

MINUTES
FREEPORT TOWN COUNCIL MEETING #14-20
FREEPORT TOWN HALL COUNCIL CHAMBERS
TUESDAY, JUNE 16, 2020
6:30 p.m.

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	(at 6:40 p.m. joined by video and audio)	
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. Councilor Reighley had not yet joined by video but all other Councilors checked in as well as Town Manager, Peter Joseph. At 6:40 p.m. Councilor Reighley did join by video and audio.

FIRST ORDER OF BUSINESS: Pledge of Allegiance

Councilors directed their eyes to Vice Chair Whitney's flag and recited the Pledge.

SECOND ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #13-20 held on June 2, 2020 and to accept the minutes as printed.

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #13-20 held on June 2, 2020 and to accept the minutes as printed. (Tracey & Horne) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Reighley) (0 Nays)

THIRD ORDER OF BUSINESS: Announcements

Chair Egan announced:

- The Primary and RSU5 Budget Validation Election will be held on July 14th, 2020. Absentee ballots are now available by going to <https://www.maine.gov/cgi-bin/online/AbsenteeBallot/index.pl> or contacting the Town Clerk at 865-4743 x123.
- Please be aware that due to the pandemic, all Fourth of July activities have been cancelled this year. In addition, the Annual Clean Up Days which usually occur in June have been postponed. Currently plans are being made to reschedule the Clean Up Days for some time in the fall.

Councilor Reighley advised that our Town Clerk is anticipating 4,000 absentee ballots this year. Chair Egan noted that the Town has made it easy to do absentee ballot voting ahead of time as opposed to waiting in line on the day of election, July 14.

FOURTH ORDER OF BUSINESS: Information Exchange

Councilor Horne advised that the Active Living Committee has met a few times in the past couple of weeks. They are working on an item called Connect Freeport so it is something people will start to hear about soon. It is essentially an effort to put together a visual presentation of some of the assets that Freeport has and map them in a way that the general public can look at them. It also has a way to help people's imaginations think about the future particularly if we are able to connect the two sides of Freeport through the two bridges. It has been an exciting project. Our Town Engineer has been helpful bringing software to bear which he mentioned at the last meeting. It is getting closer to a point where it will get tested and hopefully, we will have a chance as a Council to view the final product. He asked the Council to stay tuned. He feels it is a neat step forward for reconnecting our town since 295 split it into two.

Vice Chair Whitney mentioned that she is on a working committee that is in the process of shutting down vehicular traffic for a small chunk of Main Street. Caroline will give us more details later. It will allow us to be safer and further apart from one another but yet fun. The committee is hoping to get this done so we can put this in effect the first weekend in July. She is confident it will be a great energy booster for our downtown.

Councilor Piltch announced that our Freeport COVID Small Business Loan Program is up and running as of June 8th. Applications are on the Town's website and small businesses can apply for a \$5,000 loan and an opportunity to come back and apply for another \$5,000 loan. Keith McBride of FEDC is a good contact person to help get this organized. They have received one application to date and the Loan Committee consists of him, Vice Chair Whitney and Mary Davis, from FEDC will be reviewing it tomorrow. Jessica Maloy is assembling the applications and giving them guidance. They encourage small businesses to apply. The other item he has is the Forum with the Police Department and the Town is tentatively scheduled for next Tuesday, June 23 at 6:30 p.m. via Zoom. It is open to the public and is meant to be a combination of an information session from the Police and the Town to help the public understand what our Town policies are and to open up a discussion on anything that the public would like to address and discuss. It could be followed by additional forums.

Chair Egan thanked him and Vice Chair Whitney for getting the Loan Program together so quickly and it is great to see we have applicants coming in to take advantage of an opportunity to get a low-cost loan while we wait for the economy to turn around. He thanked Councilor Piltch for his efforts to head up the Police discussion and open forum. It may be a little clunky, as all these conversations on Zoom are. This will be the first of hopefully several of these opportunities for members of the public to understand the details and consequences of our policies in place for our Public Safety officers. They will be ready to fully address questions from the public.

Councilor Tracy wanted to say that she is pleased to see that our lovely new electronic sign is up outside of the Public Safety Building on granite posts. We will be able to communicate with our residents and she is excited about the communications we can have. She thanked the Town Manager, Town Engineer and anyone else that helped to get it up and running. Mr. Joseph advised that it was mostly Adam Bliss.

Councilor Reighley advised that residents can call and request books from the Community Library's

inventory. We can't get any from the lending library. When someone calls in, they need a day's time to gather the books and make them available the next day.

Vice Chair Whitney advised that she has had a couple of people text her and say they cannot get on to this meeting so if someone will text the Zoom link, she will respond. She credited Councilor Piltch for getting the COVID Loan Program up and running so quickly. He did so much work and his attention to detail is appreciated.

Mr. Joseph provided the link and Vice Chair Whitney advised that they just got in. Chair Egan apologized for the glitch and thanked the public for their patience.

Chair Egan shared what happened on June 7th. There was a rally and march in response to the murder of George Floyd in Minneapolis. He had the privilege of sharing a few words at a gathering on Sunday afternoon, the 7th at the Freeport Community Center. He suspected there may be 60-80 people there and the person counting lost track after counting 850. It was the biggest crowd he has seen for anything other than the Fourth of July in Freeport. There were some fantastic words shared with the crowd from an array of speakers as well as members of the public. It highlighted the tragedy that happened in Minneapolis for a lot of people to reflect on what racism is and how insidious it can be for all our institutions. The Police Forum that Councilor Piltch talked about earlier, is in part a response to a request from someone in the public to understand more about what our Police Force is doing when it comes to confrontations, the tactics and strategies they use. The Chief is very open and ready to discuss those things and it is also a chance for the Council to take a good look. He will be working with the Manager to see if there is an opportunity for us to bring a proposal forward for potentially having a consultant talk to the Council directly and eventually to Town Staff to have some conversation started about potential racial bias prejudice that may be implicit or unseen in our documentation or policies in our Town Government. It is an opportunity for self-exploration. The public is requesting this and he feels it is imperative to pursue those discussions. He does not have a plan formulated yet. He is mentioning that this is a hot item of discussion in many places around the country and he has been getting a lot of input in terms of people having a concern about what the town is doing in response to the murder in Minneapolis and the discussions of policies and reviews that are happening in State governments and our national government as well. He encouraged the Council to learn more about the issue of implicit and unseen racial bias. There are a number of really good resources out there and he is hoping we may have a consultant come in to address the Council and come up potentially with a work plan for us to take some action steps to fulfill that discussion.

Char Egan participated in the Complete Streets meeting where there was a discussion about a Complete Streets Policy. There was follow up on whether or not that policy is going to come forward. As a member of that committee directed at Peter, he really hopes that policy will come forward from the committee for Council consideration in a timely manner. There has been an enormous amount of work put into that document and it is a comprehensive look for different ways for parts of Public Works and our Public Safety Department as well as Capital Improvements to be coordinated towards a unified mission of access and connectivity. He does not want it to languish in some sort of procedure so he is hoping that the Complete Streets Policy can come forward and we can have a conversation at a subsequent Council meeting.

FIFTH ORDER OF BUSINESS: Town Manager's Report

Mr. Joseph reported:

We have been pretty busy in Town operations the past two weeks since we established most of our operations. Curbside pick-up and drop-off is available at the Library. Instructions are on the Town's website under Municipal News. People are encouraged to take advantage of that. We need to make some changes before the Library can be reopened.

Winslow Park has reopened, at least in half capacity, to residents of Maine, New Hampshire and Vermont for camping or to anybody that can fulfill the conditions set forth by the State. There is a process where there is a certificate to fill out stating that one has had a negative Corona Virus test within 72 hours if they are coming from a state that is not Maine, New Hampshire or Vermont. Neil Lyman has advised that they got a ton of reservations basically for the entire summer just after being open for two weeks. They are in good shape. We are hoping and watching to see if we can increase capacity if good trends continue but we are not going to jump the gun. We are also following guidance from the State on what we need to do in terms of safety procedures, etc. especially the travelling public. As the Town being a lodging provider through the campgrounds, people are not happy about the quarantine measures that the State has put in effect. He knows that first hand from the amount of complaints and angry calls, hang-ups and threats of lawsuits, etc. the staff is getting from people that want to come to Maine and do not like people telling them about the regulations. Good news is that we are open at the park.

Councilor Tracy stole his thunder but he displayed a photo displaying the new electronic sign at the Freeport Public Safety Building. It looks great from every angle. He thanked Adam Bliss for making everybody happy. If any message needs to go up, he requested that they call him or any of the staff in the office. Chair Egan suggested that the zoom number be put on the sign for future Council meetings and advertise the start time for the meeting. Mr. Joseph felt it was a good point.

Mr. Joseph has been spending a lot of time this week in meetings about Main Street and Caroline will talk a little bit more. He wanted to emphasize that we have gone through several different mental calculations with this working group about the possibility of what Main Street could look like and has taken a lot of input but have not received concerns from the public or from business owners. For those who have reached out to him, Caroline or business organizations working with them, he thanked them. They are listening to what is being said and will continue to go on that. There is a public meeting process that we will talk about tonight but if this moves forward, there will be a public meeting that we will hold separate from a Council meeting to discuss that specific item and the public will be encouraged to weigh in to let us know what they think.

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

Chair Egan reminded people about getting access to the live audio of the meeting.

Gina LeDuc-Kontz advised that she sent an e-mail earlier asking the Council to consider formulating a resolution to call all Freeport businesses essential. As of yesterday, she understands the Governor is opening up the State further so it might seem like a slightly moot point at this time. Regardless, she feels Freeport businesses are awesome and active in our community. They graciously give to the community and they really make Freeport, Freeport in so many ways. In the spirit with the Freeport, Maine businesses the Council could put out a resolution as other areas have done. She had no idea about the loans being put together. She feels the best way to keep these businesses afloat is to let them operate as businesses.

Chair Egan explained that this Council certainly supports the mission of providing as much support and enthusiasm for our business community as we possibly can. It may be of interest to know that several weeks ago we took action to waive significant portions of our Land Use Ordinance to allow businesses to operate outside on both private and public property so they could serve customers in a safer environment

if they had the opportunity to move portions of their operations outdoors. The discussion that has been going on with quite a lot of input about the closure to vehicles of a small portion of Main Street is in direct response to what the Town can do to support small businesses. Indeed those are primarily focused on those that are near or adjacent to Main Street and the Loan Program was an idea we moved forward extremely quickly and allocated some funds to and found some matching dollars to make a very low-cost unsecured loan opportunity for small businesses to make it through a challenging time when customers are hard to find. He applauded Ms. LeDuc-Kontz's research and points she made in her e-mail. He thanked her for bringing it forward. She would still urge the Council to provide a public statement.

Chair Egan paused to give other members of the public time to ask questions or speak. There were no public comments provided so 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 # 102-20 To consider action relative to adopting the June 16, 2020 Consent Agenda.

Chair Egan reviewed the items on the Consent Agenda for members of the public.

BE IT ORDERED: That June 16, 2020 Consent Agenda be adopted. (Whitney & Horne) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

ITEM # 103-20 To consider action relative to setting a Public Hearing for July 7, 2020 to discuss an Affordable Housing TIF request from Freeport Housing Trust for Property at Quarry Ridge Apartments.

BE IT ORDERED: That a public hearing be set for July 7, 2020 to discuss an Affordable Housing TIF request from Freeport Housing Trust for Property at Quarry Ridge Apartments.

BE IT FURTHER ORDERED: 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. (Horne & Reighley)

Mr. Joseph explained that the property is currently owned by Maine State Housing and Freeport Housing Trust is interested in purchasing it. They are requesting an identical arrangement to the TIF arrangement enacted for Oak Leaf 2 which was a 50% return of the taxes paid in the terms of the Affordable Housing TIF. Currently zero taxes are paid on the property because it is a governmental owner. If it was moved to the private ownership of Freeport Housing Trust and the Town granted a 50% payment through an Affordable Housing TIF, it would be increasing our tax collections from what exists on the ground. It is in the Town's tax interest and the Freeport Housing Trust's interest to have them own the property. Chair Egan explained that the Affordable Housing TIF is an entirely different process than the Economic Development TIF we did earlier this year and it is governed and approved by Maine State Housing. It is the type of thing and has the same net effect which is for the Town and the eventual non-profit owner here to share in the tax that is generated by the asset but certainly the community benefit is also in consideration which are things we will talk about on July 7.

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

ITEM # 104-20

To consider action relative to the Fiscal year 2021 interest rates.

BE IT ORDERED: That one-half of the fiscal year 2021 committed taxes for real estate be payable on November 16, 2020 with interest at the rate of .66 per month or 8% per annum, to be charged from November 17, 2020 and that the second half of the fiscal year's 2021 committed taxes for real estate be payable on May 17, 2021 with interest at the rate of .66 per month or 8% per annum, to be charged from May 18, 2021.

BE IT FURTHER ORDERED: That the fiscal year 2021 committed taxes for personal property be payable on November 16, 2020 with interest at the rate of .66 per month or 8% per annum, to be charged from November 17, 2020. (Piltch & Lawrence)

Finance Director, Jessica Maloy explained that this is pretty self-explanatory. In January we typically set the tax rate for the upcoming tax year and we did this. However, the State Treasurer's Office has come out and revised the maximum allowable interest rate for the upcoming tax year. They dropped it from 9% to 8% so this is just reflecting that change so we can adopt it accordingly.

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

ITEM # 105-20

To consider action relative to counter signing the Warrant and Notice of Election for the July 14, 2020 Regional School Unit No. 5 Budget Referendum.

BE IT ORDERED: That the Warrant and Notice of Election for the July 14, 2020 Regional School Unit No. 5 Budget Referendum be signed.(Tracy & Horne)

Chair Egan explained as part of the coordination between the taxing authority and the RSU5, we actually have a warrant to collect those taxes and pay the RSU bill. Jessica has a pile of these in her office related to the overall RSU budget so this is a means for us to sign these. At some point a majority of Councilors will need to make their way to Town Hall to sign those warrants. Mr. Joseph requested as many as possible to come to Town Hall but he is aware that Councilor Reighley is out of state.

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

**(ITEMS #106-20 TO #109-20 ARE PRESENTED BY FINANCE DIRECTOR, JESSICA MALOY)
(30 minutes)**

Mr. Joseph noted that we have lost Councilor Reighley's video feed and asked him to try to join back up if he wants to be counted. Chair Egan explained that the heavyweight item on tonight's agenda is the full adoption of the Municipal Budget for all three items: Operating, Capital and TIF. He handed it over to the Manager and Finance Director to lead the Council through them and call out when we are ready to have specific votes on those items. He is not sure we need to read it all. Finance Director explained that Item #106-20 is the standard acceptance of revenues that typically come into the town. Then we go into Winslow Park and the NET budgets and the big one is the Operating Budget breakout followed by the Capital items that have previously been discussed. At this point it is just a matter of having the order read

or accepted as written and she would like them individually by item number. Chair Egan agreed to take them individually.

ITEM #106-20 To consider action relative to the acceptance of State Funds for fiscal year 2021.

BE IT ORDERED: That the following categories for State Funds be accepted for fiscal year 2021.

1. Municipal Revenue Sharing
2. Local Road Assistance
3. State Aid to Education (including Federal pass-through funds and property)
4. Public Library State Aid per capita
5. Civil Emergency Funds (Emergency Management Assistance)
6. Snowmobile Registration Funds
7. Tree Growth Reimbursement
8. Veterans Exemption Reimbursement
9. Business Tax Reimbursement
10. All other State funds not included in items 1-9 (Lawrence & Horne)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Reighley) (no video feed)

ITEM #107-20 To consider action relative to the operating budget for Winslow Park for fiscal year 2021.

BE IT ORDERED: That \$299,660 be approved for the Winslow Park budget from July 1, 2020 to June 30, 2021 and \$23,000 be approved for the Harb Cottage budget from July 1, 2020 to June 30, 2021. (Horne & Lawrence)

ROLL CALL VOTE: (7 Ayes) (0 Nays) (Chair Egan noted that Councilor Reighley's yes vote is noted)

ITEM #108-20 To consider action relative to adopting a Non-Emergency Transport (NET) budget for fiscal year 2021.

BE IT ORDERED: That the Non-Emergency Transport Budget in the amount of \$229,521 be approved for fiscal year 2021. (Tracy & Lawrence) **ROLL CALL VOTE:** (6 Ayes) (0 Nays) (1 Recused-Reighley not officially part of the quorum but wanted to vote yes)

Chair Egan suggested that for the next several, we refer to the line items in the budget as presented rather than reciting out the budget once made a part of the public documents. If there is opposition, he is open to someone reading all of the line items and the dollar amounts associated with them. Ms. Maloy pointed out that the individual line items do not need to be read but we probably should have something like the FY2021 Appropriations as listed totaling \$11,803,533. She needs the total for the auditors.

ITEM #109-20 To consider action relative to the adoption of the Fiscal Year 2021 Operating Budget for the Town of Freeport.

Councilor Piltch noted that we are missing a BE IT ORDERED but Vice Chair Whitney asked if she could borrow one? Mr. Joseph had suggested language:

BE IT ORDERED: That the following FY2021 appropriations totaling \$11,803,533 and revenues in the amount of \$11,803,533 be approved as printed on the agenda under Item #109-20.

Vice Chair Whitney offered to do it since she is up.

BE IT ORDERED: That the following appropriations be made to several departments for purposes named and estimated to be adopted and the following amounts to be raised by taxation and said action for FY July 1, 2020 to June 30, 2021 Municipal Budget in the amount of \$11,803,533. (Whitney & Horne)

<u>FY 2021 Appropriations</u>	
General Government	\$ 1,772,951
Protection and Enforcement	\$ 3,065,435
Health and Welfare	\$ 111,240
Human Service Agencies	\$ 39,800
Community Center Building	\$ 45,600
Public Works/Solid Waste	\$ 2,336,605
Library	\$ 480,820
Unclassified	\$ 2,272,465
Debt Services-Local	\$ 98,365
County Tax	\$ 1,321,552
Bustins Island	\$ 233,700
Abatements	\$ 25,000
Total Appropriations	\$ 11,803,533
<u>FY 2021 Estimated Revenues</u>	
Non-Property Tax	\$ 1,811,300
Intergovernmental	\$ 1,652,400
Charges for Services	\$ 405,000
Licenses and Permits	\$ 433,400
Fines and Forfeitures	\$ 34,800
Miscellaneous	\$ 81,500
Total Estimated Revenues	\$4,418,400
Amount Transferred from Undesignated Funds	\$ 775,000
Amount to be Raised by Taxation	\$ 6,610,133
Total Revenues	\$ 11,803,533

BE IT FURTHER ORDERED: That the following appropriations be made for the Capital items/projects listed below, and that the Capital Budget for FY 2021 be adopted in the amount of \$2,373,900. (Whitney & Horne)

Police	New Patrol and Changeover Equipment	50,000
	Communications	50,000
Fire	Chief's Vehicle Replacement	45,000
	Engine Refurbishment	13,000
	Communications	50,000
	Engine/Tanker Apparatus Replacement	800,000
Rescue	Diesel Emission Equipment Replacement	13,000
	Communications	50,000
Public Works	Excavator Rails & Pads Replacement	10,000
	Oil/Water Separator Replacement	60,000
	Boom Flail Mower Rebuilds	10,000
Solid Waste	Loader	95,000
	Retaining Wall & Pad Repairs	60,000
Comprehensive Town Improvements	Grant Road Paving	440,000
	Cousin's River Bridge - Local Share	140,000
	Cousin's River Bridge - Bike/Ped Connector to OSF Road	150,000
	Concord Gully Brook Watershed Restoration	25,000
Municipal Facilities	Computer Upgrades -Town wide	45,000
	File Digitization	10,000
	Copiers	15,000
	Phone System Upgrade	30,000
	Town Wide Fencing	10,400
	Flooring - Town Wide	6,000
	Library Design Study	10,000
	Town Wharf Repairs	7,500
	Revaluation Reserve Fund	5,000
Cable Television	Equipment and other improvements (Channel 14)	4,000

	Equipment Replacement - (Channel 3)	20,000
Boards and Committees	Speed Control Signage	15,000
	Quiet Zone Safety measures	60,000
	Comprehensive Plan Update	25,000
	Downtown Revisioning	50,000
	Total FY 2021 Capital Budget	\$ 2,373,900

BE IT FURTHER ORDERED: That the following amounts be appropriated from the Reserve Funds to provide for items approved, as presented on the agenda, totaling \$2,373,900 (Whitney & Lawrence)

Police Reserves	100,000
Fire Reserves	908,000
Rescue Reserves	63,000
Public Works Reserves	80,000
Solid Waste Reserves	155,000
Public Infrastructure Reserves	755,000
General Administration Reserves	105,000
Building Reserves	33,900
Cable Television Reserves	24,000
Other Reserves	150,000
Total FY 2021 Capital Transfer from Reserves:	2,373,900

BE IT FURTHER ORDERED: That the following appropriations be made for the items and projects listed below and that the Destination Freeport TIF budget for FY 2021 be adopted as presented below, totaling \$235,000. (Whitney & Horne)

Sidewalks	45,000
Town Hall Site Beautification	75,000
Freeport Economic Development Corporation	115,000
Total FY 2021 Destination Freeport TIF Budget	235,000

BE IT FURTHER ORDERED: That the following appropriations be made for the items and projects listed below and that the Winslow Park budget for FY 2021 be adopted as presented below, totaling \$50,000: (Whitney & Lawrence)

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Handicap Access Improvements	50,000
Total FY 2021 Winslow Park Capital Budget	50,000

Chair Egan pointed out that there are five actions in Vice Chair Whitney's motion and Jessica agreed. To clarify the five items Chair Egan listed them: The Operating Budget and the Appropriations of \$11,803,533. The second one is the Capital Budget in the amount of \$2,373,900. The third one is the action to transfer that like amount of \$2,373,900 from Reserves to cover the Capital Budget. That means there is no burden of the Capital budget on the tax bill. The fourth item is the Destination Freeport TIF budget and the fifth item in the motion is the Winslow Park budget of \$50,000.

ROLL CALL VOTE ON THE ENTIRE FY 2021 BUDGET FOR THE TOWN OF FREEPORT: (6 Ayes) (0 Nays) (1 Recused-Reighley still not visible but he would love to vote yes)

Chair Egan thanked everyone for their patience. He felt it was an excellent process and sent kudos and applause for our Finance Director, Jessica Maloy.

OTHER BUSINESS:

1. Discussion of Paper Street #114 found in: Plan of Flying Point Shores Section -III. Recorded in Registry 1949-Plan Book 35 Page 44

Mr. Joseph displayed a screen shot of the general area we are discussing to orient everyone. He will need guidance if the Council wants to proceed at all on this. He explained that he was approached by a landowner who asked what interest, if any, the Town has in the paper street. This was part of the original subdivision of the land. Paper streets have nothing to do with private rights that exist. They only have to do with the inherent right of the Town to accept a subdivision road from a plan that the Town has not accepted and laid out as a street in the past. There is absolutely no power in effect until the Town says "we want to recognize that street and lay it out and we want to turn it into a public road. To be clear this street does not go to the waterfront. It simply cuts across those properties. The only thing the town is interested in is does the Town have a use for that road? Town Staff looked at it and could think of no reason that the Town would ever have an interest in laying out that road. In the 90s the Paper Street Committee recommended that it be abandoned but the Town Council did not take that action in the 90s. A couple of years we went through an action on the Town Council where we abandoned several outdated paper streets but carried forward the majority of paper streets in the town's records for another 20 years. #114 was on the list that the Town extended the rights to roughly two years ago when we talked about it. When we went through this we did not go and examine each street individually. We accepted statements from residents that wanted to abandon certain paper streets. We looked into 5 or 6 or more of those. The Council abandoned a few but did not carry over a few paper streets when we did the order continuing the rest of the paper streets. This was something that could have been brought up at that time. At that time, we also said that we would consider these on a case by case basis if a resident wanted to approach the Council with it. We have been approached and we can see no reason why this needs to continue. Staff is suggesting that if the Council is interested or willing to consider this proposal from a resident, that we reach out and have a notification of everyone whose property abuts that paper street in any way. There are 8 or 10 of the houses where it goes across those properties in some fashion. He suggests that if we consider this, we would want to notice them all and then have a public meeting where it is an action item

to discuss. If there is no interest from the Council to consider it, we would not go through that process to move us forward.

Chair Egan recalled being on the Council the last time we took action on a blanket motion to continue our interest in paper streets. He believes he voted against that because he wanted a conversation about whether or not we had any compelling interest and the list was quite long. The consequence of that action to perpetuate our interest in paper streets he can see the value in that because the Town doesn't necessarily want to give up its rights unless it is solicited to do so which is what we are looking at this evening. He asked Mr. Joseph if he has had any experience where property owners were in favor of the Town continuing its interest in a paper street? Mr. Joseph noted that generally the property owner who the paper street goes across in most cases wants it to be removed and wants the Town to extinguish the Town's interest because it encumbers the property. Often there are not abutting property owners or Town residents that argue against extinguishing paper streets in case they are to be used to lay out a road in the future. Each paper street is different. Chair Egan noted there is no action required on this tonight other than do we want to consider a conversation at a subsequent meeting of the vacation of this particular paper street at a public hearing with all the property abutters notified as Peter suggested.

Councilor Lawrence suggested exploring it and see what we need to do. The residents don't want it and it doesn't look like it goes anywhere so he would be in favor of exploring it. Councilor Tracy agreed. Councilor Horne agreed and asked how many paper streets there are. He feels it would be a lot of work for the Council to take them up on a one by one basis and wonders if there is a way to bundle them. Councilor Tracy noted that this is the first one we have had in two years but is not saying they couldn't become a problem. Mr. Joseph pointed out that most of them do not matter to most people but this one is interesting. It is part of what is encumbering these properties and they are not able to build in that paper street and there are setbacks from that paper street because it is the same as an easement or a right-of-way. There are still private uses and, in this case, the property owners would have to either voluntarily extinguish or determine that those private interests that were granted through the subdivision process or transfers after the subdivision was created that none of those apply anymore. That paper street is overlaid with private rights-of-way as well and the Town can make no claim and doesn't make any claim that we can extinguish those private rights-of-way. That is the case in almost every paper street. It is very rare that it does somebody a benefit to remove the paper street over their property because there are usually private rights that can't be extinguished that go with that paper street in many instances. Chair Egan asked if any Councilor objects to having this come up as an action item at a subsequent meeting where we can identify and take action on the vacation of #114? He asked Mr. Joseph to go ahead and formalize this as an action item at a subsequent meeting. Mr. Joseph noted that he will notify all abutters who touch or abut immediately that property and would have an interest. Chair Egan agreed.

2. Discussion of resident request regarding noise level regulations in various ordinances.

Mr. Joseph advised that there is a history and some rationale in the resident proposal attached to his memo. It was forwarded by Sarah Cronin and Tammy Morrissey and they are in the audience right now observing. There were amendments to three separate Ordinances: Chapter 29, Chapter 25 and Chapter 21. The original request was to the Ordinance Committee which is generally the correct way for us to handle these things except the complication is that the Subdivision and Zoning Ordinance need to be reviewed by the Planning Board prior to the Council taking action on it. The Zoning Ordinance is required by law to be reviewed and recommended by the Planning Board. The Subdivision Ordinance says it has to be reviewed by the Planning Board prior to the Council adopting amendments to it. There is a timing question. If the Council recommends that the Planning Board take it up, there is no cost to the applicant, which we frequently do but we have to take that procedural step. It doesn't have to be anything formal. An informal vote or a motion and a vote would be fine, just directing it to the Planning Board. On the timing aspect, both on the Council's end whether you plan to take up all three at the same time or work

through them in a different order. Also, from the Planning Board's perspective, what direction the Council wants to give to the Planning Board on where these should be placed on their priority list. He explained what they are working on.

Chair Egan mentioned that we have had lots of dialogue and input from both the petitioners identified here as well as other residents in their immediate neighborhood concerning this issue. Without a lot of action available because of lack of specificity in the Ordinance, we have not as a community been able to address most of those concerns and reflected back to those petitioners the process to move forward in getting a tool to effect those changes was to suggest Ordinance changes. He pointed out to the Council that we have residents quite concerned about activity in their immediate neighborhood and whether or not it complies or does not comply with land use regulation. What the Council is looking at is exactly what we told them what needs to happen which is to suggest model language for an Ordinance that needs to change and they are following exactly what we asked them to do. He thanked them for the diligence and the detail in presenting this but the only action before us this evening is whether or not to recommend this to the Planning Board or have the solicitors take it directly and end up paying the fee. He hopes the Council will make the referral and save the residents that fee.

MOVED AND SECONDED: To make the referral. (Tracy & Horne) (he mentioned waiving the fee which Councilor Tracy noted was implicit in her motion)

Chair Egan suggested adding an amendment that we refer all three of these items and place a high priority on it for the Planning Board. Councilor Tracy asked if Chapter 39 has to be sent to the Planning Board. Mr. Joseph advised that it does not but chapters 21 and 25 do have to go. He explained that one of the issues is conformity between the ordinances. There are different standards for different noise, hours of operation and things like that that are regulated by different components in our Noise structure. It would make sense to do all three at the same time once the Council receives recommendations on the two the Planning Board has to make a recommendation on or if you do not want to do that at least be prepared to make the conformity happen when and if all three are considered.

Councilor Tracy pointed out that she wished to reiterate her motion. Chapter 39 will be sent to the Ordinance Committee.

MOVED AND SECONDED: To move Chapters 21 and 25 to the Planning Board and waive the fee but place a high priority on those two items. (Tracy & Lawrence)

Councilor Reighley mentioned this is where we are trying to clean up the ordinances and getting something uniform.

Mr. Joseph recognized Sara Cronin in the audience. She thanked the Council for the consideration. Tammy Morrissey could not be heard but Mr. Joseph offered to leave her microphone open.

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

MOVED AND SECONDED: To move the proposed amendments to Chapter 39 To the Ordinance Committee for review and place a high priority for that consideration. (Tracy & Lawrence) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Councilor Reighley noted that the Ordinance Committee will now have two items. Chair Egan apologized to Tammy Morrissey for not being able to hear from her. Mr. Joseph advised her that if she wants to e-mail him directly, he will read it in. He is sorry that microphone is not working.

3. Discussion of possible Main Street Closure

Chair Egan explained that the last item on tonight's agenda is the closure of a portion of Main Street to vehicular traffic to support downtown businesses and promote more of a plaza for shopping. He mentioned the map included in the Council's packet. Caroline Pelletier, Town Planner asked Mr. Joseph to display the map and explained that the Council expressed an interest in closing a portion of Main Street to vehicular traffic. We discussed previously one of the challenges with Main Street is that it is a State road. The request has to go to the Maine Department of Transportation. A few weeks back people in the business community had already started brainstorming the closure of Main Street so they were kind enough to invite her, Mr. Joseph and Chief Nourse into the conversation. Vice Chair Whitney participated on behalf of the Council. There was discussion on what had been done in the past and what it might look like. They came up with a Map, Version 1 and Visit Freeport circulated it to the business community to get feedback. The whole idea behind this is supporting our businesses and being able to portray Freeport as a safe place to come visit in an outdoor setting. They sent out the map and asked for feedback. Some concerns were flagged. The first version showed traffic going down Elm Street, Snow Road and Morse like it did when L.L. Bean had their big celebration. We heard a lot of concern from residents back there about increased traffic in the summer. She did show the closure of going a little further up Main Street and people were excited that we could extend it to School Street. We are getting mixed feedback from the business community. In the stretch between Mechanic and School, a lot of our small business would rather rethink as they are. They have parking on the street which does allow ADA space and there wasn't overwhelming support to extend it that far up. It also created issues for deliveries for some of these businesses. Based on the feedback we got from the survey, they came up with the modified map that shows the closure just after Howard Place. We could potentially put a couple temporary ADA parking spaces there to maintain ADA access. There would be a side street closure on Justin's Way. On Main Street to the north there would be a little bit south of Linda Bean's Topside Tavern. On the map where you see the DO NOT ENTER, there would be a hard closure and would involve something like a Jersey barrier. L.L. Bean has offered the use of the Boot Mobile to help block off some of the areas. On Mill Street there will be a soft closure which would be a moveable barrier so in some case of emergency, Freeport Public Safety could go up Mill Street and access the closed places on Main Street. The concept being discussed now based on feedback would be a Saturday morning 8 a.m. closure and a Sunday night reopening. The goal is to start July 4 which is really ambitious and puts us on a really tight timeline because we need to have a public meeting for some input. They still have details to work out and still need to get State approval. Tomorrow this modified plan will go out to the businesses that will be directly impacted on the section of Main Street that will be closed to work out some further details. They circulated it to the residents who will be most impacted by it. Visit Freeport, L.L. Bean and a couple of others are working on a plan on what will be done when it is closed. Some people love the idea but some people do not. Some businesses have a plan on how they will use it but others feel like they can't. One of the fears is are we going to have people and are we going to have a lively area in the closure. People are working together to see how they can bring life into this closed area to have some activity but still have ample room for pedestrians. There are some ideas being explored to put some temporary seating out there during the closure for people standing in line to get into stores and possibly adding some areas that are not blocking occupied store fronts that other Freeport businesses can put up tents to get some of our businesses to have a presence on Main Street. A lot of work is being done and they are looking for feedback from the Council that this is an idea they want to go forward with or not. They are still trying to get additional feedback from the community since they are getting a lot of mixed responses.

Chair Egan noted he is in favor of this and is happy that the business community voices have been incorporated into Version 2 of the plan and that it reflects the focus and intent of the original idea for this which was to create a pedestrian plaza on Main Street and eliminate vehicle traffic while not negatively

affecting those businesses. He would strongly encourage getting some live music on those days located down there as well.

Councilor Horne agreed. He supports this wholeheartedly. The only way to learn is to try things and recognize that tweaks will have to be made. He was hoping that the closure could possibly have gone up to Mechanic and possibly School but recognize that the local businesses feel it is a bad idea. He asked if the timeframe was popular or was their any request for more or less? Caroline advised that based on the feedback the Saturday morning closure and Sunday night reopening would not impact Friday traffic or deliveries and also not impact Monday morning deliveries. She noted that we would have to purchase some Jersey barriers to be picked up by a front loader and additional signage. There is still detail to work out whether we would have to have an officer stationed at any points. She is working with the Police Chief to determine what MDOT would require. Having things like musicians and jugglers is also being talked about.

Councilor Piltch understands the reasons to support this but it sounds like there are some people that don't love it. Caroline agreed that some people just don't think it is a good idea with no reasoning given. Some feel we should leave well enough alone and run our business. Some are concerned with the drive by traffic and that people will not stop at their store because traffic will have to go around. When this new map gets circulated, people will see that modified traffic and they are hoping it will make some people happy. The reasons were varied. The small businesses seem to prefer leaving it like it is. If we try it and it doesn't work, it won't go forward and we will end it early. We are going to try to revitalize Freeport now and get people into town.

Chair Egan mentioned if there is a way to get MDOT to indicate on their mobile signs up and down 295 when they are approaching Exit 20 from the South and Exit 22 from the North, that Main Street in Freeport is closed during such and such an hour so we don't end up with traffic jams on either end of town with people unaware this is happening. Caroline felt it was a good comment. Councilor Horne added that we don't want to give the impression that things are closed downtown either so they can possibly phrase it in a way that there is a plaza open in downtown but traffic can go around. Caroline feels the plan before us is favorable and people coming from the South will see signs telling them to go down West Street and the same thing for traffic coming from the North, it does try to get traffic to Justin's Way to the parking areas. Chair Egan suggested using our new ground sign at the Public Safety Building as well.

Councilor Tracy supports this. She feels it has the potential to be a really great thing. She feels we need to get the word out. Last time we talked about radio spots and hopes this can get accomplished by the July Fourth weekend. It is a make or break move for this. Vice Chair Whitney has spoken to radio stations that will really be our target audience. They will be one of our main promoters but also Visit Freeport and the Chamber are going to be heavily behind sending out the messages as they always do. If we can get this approved, Visit Freeport is going to put it in their marketing materials going to the bigger magazines and will be talking about our festive summer. They have talked about putting a creative banner near Shaw's and also putting something in *The Forecaster*. Councilor Tracy asked about Internet Banner advertising. As a town, if we are spending this kind of time to do this, she thinks we should consider spending some money to publicize it for the July Fourth Weekend and see if we can jump start it. Vice Chair Whitney noted that L.L. Bean will be spreading the word also.

Mr. Joseph just advised that Council Reighley asked him to communicate to the Council that his suggestion would be to use soft barriers and close at Middle and detour the traffic Bow to Middle to School to Main and close the section of Main Street between Bow and School Street to traffic. Keith McBride explained that they got a lot of feedback from residents and took a lot of it to heart. Businesses between Bow Street and School said they don't see the benefit to it and prefer to have vehicular traffic. The big concern is who is here and what kind of traffic are we actually trying to protect that is there now.

It seems like we need to generate more but that is a lot of the motivation behind the updated draft of the map showed by Mr. Joseph tonight.

Councilor Reighley is now in the input section and he shared his experience in Europe where streets are closed for limited periods of time, generally between 10 to 6. He feels there will be no increase on Elm Street because there is no connection between the back side of the school and coming down Holbrook Street which is not part of the detour laid out. By having soft barriers at Howard and School, you will have the availability for local delivery without having a Jersey barrier in place that would require additional costs. The merchants need to notify their suppliers when they have to deliver their materials. There would be access to all the parking surrounding the walking area and this is something that could highlight the business community year-round.

Councilor Tracy asked if we are dedicating any financial resources to advertising apart and aside what L.L. Bean is doing to try to get this off the ground. Mr. Joseph mentioned that it is not something they decided not to do but it is absolutely something the Town can do. Caroline advised that Visit Freeport just reached out to her and advised that they are digital banner advertising in July and August on *Maine Magazine* and on MPB. She is not sure what the Chamber is doing for digital advertising. Mr. Joseph added that we have enough flex room if the Council wants to direct but first, we need to make sure this is going to happen since there are still some steps that we should talk about. Chair Egan noted he would be perfectly comfortable spending up to \$2,500 in advertising to get the word out and agrees we want to promote this as much as possible. Vice Chair Whitney advised that radio spots are \$300 for one station and \$500 for another for one week for 34 or more times we would be giving a shout out.

Councilor Tracy agrees with Chair Egan since we are not meeting again before the July Fourth weekend so the hope is that we are moving forward on this and it would be a shame if we didn't start the advertising discussion until too late. If the Town can help, she feels we should be a participant and figure out what media hasn't been tested yet. Is it the *Portland Press Herald*? She wants to give it a jump start. Councilor Piltch wanted to give support to spending money to get the word out. He feels we should coordinate with Visit Freeport and maybe even leverage their resources because they seem to have their act together pretty well in terms of advertising and messaging. He encouraged us to do that for the Internet as well.

Councilor Horne agrees with everything that has been said and there is the old fashion way of sending out press releases to all the papers if that is not already on the radar. He would hit them hard with press releases, the tv stations and invite them here and hope they run features or stories in their regular coverage. Councilor Piltch asked if there is a point when we can open the flood gates. He asked if Caroline could notify us that yes, it is really going to happen and we can start pushing it out? Councilor Reighley sked how many Councilors besides him has done any paid advertising. Chair Egan counted two hands. Councilor Reighley determined that for him the best advertising was word of mouth and instant exposure so he doesn't know how much it costs to be on Facebook or Instagram. He knows people have wasted a lot of money on print advertising and radio advertising. Getting coverage is more important than spending money. Chair Egan noted that the focus here as our first time, is to try to figure out any possible way to find success and not leave a stone unturned in terms of a channel to promote and get it advertised. Other Councilors supported spending the money. Mr. Joseph offered a compromise by not spending a ton of money on this but focus on some cost-effective methods. The radio ads mentioned seem good and we can do the digital ones ourselves through Visit Freeport. We will use a mix of methods. Chair Egan explained the reason for this being on tonight's agenda was for Caroline and her working group to get some Council feedback which he believes she has received in terms of direction and enthusiasm for this to go forward. He is entrusting the working group and the businesses that are participating as well as FEDC and the various other business facing groups to really iron this out with a little financial support from the town. Let's make it as big a thing as we can. Councilor Tracy asked if there was any outreach to

local craftsmen. She feels it would be lovely if it were vibrant as opposed to an empty feeling and local crafts tables filled with handmade wares has a nice way of doing that. Caroline noted that this was discussed today but the thought was that if we have some limited tent spots, we want to make them available to Freeport non-profits or Freeport businesses. There was talk about having Freeport's non-profits and there is a couple of Freeport merchants that would be interested in bringing them into their sales units. We do have limitations. If we close Main Street, we need to leave a 15' travel path for emergency vehicles. We are looking at some tent spaces but we also need to maintain ADA access and turning for fire trucks. We can't just can't pack it with tents. Today L.L. Bean suggested corn hole and she agree it is an awesome idea unless it is her and she can't throw. Somebody could be hit and they talked about things like that. Everything is on the table. The other piece they were putting together is that we are going to have people queuing in front of stores and so if we have tents, there could be another queue and another line. Equally important is for people carrying bags to sit in the shade so today they discussed providing seating for people to sit. It is important that we have a variety of activities going on to support our existing storefronts. They also talked about farmer's markets. Mr. Joseph added that those businesses who are located on Main Street would obviously be given priority. Traffic is being shut down in front of their store so if they want to get out in front of their store, it will happen. If some of them don't want to and that is fine. For those who don't and there is space available, the next step would go towards Freeport businesses, craft people, etc. There is no intention to recruit and bring in outside crafts, food and things like that unless something changes and there is a push for that from the business community. The intent is to try to help the businesses that are here. He would see the craft people fall into the second tier the same as an off Main Street business. He sees the off-street businesses given a crack at the opportunity if we have the space. Caroline heard from some businesses that would love to but don't have the staffing to put out a tent or do outside products. We also need to balance advertising this as an event because we then get into limits of how many people can we gather. We should focus on enhancing the outdoor shopping and a safe experience of coming to Freeport.

Mr. Joseph mentioned that there is a public meeting that we would organize to get input from the public which would include business owners, members of the public or anyone that wants to participate. There is application made to MDOT. He was given some rough guidance from them suggested a week being lead time for them to review it. He is taking this as an endorsement from the Council today of the plan other than Councilor Reighley's suggestion that we should close more of Main Street than what is proposed. We would move forward with the public meeting and then drafting the plan and sending to MDOT for review. Hopefully it will be the July Fourth weekend. If not, it will be the week after that.

Caroline advised that we are really cutting it close for July Fourth. We really have to have the meeting and give notice. Chair Egan thanked Caroline for all her efforts.

Mr. Joseph received a comment from Tammy Morrissey thanking the Council for considering their proposal. She offered to participate in the process to move these proposals forward. Mr. Joseph added that an opportunity is available through the Planning Board and Ordinance Committee processes and encouraged them to be active. He thanked them for bringing this forward.

Chair Egan again thanked Jessica Maloy for her efforts in getting the Council through the budget process. He asked everyone to consider absentee voting. Councilor Tracy reminded Councilors to go to Town Hall and sign the warrant.

MOVED AND SECONDED: To adjourn at 8:53 p.m. (Lawrence & Horne) **ROLL CALL VOTE:** (6 Ayes) (0 Nays) (1 Recused-Reighley but he would love to vote yes)

Respectfully submitted,

Sharon Coffin, Council Secretary