

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #20-20**  
**TUESDAY, SEPTEMBER 15, 2020**  
**6:30 p.m.**

**This meeting was held online/virtually, using Zoom teleconferencing**

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

Chair Egan called the meeting to order at 6:30 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.

He noted that Councilor Tracy and Councilor Lawrence are excused this evening but all other Councilors were present along with Town Manager, Peter Joseph.

**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 #19-20 held on September 1, 2020 and to accept the minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the minutes of Meeting #19-20 held on September 1, 2020 and to accept the minutes as printed. (Reighley & Horne)

**ROLL CALL VOTE:** (5 Ayes) (2 Excused-Tracy & Lawrence)

**THIRD ORDER OF BUSINESS:** Announcements

Chair Egan announced:

- **Absentee ballots for the November 3, 2020 Election can be requested by contacting the Town Clerk's Office at 865-4743 x 122 or 123 or going to [www.maine.gov](http://www.maine.gov).** Ballots requested now will be mailed the first week of October. Starting October 5, voters may vote in person at Town Hall. More information on absentee voting can be found at [www.freeportmaine.com](http://www.freeportmaine.com).
- There are ways for people to vote early without having to be in person at the polls on Election Day. You can request an absentee ballot and have it sent to your house and you can mail it in or you can drop it off at Town Hall or you can go to Town Hall starting October 5<sup>th</sup> and vote in person.

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

- **Freeport Conservation Trust's 2020 Freeport Trail Challenge is on!** Covid-19 has changed the way many of us do things, but fortunately getting outside is still considered a safe activity. Hike the four specified Freeport trails and you will win a prize.

You can print your own passport at [freeportconservationtrust.org](http://freeportconservationtrust.org); you can have your passports mailed to you by calling the Freeport Conservation Trust at 865-3985x212; and you can also enter by sending FCT pictures of yourself on each trail at [info@freeportconservationtrust.org](mailto:info@freeportconservationtrust.org). For the safety of everyone, please keep your distance from other parties in parking areas and on trails. Leash your dog and wear masks if other people are around.

Chair Egan sadly announced that George Denney has passed away. He is an extreme loss for the Town of Freeport. He was an extremely tall figure in this community and featured heavily in the transition of Freeport from a factory town to a retail destination and tourism. He served on many committees and focused on the beautification of the downtown. He was a business owner and used his connections in the business world to provide an enormous amount of benefits to our community. A lot of what we see downtown today is a direct result of Mr. Denney's fingerprints on it. We will miss George Denney.

Councilor Piltch reminded everyone that there is plenty of room left in our Small Business COVID Loan Fund. If any business wants to apply, those loans are for \$5,000 and there is a six-month grace period before they need to start being repaid. The interest rate is pretty low as well. There is information on the Town's website or by contacting Keith McBride at FEDC.

**FOURTH ORDER OF BUSINESS:** Information Exchange

Councilor Reighley advised that yesterday morning the Ordinance Committee met with two items on the agenda, one involving noise and noise in construction and then talking about creating an Ordinance for Short Term Rentals which will not only just be the Ordinance Committee but will also tie into the Planning Board and Design Review. Coming out of it, there will be a small working group meeting on the 28<sup>th</sup> and then we will have another Ordinance meeting after that. He was hoping to wish Councilor Tracy for all her good work that this would be her last meeting with Ordinance but she wants one more so we are going to give it to her. He appreciates the work that Town Staff and likes the bullet points Dan presents at these meetings.

Councilor Horne had a question about when Complete Streets is going through Ordinance and when it may come to the Council. Councilor Reighley advised that it has already gone through Ordinance and has gone through Council during the meeting Councilor Horne missed. It is in the Minutes. Chair Egan advised him that the action was to have Staff provide comments on the proposed Ordinance. There were very few comments from Councilors on the proposal as it was presented by the Committee. However, the Staff had yet to see the final proposal and those comments have not been submitted by Staff and he believes the Council will have it at its next meeting as an action item for adoption. There has not been a vote yet.

Councilor Whitney advised that she has been working closely with Mary Davis, President of FEDC doing their due diligence and interviewing consulting firms. They found that each firm is similar but their experience, ideas and price tags are very different. She noted they have another interview coming up on Monday and then in two weeks she and Mary will present their findings to FEDC in the morning and in the evening, she will present to the Council and everyone out there. She has also been working with business owners around town with an idea of possibly opening up some of our vacant store fronts to the school if possible if they decide it is a time they could go green and where we might help spread the students so that they can have some safe distance learning. She pointed out that we do have a Covid

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

Relief Fund for individuals that have been affected by Covid personally. If anyone has lost their job due to Covid and are finding it difficult to pay your mortgage or rent, they can contact Johanna at the Town Hall. There are some funds to help with that relief.

Chair Egan reminded Vice Chair Whitney that there will not be a Council meeting in two weeks because we only have two per month. The first meeting in October will be in three weeks for her presentation after FEDC. Councilor Reighley asked her to remind the Council what we are interviewing these consulting firms for. Vice Chair Whitney advised that it is for the revitalization of downtown which the Council discussed during our budget season.

Chair Egan noted that we have heard previously in mid-summer from our Sustainability Advisory Board on some recycling suggestions and we did decide to not take any action on any particular plan after a significant amount of feedback from the public. The Committee is waiting for the Council to provide some specifics about additional directions and efforts as a community we can make to address the goal of increasing our recycled volume and decreasing our solid waste volume at Ecomaine. He does not have anything firm to recommend this evening but wanted folks to think about it. It will be on our next agenda to invite a member of the Sustainability Committee to come and it is important for the Council to provide some direction and ideas we may have or specific parameters, even if it's "let's not do this and let's not do that" it is still helpful direction to the Committee. We still have the unsolved goal in front of us which is how to improve the ease and volume of recycling in our community. The raw data at Ecomaine shows that our community is doing a very reasonable job of recycling. We are right in the middle of other communities in terms of statistics. The feedback he received over the past eight weeks or so has been focused on "I am all in favor of recycling, but don't get into those other items discussed or haven't been discussed yet." The general consensus is that a lot of people are interested in more convenient and easier ways to recycle and it is incumbent upon us to respond to that and give direction to our Committee who can come up with specific solutions. He does not want the issue to go away and is not sure of the structure for our next meeting. In early October, it is right before we end up with a new Council. There will be a discussion at our next meeting on the direction we can provide to the Committee on recycling. Councilor Reighley suggested inviting Rod Regier to that meeting and Chair Egan agreed that he would be invited.

**FIFTH ORDER OF BUSINESS:** Town Manager's Report

Mr. Joseph echoed the Chair's sentiments on the passing of George Denney and mentioned the amount of impact he had on the evolution of Freeport in the 80s and 90s and 2000s. The Town owes him and his memory a debt of gratitude. Mr. Joseph had a little bit of the honor of working with him when he started in Freeport but George was phasing his way out in his 70s. He was still involved in the Freeport Community Improvement Association which is an organization he started with a few other people to really beautify the downtown. Among the projects they did was the plantings at Exit 22, the Welcome to Freeport carved signs at Exit 22 and 24 and things like that. They were small projects but all over the place. He really wanted the Town to be the best it could be. Everybody that has run a business in the downtown in the past 20 years that has profited off the tourist trade really owes a thank you to George's memory. Mr. Joseph thanked George. It is sad to hear that he has passed now.

Mr. Joseph moved on to the Makers on Maine project and acknowledged that Visit Freeport is working on this project right now. They basically took the idea of one of their big festivals such as the Indigenous People's Weekend here in Maine, the Fall Festival and things like that where they typically have huge groups of tents set up and clustered all around town. They have taken that idea and spread it way out in respect for public health and safety in the Covid19 age and he feels they have done a really good job. They haven't gotten anywhere near the same amount of people but they selected a smaller amount of

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

people they work with throughout the year for those festivals. It is putting a great appeal to the downtown and giving it a little bit of vibrancy without overcrowding things and not making anyone uncomfortable. He wanted to give them a big plug for that. He knows that Margarite and Kelly have worked really hard on this. He hopes it will be a success. It is going to go on for the next several weekends as we go through the fall. It is not a festival. It is much lower key than a festival and there are no safety concerns. They are not looking to bring large numbers of people here. They are just looking to give some additional opportunities when people are in town. He thinks it makes the downtown look really nice. Councilor Reighley added that as he went around this weekend, he noticed the parking lots looked really full. Chair Egan agreed. Mr. Joseph mentioned that the town is still down 20%, 30% or 40% in foot traffic but this is trying something. He thanked the Visit Freeport Agency and all the partners. He advised Councilors that permission was granted by his office to allow tents and vendors (2 to a location) on the Town Hall lawn and the Bartol Library Building.

Mr. Joseph advised that he, the Council Chair and the Council Vice Chair got certification today from our Assessor about the tax rate for 2020/2021 which is done annually about this time. The tax rate will be reduced from \$14.30 to \$14.00 per thousand. That is a reduction of about 2.1% over last year's tax rate. While that is good news, there is further news that due to residential development and demand, there is a slight increase in residential value across town which will compensate for the 2.1% reduction. Due to business concerns, vacancy rates, revenue losses, sales losses and things like that, there will be a slight reduction across commercial properties, specifically in the downtown, tourist and retail trade sectors; not necessarily the businesses that have been open and outside of the downtown area such as restaurants, hotels, retail shops. Keep in mind that this is for the tax year ending April 1<sup>st</sup> of this year so this is the valuation as of April 1 which will not reflect the brunt of Covid-related business value property tax losses which should be reflected. Everything from April 1, 2020 until March 31, 2021 will be reflected in next year's tax bills so there is a slight decrease in commercial valuations but essentially the property valuation loss due to Covid, if there is one at the end of next year, will be reflected in next year's valuations and tax rate. He mentioned that we can get into a lot more details when the valuations are finalized in the next week or two. He has spoken to Bob about coming to one of the upcoming Council meetings before the Election if there are a lot of questions from the Council. It can be confusing but sometimes it is good to get a handle around it. Right now, our tax rate is incredibly stable. We do see the potential for devaluations in the next couple of years especially with retail, restaurant and hotel uses that have really been blocked out completely in the Covid pandemic or vastly reduced in their income generating ability. We won't know what that looks like until we get closer to the end of the next tax year but we are expecting to be hard hit on that.

Councilor Piltch asked if the increase in valuations in residential properties will be a flat increase that will affect all properties equally or does it change property by property? Mr. Joseph advise that it is by class but he did not have any more detail. He did not know the specifics on how we got to the 2.1% and Bob has not yet published all that. He did advise that it is directly tied to sales and the real estate market is insane right now. Residential single-family homes are the hottest commodity right now and can expect 10% more than last year. Bob is good about sticking straight to the numbers and the data from last year. We try to make it as accurate as possible with what the market is doing and what the properties are actually worth so it is defensible.

Councilor Horn asked if the same is true for the commercial properties in terms of the value generated through transactions and sales data? Mr. Joseph advised that our Assessing Team uses a mix of income and sales approach. Income approach is how much income the property can generate. The payer is usually not the business. A lot of people have a landlord who owns the property and leases it to a store or restaurant. On the income approach would be the income the landlord collects from the tenant. If somebody has to reduce the rent by 25% because of the Pandemic, it will show up when you consider the

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

income stream. The sales valuation approach is what the property would be worth if you put it on the market. It is always a mix of those two factors. Income data is often submitted to the Assessing Department in order to back up a claim from the property owner.

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

Chair Egan explained how to participate in this period.

David Stephenson advised that he is a small business owner and currently leases the building at 24 Noble Drive which is operated as a medical marijuana facility. He thanked the Council for taking the first step towards opting into the adult use program by providing an informative meeting roughly a year ago and requested that we move forward with the next step of generating Ordinance language that the Town could vote on as we discussed. He asked the Council to help support local business during these tough economic times and feel free to reach out to him if he can help.

Councilor Reighley agrees that it is time for the Council to take this up as an agenda item again.

Hillary Lister advised that she also was at the informational meeting in January of this year that the Council held on looking at the options for having an adult use Ordinance to allow cultivation facilities. She worked with David Stephenson and hopes the Town Council will take the next steps and have the Ordinance Committee potentially put together a draft Ordinance that could be reviewed. This is a lengthy process right now especially with more time between meetings. This is something if the Ordinance Committee could develop that, it could initially get to voters hopefully next year and it would allow some local businesses to stay in Freeport and be viable. She thanked the Council.

Andy Homes mentioned he wanted to chime in. He also operates the Noble Drive facility that David Stephenson talks about. He is here for the same thing. We have all talked about it and the Council has heard it before. They want to start pushing the ball forward a little and talk about the next step of getting the Ordinance Committee involved. They are looking to try and have some movement and stay in Freeport if possible.

Chair Egan advised that he has received some e-mails from some peer business owners in Freeport pretty much asking for the same thing. It is incumbent upon the Council to respond to these requests and he has to confer with his fellow Councilors to see what the next step might be. It seems like draft language coming out of the Ordinance Committee might be the next formal step but the Council needs to have an informal conversation first about what pathways we may want to choose as a community. He thanked him very much for presenting and assured him the issue would be addressed.

Chair Egan closed the Public Comment Period and thanked those that spoke.

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

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ITEM # 142-20            To consider action relative to adopting the September 15, 2020 Consent Agenda.

Chair Egan advised that there are two items on the Consent Agenda.

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

**BE IT ORDERED:** That the September 15, 2020 Consent Agenda be adopted.  
(Horne & Reighley) **ROLL CALL VOTE:** (5 Ayes) (2 Excused-Tracy & Lawrence)

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Chair Egan explained that the following is a long resolution related to an Ordinance we amended previously

ITEM # 143-20                      To consider action relative to the reenactment of Freeport Ordinance Chapter 60, Emergency Ordinance: Temporary Suspension of Certain Ordinance Standards to Safely Accommodate Expanded Outdoor Business Activities due to COVID-19, with minor amendments, to be effective September 16, 2020 until November 30, 2020, pursuant to the Freeport Town Charter, Section 2.14 “Emergency Ordinance”. (Whitney & Reighley)

Chair Egan explained that the Council has a lengthy description in the printed agenda which is a public document for anyone who is looking for it to see what the language is that the Council is about to take a vote on. It recognizes the items in our Ordinance that we are making temporary changes to. We have done this several times since the original Ordinance change back at the beginning of the summer. Our Planner, Caroline Pelletier is here to walk us through specific elements but we have seen most of this before.

Ms. Pelletier agreed but there were a few little typos that were corrected and the dates have been corrected. Mr. Joseph suggested that everyone look at the write up in the packet that is different from the language annotated in the agenda. He noted the specific blue line changes since the last time the Council approved this. He wanted to draw everyone’s attention to the specific blue line changes which have to do with schools and some heating. Ms. Pelletier pointed out that they have issued 17 permits so far under this Emergency Ordinance. They have started to get some in from the schools over the past few weeks. Mr. Joseph is right, there are a couple of changes here that would make some tweaks to enable our educational facilities, both public and private, to take advantage of some of these outdoor activities. In most cases it is putting up temporary structures like tents so they can have outdoor classrooms. If they are looking for equipment structures, they will be looking at coming back. The only other thing that has come up that we are hearing a lot about is restaurants. We all know it’s Maine and it is going to get cold pretty quickly so they put a reference in here to flag people that if they are going to use temporary heating sources with any of these changes, it is a reminder that they do need to meet code. They wanted to be really clear and make sure they are really safe.

Chair Egan thanked Ms. Pelletier and noted that in the larger context here this is a continuation by the Council and the Town itself to relax its Ordinance standards relating to business operations whether they be food related or other retail activities including a number of classes outlined in the document. This is a continuation of the Town’s effort to provide flexibility for our valuable businesses downtown to continue to operate through the challenging times of the pandemic and be able to treat their customers appropriately and keep everyone safe including their employees. He is pleased that the Council can be a part of this effort to help our businesses be flexible. He feels he has seen a lot of creative solutions from our entrepreneurs and business owners downtown on how they can address the needs of the pandemic while balancing the needs and safety of their patrons. It is great to see all kinds of solutions that are out there.

Councilor Reighley asked if we can on our beautiful sign indicate when the Governor is going to allow

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

the next changes to take place because it will open things up even more. Mr. Joseph asked if anybody has a good understanding of that better than he does at this point. He advised Councilor Reighley that yes, we can do that but he needs assistance with when the next phase will happen and what it would look like. Councilor Reighley suggested contacting our local State Representative. Chair Egan agreed that we could possibly get some tool through MMA or possibly GPCOG that we could get to that would provide guidance to Municipalities. We have a number of associations and networks that we connect with and can maybe get that information so we are not one of fifty towns calling the Governor's Office. He hopes we can find that out. Mr. Joseph pointed out that on the State's website the most current information is Stage 4 TBD so we are under Stage 3 now for July through August. The next stage would be all businesses open and operating with appropriate safety modifications with no restrictions. Mr. Joseph imagines we won't get to that until next year sometime but maybe he is being pessimistic. Councilor Reighley noted we are on the tightrope right now finding out which way we are going. Mr. Joseph offered to do some research on this. He advised that we received a couple of other changes that we are working on that are requests from businesses that may come in front of the Council if they can come up with a good way to work on that. He encouraged any other businesses that are having specific difficulties due to the pandemic other than the fact that the pandemic exists which they cannot help. If you are having business type of difficulties due to Freeport and any of our regulations, that can be easily changed so you can do business better, you are encouraged to reach out to him, the Town Planner or anybody here at the Town Office and they will look to see if there is something they can do safely to take away whatever is in the way of those businesses. He mentioned that he might have a few other suggestions coming to the Council in the next 2-4 weeks.

**WHEREAS**, the Governor of the State of Maine declared a Civil State of Emergency due to the spread of the Coronavirus Disease ("COVID-19") on March 15, 2020, which remains in effect, and

**WHEREAS**, COVID-19 is a communicable disease that is easily contracted through personal contact with infected individual in the community, and

**WHEREAS**, the Governor has announced a phased reopening plan intended to reduce the spread of COVID-19, which will likely include restrictions on indoor activities at many of Freeport's businesses such as shops offices, and restaurants, and

**WHEREAS**, these businesses may find it beneficial to make temporary changes to their traditional operations to allow outdoor business activities, such as outdoor seating, outdoor sales areas, outdoor meeting areas, and additional outdoor signage to communicate business changes due to COVID-19, and

**WHEREAS**, the Town of Freeport expects significantly reduced numbers of visitors during the upcoming summer tourist season, which would create a corresponding economic hardship to many of its businesses, and which could be mitigated to some extent by allowing expanded outdoor business activities, and

**WHEREAS**, expanded outdoor business activities may also help to promote the public health and welfare, by allowing patrons of these businesses to observe social distancing guidelines by avoiding shopping or dining in close proximity to other patrons, and

**WHEREAS**, there are several sections within Freeport's municipal ordinances that may prevent, restrict or delay some of these expanded outdoor business activities and modifications – including sections within the Sign Ordinance (Chap. 23), Design Review Ordinance (Chap. 22), Zoning Ordinance (Chap. 21), and Building Code Ordinance (Chap. 11).

**WHEREAS**, Section 2.14 of the Freeport Town Charter authorizes the Town Council to adopt one or more emergency ordinances to meet a public emergency affecting the life, health, property or the public peace, and

**WHEREAS**, during this State of Emergency, the Town of Freeport must consider the welfare of its businesses while protecting the health and welfare of its citizens, and

**WHEREAS**, the temporary suspension of certain ordinance standards and restrictions governing outdoor business activities is immediately necessary to protect the health, safety and welfare of businesses and their employees, and the patrons of those businesses, in light of the Governor's current phased reopening plan which will allow a number of affected businesses .to reopen in a limited fashion on June 1<sup>st</sup> , 2020, and

**WHEREAS**, in light of the foregoing, the Town of Freeport Town Council deems it proper and necessary to temporarily suspend certain provisions of the Town's code of ordinances relating to outdoor business activity for the purposes of allowing businesses to reopen or continue operating without undue hardship while also allowing for compliance with social distancing guidelines.

**NOW THEREFORE BE IT ORDAINED:**

That for the time period from September 16, 2020 until November 13, 2020, unless this ordinance is repealed by the Town Council prior to November 13, 2020, the following emergency exceptions to established ordinance provisions of the Town of Freeport shall be in effect, and shall apply to any existing business within the Town of Freeport, that is otherwise operating in compliance with all municipal ordinances and regulations in effect.

**I. Chapter 23 - Sign Ordinance**

- A) Temporary signs to support changes to the operations of business as a result of the COVID-19 pandemic shall be exempt from regulation under Chapter 23. This may also include additional signs needed for distance markers outside of establishments. Internally illuminated signs, signs with moving parts, and flag and/or feather style signs are not exempted from the regulations of Chapter 23. Signs must be located on private property and not project over the public right-of-way; unless permission is otherwise granted from the Town Council. No sign shall exceed 32 sf in size or 25 feet in height.
- B) To be exempted as described in section I (A) above, all signs must obtain a temporary activity permit from the Codes Office/Planning Department.

**II. Chapter 21 - Freeport Zoning Ordinance, Section 501 - Temporary Activity**

- A) Limits on number and length of outdoor sidewalk or tent sales described in this section shall be suspended for the duration of this Ordinance. In order to be exempted as described above, all merchandise and items used for the outdoor set-up (including but not limited to tables, tents, and retail fixtures) must be brought inside when the business is not open if they cannot be safely secured. This exception also applies to outdoor setups for tourist information centers.
- B) To be exempted as described above, all businesses conducting temporary outdoor sales must obtain a temporary activity permit from the Codes Office/Planning Department. No other land use approvals beyond a temporary activity permit shall be required for these uses.

**III. Chapter 21 - Freeport Zoning Ordinance, Section 602 - Site Plan Review**

- A) Temporary modifications to an existing business/educational site required to conduct outdoor business/educational activities will not require an applicant to amend their existing site plan through the formal Site Plan Review process, so long as no new permanent impervious cover is created. Outdoor business activities for the purposes of this section shall include outdoor sales areas and tent sales, outdoor seating for existing restaurants, outdoor seating space for

carryout establishments (such as coffee, ice cream, and carryout food), and outdoor meeting space for offices and exercise classes, outdoor space to support classroom educational instruction, along with minimal new lighting as required for safety and ambiance of these activities. The use of any temporary outdoor heating sources to support these modifications must comply with all applicable local and State codes and standards.

- B) Existing businesses/educational facilities may conduct any of the outdoor business/educational activities described in section III(A) above on the property owned by another so long as: 1) the underlying outdoor business activity (restaurant, retail, office, etc.) is allowed in that zone and, 2) the applicant for a temporary activity permit described in section III (C) below shall provide written authorization for any proposed activities from the property owner. Any use of public property (including sidewalks and streets) for outdoor business activities shall require prior approval of the Freeport Town Council.
- C) To be exempted as described above, all businesses/educational facilities conducting temporary outdoor business activities described in section III(A) and III(B) must obtain a temporary activity permit from the Codes Office/Planning Department. No other land use approvals beyond a temporary activity permit shall be required for these uses.
- D) Any outdoor business/educational activities conducted on a site abutting a residential site shall observe all building setbacks as required by the underlying zoning district.
- E) Any tents, awnings, or temporary shelters utilized for purposes described in section III (A) and III (B) shall comply with applicable regulations of the State of Maine Fire Marshall's Office and the Town of Freeport's Fire Prevention Code.
- F) The exemptions described in sections III (A) and III (B) shall apply to existing Freeport businesses/educational facilities only. New business locations and/or educational facilities must undergo all applicable land use reviews, including but not limited to site plan review, design review, building permit review, and sign permit review.

**IV. Chapter 11 - Building Code Ordinance**

- A) In the event of any conflict between the Freeport Building Code Ordinance and directives issued under executive order by the Governor regarding the requirement or availability of public restroom facilities, the requirements issued by executive order of the Governor shall prevail.

**V. Chapter 22 - Design Review Ordinance**

- A) A Design Review Certificate shall not be required for any of the temporary outdoor business activities described in Sections I, II, or III of this ordinance, so long as no permanent changes to the site or the building facades are proposed.

**ROLL CALL VOTE:** (5 Ayes) (2 Excused-Tracy & Lawrence)

Chair Egan thanked Ms. Pelletier for providing the detail for the Council.

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ITEM # 144-20            To consider action relative to approving proposed amendments to Chapter 46: General Assistance Ordinance and Appendices A-D & H for the period October 1, 2020 to September 30, 2021.

**BE IT ORDERED:** That a Public Hearing be scheduled for October 6, 2020 at 6:30 pm via Zoom meeting to discuss amendments to Chapter 46: General Assistance Ordinance and Appendices A-D & H for the period October 1, 2020 to September 30, 2021.” (Piltch & Reighley)

COUNCIL MEETING #20-20  
SEPTEMBER 15, 2020

Chair Egan noted the Council is just setting a public hearing. More information will be available at the next meeting on October 6<sup>th</sup>. Mr. Joseph mentioned that this is a normal annual occurrence.

**ROLL CALL VOTE:** (5 Ayes) (2 Excused-Tracy & Lawrence)

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Chair Egan advised that the Council has information on the two business owners and the businesses that are presented for renewals of their licenses.

ITEM # 145-20            To consider action relative to Junkyard/Automobile Graveyard license renewals.

**BE IT ORDERED:** That the following Junkyards/Automobile Graveyard licenses be approved, conditional on the inspection and approval of the Code Enforcement Officer and Fire Chief.

1. Freeport Auto Parts Inc., 33 Allen Range Road
2. D.A.B. Inc., 13 Allen Range Road (Reighley & Piltch)

Chair Egan mentioned that the key items he looked for on this is are any of these businesses in violation of State Environmental Laws related to their properties and we have evidence that neither one is having any issues or is in violation. Mr. Joseph advised that this appears to be straight forward for the license renewals. Based on the submittals, only D.A.B., Inc. was active last year but both are applying for renewals. There are no violations that the State or Town is aware of. They are both good to go.

**ROLL CALL VOTE:** (5 Ayes) (2 Excused-Tracy & Lawrence)

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ITEM # 146-20            To consider action relative to signing the Election Warrant for the November 3, 2020 Municipal Election.

**BE IT ORDERED:** That the Election Warrant for the November 3, 2020 Municipal Election be signed. (Whitney & Reighley)

Mr. Joseph advised that the Council has a copy of the warrant but he has to check with our Town Clerk about signing this if there are alternate provisions due to Covid and whether or not at least four Councilors of the five that voted on this may have to appear to sign one of the originals. The State may be allowing the attestation of the Clerk with an official record of the meeting to suffice this year as they have done in a couple of things. He is not sure but will check with her. No Councilor voiced any objection to appearing in Town Hall to sign this document in front of Chris Wolfe or some other Municipal official. Mr. Joseph noted that it would be perfect and it would make it easier.

Chair Egan clarified that absentee ballots will be processed daily starting October 27<sup>th</sup>-November 2, 2020 and until 9 a.m. and complete each day. If people are wondering if they are

voting early, if their votes are “counted”. In fact, they are. Absentee ballots are being processed starting October 27<sup>th</sup>. If you are voting early, you can rest assured that your vote is counted prior to Election Day. Mr. Joseph explained that they are anticipating that due to the bulk of the responses being through absentee, those will be processed actually in the Council Chambers with Election workers so members of both parties will be represented so people usually get a little relief from their nervousness when we point out that our Election workers have to be comprised of both of the major parties. It’s good. Mr. Joseph will have Chris e-mail the Council if the Election Warrant needs to be signed by the Council. Chair Egan asked that both of his e-mail accounts be used to make sure that he gets the notice to drop into Town Hall. He doesn’t think there is a chance to overstate how many opportunities we have to encourage absentee and early voting to avoid having to get in line with potentially large crowds on Election Day. He will keep repeating that at every chance he gets at a Council meeting until Election Day. He feels it is important for the community to understand how many different ways we are providing for them to exercise their right to vote.

**ROLL CALL VOTE ON ACCEPTING THE WARRANT THAT WILL BE SIGNED:** (5 Ayes) (2 Excused-Tracy & Lawrence)

**MOVED AND SECONDED:** To adjourn at 7:29 p.m. (Reighley & Whitney)

**ROLL CALL VOTE:** (5 Ayes) (2 Excused- Tracy & Lawrence)

Respectfully submitted,

Sharon Coffin  
Council Secretary