning documents for them and they appreciated the flexibility they gave them.

She displayed graphs and explained them. She mentioned that the Town did not have any significant deficiencies. They didn't even have any minor recommendations on ways the Town could improve on its internal controls. Across the board, it was a very clean audit. She offered to answer questions and more discussion followed. Ms. Maloy provided answers as well.

Councilor Reighley thanked Ms. Maloy and her team and for the great work in presenting a budget we can understand and all the employees who are being fiscally responsible. Chair Egan echoed that completely where we are being very responsible with public investments while we are also making

COUNCIL MEETING #24-20

DECEMBER 1, 2020

investments in our community. He thanked Ms. Conners for a crisp illustration on how well we are doing with leadership from Peter, Jessica and the other Department Heads.

MOVED AND SECONDED: To adjourn at 10:05 p.m. (Reighley & Whitney)

ROLL CALL VOTE: (7 Ayes) (0 Nays)

Respectfully submitted,

Sharon Coffin, Council Secretary