

**MINUTES**  
**FREEPORT TOWN COUNCIL MEETING #25-20**  
**HELD REMOTELY USING ZOOM TELECONFERENCING TECHNOLOGY**  
**TUESDAY, DECEMBER 15, 2020**  
**6:30 p.m.**

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

Chair Egan called the meeting to order at 6:31 p.m. and welcomed everyone. He explained how members of the public could participate this evening. Chair Egan took the roll and noted that Councilor Reighley is excused this evening because of a medical issue but all other Councilors are in attendance as well as the Town Manager.

**FIRST ORDER OF BUSINESS:** Pledge of Allegiance

Viewing Vice Chair Whitney’s flag, everyone stood and recited the Pledge.

**SECOND ORDER OF BUSINESS:** To waive the reading of the minutes of Meeting #24-20 held on December 1, 2020 and to accept the minutes as printed.

**MOVED AND SECONDED:** To waive the reading of the minutes of Meeting #24-20 held on December 1, 2020 and to accept the minutes as printed. (Lawrence & Piltsch) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Reighley) (0 Nays)

**THIRD ORDER OF BUSINESS:** Announcements

Councilor Whitney announced that on December 17 the Owl’s Head Museum will be bringing down their antique motorcycles to put on display in the Village Station. She can’t wait for everybody to go and see the window display. They are sending down a designer to do an elaborate window display. It is COVID-safe.

Chair Egan pointed out that this is the last Council meeting in December. We will be meeting on January 5 as the first meeting in the new year and we hopefully will all get a vaccine.

Councilor Bradley advised that it is the sixth night of Hannukah and he wanted to share the celebration with the Council.

**FOURTH ORDER OF BUSINESS:** Information Exchange

Councilor Bradley mentioned that at the last meeting we celebrated the victory of the Mock Trial Team and talked about their victory on our various platforms in town. He hasn’t seen it happen and he is curious what the story is. It is not on the display in town and he doesn’t know if it is being scheduled for a banner.

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Vice Chair Whitney advised that she viewed it on the Town's display today. It had a bright red background but she does not have information on the banner. Mr. Joseph displayed a picture for the Council to view. He has reached out to Jeff but has not heard back from him. The banner slot opens up next week for pretty much the foreseeable future. Councilor Bradley asked if there is anything he or the Council can do or if it will just happen? If the school is not going to make one, he will touch base with Councilor Bradley and have one made. Councilor Bradley noted he would make one if they aren't going to do it. Mr. Joseph will touch base with him.

Vice Chair Whitney wanted to say as a reminder that when COVID-19 first hit, many people from around town donated money to help people affected by COVID-19 if they had lost their job or were out of work for an extensive period of time and are now back at work but finding it difficult to keep up. There is money in an account for that reason alone to help people. For those people that came forward to receive help, it made a huge difference in their lives. A lot of times it is just a one-time offering that helps get them back on track. If someone has been affected by COVID-19, please reach out to Johanna Hanselman at the Town Hall.

Vice Chair Whitney also wanted to remind people as we settle into winter that there is a program called Freeport Friends that was established to help people in crisis and to help Elders age in place. A part of that program is called the Bird Feeder Program. It is designed to pair an Elder who often is living alone with a bird feeder and somebody to tend it. This gives the Elders something to enjoy with the nature of the birds but also takes away the risk of them filling the feeder because someone will fill their feeder. It also gives them something to look forward to. They have an ongoing relationship with the tender so they can look forward to that person showing up on the second and fourth Tuesday of each month. If anyone knows of someone who could benefit from this program, they should reach out to her.

Councilor Whitney noted that about two years ago, Freeport became an AARP-certified town. On this Friday she will be attending a meeting with the Accessibility Task Force and Complete Streets to begin discussion on how we can make Freeport more accessible for everyone. She is looking forward to starting that work.

Councilor Piltch met with the Winslow Park Commission last night. They have a ramp in the works that they have been planning which will provide ADA accessibility to the beach and ultimately to the water. It sounds like it will be going in this spring depending on DEP permits. That should be happening in time for their season.

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

Mr. Joseph screen shared the Town's electronic sign congratulating Freeport High School's Mock Trial Team and that we would do something equally ambitious down at the banner location. The Town Planner has the dimensions for the banner so we are moving ahead.

Mr. Joseph mentioned that based on concerning numbers across the State and especially in the County of active caseloads of COVID-19, we've made a short-term decision to move the Library to curbside contactless pick-up and the Town Hall to appointment only scheduling for the foreseeable future while we monitor these trends. The curbside Library pick up is the same as they were running this summer. Details are on the Library's website including how to schedule a pick up and what days they are open. For Town Hall, we just started a scheduling App which is on the front page of the Town's website. For all four counters, if you need to come in, we have on-line appointments in 15-minute segments. We hope this avoids having lines out the front. We don't want people waiting outside in the cold. We are doing full service. Everything is available but we are asking people to call ahead or use the App. He pointed out that

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this will be re-evaluated on a weekly basis looking at caseloads. We saw an 88% increase in active cases in Cumberland County over the past week. They are encouraging people to follow all public health guidelines as we have been during the pandemic.

At our last meeting, Mr. Joseph noted we had a question about how our finances and if we are concerned about revenues this year. The Finance Director, at Mr. Joseph's request, put together a set of documents that he put up on the screen for the Council to view. He explained the numbers and mentioned that we could be doing a lot worse but we are being cautious on spending. He plans to provide these numbers every month for the Council.

Councilor Bradley thanked Mr. Joseph for the report. He feels it is a critical thing to keep track of. He noted that Angus King calls him and asks if Freeport is in need of any federal assistance. He asked Mr. Joseph if he could say Freeport is doing fine and we don't need him to worry about us? Mr. Joseph assured him that he could advise that we are on track and we are not hurting right now. He hates to say take the federal money and give it to somewhere else besides Freeport because he is sure we could use it but the answer is we are not hurting anywhere near as much as other places around us. We would probably need a strategy discussion about whether we would push for those funds or leave them alone. That is a political question for the Council and he could see an argument both ways to do it. He is sorry he doesn't have a great answer for this question. We have shortfalls but they are not huge.

Councilor Piltch pointed out that the Freeport merchants and residents are still struggling. We see that in the vacancies downtown and the number of restaurants closing, etc. There is certainly a case to be made to try to get some assistance for the residents and merchants. Mr. Joseph agreed that that money would really be best suited to target aid to small businesses and unemployment to make it so people can pay their taxes six months from now.

Mr. Joseph announced that on Tuesday, December 22<sup>nd</sup> from 2-3:30 p.m. we will be having a very unique, very COVID specific, socially distanced retirement gathering for our outgoing Police Chief Sue Nourse. We will be doing a drive-through in front of the Public Safety Building. She will be stationed outside and people will be able to drive through and give her their best wishes while keeping their masks on. People will enter from the West Street side of the building and we will have people directing on how to go around the building. If anyone is unable to come, send her an e-mail at [snourse@Freeportmaine.com](mailto:snourse@Freeportmaine.com). We will leave it up for a while after she leaves. After 36 years of full-time employment with the Town, it has been quite a career. We will have more to say to her before she leaves in a couple of weeks. He thanked Chief Nourse for her service and congratulated her. He will be publicizing the drive-through widely but asked the Council to feel free to publicize it widely to anyone they know that would want to be there.

Mr. Joseph advised that on January 1 we will begin a selection process for the Chief's position. He will update the Council at the first meeting in January on what that looks like. Our current Lieutenant has agreed to serve as Interim Chief until we have a replacement. The replacement will have to be approved by the Town Council so he will keep the Council through Council Leadership informed on what that looks like coming forward. The ultimate nomination will come to the Council for approval.

Councilor Piltch asked if Councilors approve other hires for the Police Department or only the Chief? Mr. Joseph advised that the Council approves just the Chief.

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

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Joyce Veilleux mentioned that during one of our last storms when Portland and other towns lost their 911 capabilities, the city used their Code Red System to let the public know how to access their EMS Fire and Police. She feels this could be the time to bring this to the attention of Freeport residents again in whatever medium we can, whether it is the Town's website, a Town letter just to reiterate that system. We really need to work to get more people signed up on that. As people in Freeport or Pownal are identified in need of assistance, please ask them if they are a veteran or someone in their family is a veteran because the American Legion here has some funds set aside to help people also. They can do food, clothing, heat, electric bills. They can do a whole host of things so please ask that question. You can get in touch with the American Legion through her.

Chair Egan thanked her for that information. He is glad she stays connected. Mr. Joseph mentioned that our General Assistance Administrator is listening in and he is confident that Johanna is making a note of that as well.

John Lowe mentioned he has two points that he is curious about. He hasn't heard anything for several months about an update on The Island Rover situation. He asked if this is being worked on? The other issue is he sent an e-mail regarding the Project Review Board approving the new Casco Bay Ford Truck Garage. It must be because it is for trucks, not cars, that they can have many more than what you would have thought for a repair garage on display. Caroline sent him an e-mail saying she was sending it to the Codes Officer to look into that. Mr. Joseph offered to follow up on that tomorrow with the Town Planner and the Codes Officer. Councilor Bradley assured Mr. Lowe that the Council is considering the issues associated with The Island Rover.

Councilor Daniele asked if there is anything we can do to help people get through the winter. He thought of the idea of encouraging people to come up with a design for a Town flag. Perhaps school kids could all design something that we could use it as an honorary Town flag that we could use for a month or a year. This would be a way to keep people motivated. Maybe there are other things we as a Council can do also. Chair Egan noted that this is an excellent idea and we can work with the Town Manager or Staff to try to make that idea a reality.

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:

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ITEM # 176-20                      To consider action relative to adopting the December 15, 2020 Consent Agenda.

**BE IT ORDERED:** That the December 15, 2020 Consent Agenda be adopted.  
(Egan & Piltch)

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

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

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ITEM # 177-20                      To consider action relative to setting a public hearing to discuss the establishment of the 'Nature-Based and Art Overlay District' - to include the following changes to the Freeport Zoning Ordinance:

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

**PUBLIC HEARING:**

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

Chair Egan invited residents to provide comments at this time and to please keep their comments to 3 minutes.

John Albright of South Freeport noted he is happy to be able to help a good thing happen rather than trying to stop something bad. He explained that he has been involved in music in some way or other his entire life. Freeport's Comprehensive Plan and FEDC's Vision 2025 affirm the importance of creating and fostering a vibrant arts and cultural sector and creating increased opportunities for the Town's residents and visitors to participate in arts and cultural experiences. What the Heestands want to do at the Desert of Maine works directly to help Freeport implement the vision in those documents. He encouraged the Council to approve this application.

Doug Heestand wanted to talk about their vision for the Desert. They bought it two years ago and at that time they found the Town Council was enthusiastic and supported them. He mentioned that Town Staff has been tremendous working with them over the past two years to craft a proposal which acknowledges that the Desert of Maine is situated in the middle of RR-I and recognizing that the Desert of Maine has been a tourist attraction for 100 years and a campground for 50 years. Mela Heestand explained that when they bought the Desert, they didn't know what they were getting into but felt a strong connection to the land and wanted to protect it. They also fell in love with the historic Tuttle barn which desperately needs restoration and they want to save it. They have a vision of filling the barn with music. They have discovered that the Desert has an amazing unique history. It has been a charming destination where people can experience nature and enjoy time with friends and family. They want to create educational programs that share this unique history and bring arts programming to restore the Tuttle barn and create a new gathering place for the community. Mr. Heestand pointed out that they also want to modernize their campground to keep pace with current trends and provide a turnkey way for people to experience the outdoors. They think revitalizing the Desert could be an important part of Freeport's future and we need to inspire people, particularly children, to become stewards of the land.

Lauren Manganello mentioned he husband, John, sent a letter. They live across from the dunes and before the Heestands bought the Desert, it was never on their minds to go there. It was unwelcoming and simply was not fun. Now they go often and every time they have visitors. They now enjoy the Desert in every season. She can't wait to see all the educational opportunities continue and wanted the Council to know how much she and her family appreciate the Desert for themselves and as a community gathering place. She hopes this application is approved.

Arron Sturgis from Berwick, Maine advised that he is the Heestands' contractor for the restoration of the barn. He is wearing a number of hats this evening. He is a past president of Maine Preservation. He wanted to congratulate Chief Nourse on her retirement. He also wanted to comment on the one thing Mr. Joseph talked about with the downtown businesses struggling but sustaining the community. He noted we are all struggling with COVID and all the things going on but we are all working as hard as we can in a Maine community. He feels it is cool to have a vibrant Historical Society as close to the downtown as it

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is. He knows Freeport understands good preservation. As a contractor and citizen of Maine, he has seen a lot of loss of historic culture throughout the State. It has to do with development pressure and zoning and all the different things changing our communities.

He wanted to say things about the Tuttle barn. It is a wonderful and ancient barn that needs a lot of work but worth the preservation effort that Mela and Doug are envisioning. Its current zoning has not changed the current use of that property. The flexibility that is being looked for here allows something that has been in Freeport for generations and has been operating in some capacity as a cultural resource and should continue to do so in his opinion. It has been a destination for many people. He hopes the Council can be flexible with the zoning to let this project go forward. It is good preservation, good for Freeport and really good for the kids that will be coming from all over the State. It is a good cultural resource.

Hannah Gaffman advised that she is currently working with the Heestands helping get the word out to make sure their vision is clear, makes sense and is getting across the community. Formerly she was working with the Arts and Cultural Alliance of Freeport and wanted to reiterate from her experience with ACAF that this not only is a slam dunk in her mind for helping achieve various specific pieces of the Comprehensive Plan as well as FEDC's Vision 2025. It is also a huge win in terms of the Freeport Cultural Plan. This is one of the ways we can actually put it into action. This is a pretty rare opportunity that a commercial private enterprise is coming before the Council to make some adjustments to the Zoning Ordinance so that it can continue to operate as a business and make investments so this business does not go under and offer all the cultural assets to the community and they are not asking the Council for money to do it. On a personal note, this is exactly what she would come to Freeport to do. This is something that diversifies what Freeport has to offer. She hopes that the Council will approve this.

Keith McBride of FEDC mentioned that a lot of good points have been made. This is one of the unique opportunities that Freeport offers and what we are really talking about is the enhancement of that arts and cultural experience and the enhancement of what is a really unique, historic and natural feature for Freeport. As Hannah pointed out, opportunities like these don't come along very often. FEDC did a study early on in the arts and cultural exploration to look at other studies that have been done in Portland and Bethel where they did surveys of past events and attendees. For non-residents they found approximately \$40 per attendee spent not including the price of admission, went into the local economy through restaurants, bars, shopping and other things. For residents living in Portland or Bethel, \$25 per attendee that went into the businesses. Those things tend to add up if there is 100-person capacity for an event once or twice a week over the course of the year. It can make a difference. Their vision for downtown which the Council will hear later, they see downtown as a hub. In order to have a hub, it has to connect to things so we have unique assets throughout Freeport that they feel that downtown can be the hub for. He mentioned the breweries, the Meeting House Arts project, the Desert and other opportunities that are out there as well. We will also be talking later about the DOT's plans for Exit 22 and 24. We are talking about connectivity and it all fits in with you can't have a hub without connectivity. This is an interesting sort of connecting of all these different pieces that are going out at the same time. He mentioned that they are working comprehensively right now on a lot of these important initiatives. He knows the Council has heard a lot of positive things tonight and he is sure the Council will take them all into account but wanted to bring it into some economic perspective as well.

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

Caroline Pelletier, Town Planner shared a screen and explained that this was an applicant-driven agenda item that was before the Planning Board. They had a workshop with the Planning Board back in June.

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They did some language revisions and took public comment. They came back in September and took feedback from the public and the Planning Board. They worked with Town Staff and the Town Attorney to come up with the language that is before the Council this evening. She feels it is a good compromise incorporating what the applicant was looking for, the needs of the community and public comment by the Planning Board's comments. What is before the Council is a proposed Nature-Based and Art Overlay District. There are a couple of components the Council is being asked to consider tonight, both amendments to the Freeport Zoning Ordinance and the Zoning Map. She displayed a screen and pointed out locations in Freeport. The applicants had a survey done of their property and estimate that they have about 50 acres so that is the area the Council is being asked to consider tonight. She displayed the Zoning map and explained that the Desert parcel is in the RR-I District. It has a 2 ½ acre minimum lot size. It is typically not connected to public utilities.

The Council is being asked to consider a definition amendment to the existing definition of campground. One of the things the applicants wants to do is offer a different kind of camping experience for visitors. They want to put in some structures and it is not currently permitted under the current ordinance even though there are a couple of other campgrounds in Freeport that are non-conforming in regards to this. They do have some older structures. The applicants have a proposal to amend the definition of a campground. It would allow some cabins at camp grounds but there would be some restrictions in regards to size, how much of the year they can be used and they do not have bathrooms or cooking facilities. This is so they do not turn into year-round dwelling units and would not trigger subdivision.

The biggest part of the proposal is this creation of a new section of the ordinance for the Nature-Based and Art Overlay District. It would still have the RR-I zoning but has an extra layer on top of it so by having that overlay layer it allows anyone within that district, whether it be the Heestands or should it be cut up in the future, to take advantage of the overlay the Council is being asked to consider tonight. She explained the four permitted uses. Food trucks would be permitted as accessory to any other use. All the uses would be subject to Site Plan Review before Project Review. She offered to read the definition of a nature-based commercial-based but Chair Egan advised it was not necessary. The Planning Board did add a new minimum lot size for these uses of 10 acres to prevent someone having this land in the future and chopping it into a large number of parcels. It adds a layer of protection to what could be done there in the future. The Board heard constructive feedback from a lot of people. They received 30 e-mails and letters in support of the project. They did hear from a few people that had concerns so they put in a landscape buffer requirement for 15 feet. If the property was to be developed in the future, they noted that the maximum capacity of the barn would be 300 people but they wouldn't be using it as a wedding venue. It is not something the applicants intended to do. She explained the other three sections the Council is being asked to consider.

Ms. Pelletier displayed a map and explained that there is an insert that would be put with the Zoning Map. They have plans for another ongoing project to modernize the Zoning Map and make some changes so for now, this would be the official Zoning Map amendment and would be an insert. She will come back before the Council and do an overhaul of the Zoning Map and would like to see the Council incorporate this Overlay District at that time.

Chair Egan asked how many meetings of Project Review and Planning Board this project has been through? Ms. Pelletier advised that it has not gone through Project Review because they can't go through that until it goes through the Planning Board and the amendments are adopted. They did have three meetings with the Planning Board. Two of them were workshops and one of them was with a public hearing. They did have meetings with Staff and the Town Attorney as well. She could not anticipate how many meetings with Project Review would be necessary assuming this gets approved this evening because it will depend on the size and scale the applicant decides to bring forward at one time.

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Attorney Jim Katsiaticas, representing the applicants, mentioned that the Council has heard the Heestands explain their vision for reimagining this Desert of Maine attraction, restoring the Tuttle barn, updating the campground and establishing a new arts center but there was a problem. When he met with them a little over a year ago they talked about zoning. When Freeport enacted zoning in the 70s, this was placed in a Rural Residential area which is fine as far as it goes but it didn't recognize that the Desert of Maine is there as a commercial enterprise. It didn't mention it was essentially a non-conforming use at that point. The campground was permitted but limited in so far as how it could be modernized and an art center is not allowed. There were a number of limitations that prevented them from trying to realize their vision for this property. They began meeting with the Town and Staff was very gracious with their time and ideas and together they were able to come up with ideas on how to approach this problem. Rezoning the property would not have necessarily helped. They wanted to be respectful to the residential uses in the area. Contract zones are not allowed in the RR-I. The solution they came up with was the idea of an Overlay. Take the existing Rural Residential uses, respect them but build on them. Keep the campground use, add the Art Center and also look at ways to restore the Tuttle barn and also rejuvenate, reinvigorate and reframe the Desert of Maine by allowing other uses that could go along. They met with the Planning Board several times, they took comment from the public and the Planning Board. They met again with Staff and the Town Attorney and the collaboration came up with something that helped address the issues and makes this a strong proposal for a zoning amendment to try to improve the code for this use. The biggest criticism they have incurred is the idea that this is spot zoning because we are just zoning one parcel in this Overlay District. At another site that has historic and cultural, this is Overlay in that area as well. Spot zoning in itself is not illegal. It is illegal if it is not consistent with the Comprehensive Plan. He asked the Council to look at the Planning Board's findings in their motion where they found the proposal was consistent with Freeport's Comprehensive Plan. It encourages the expansion of creative arts and promotes Freeport as a destination for visitors. It checks all the boxes in the Comprehensive Plan and restores the Desert of Maine to a stature that it probably hasn't seen in decades. For all these reasons, they believe this is something that meets the legal requirements and allows the reimagining of the Desert of Maine property to go forward. He offered to answer questions but respectfully asked the Council to enact the amendments.

**BE IT ORDERED:** That a Nature-Based and Art Overlay District be established and the following changes be approved to the Freeport Zoning Ordinance:

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

Mr. Joseph advised that he has been involved in this for possibly two years with Mela and Doug. He mentioned that the sentiment was “Hey, this is a great idea but here is the giant list of problems that stand in your way.” He, the Town Planner and the Codes Officer were trying to be up front with them and they then went to work. He feels the applicants deserve credit. They went out and talked to their neighbors and the vast majority of their neighbors are on board. They did a great job of public outreach to the neighbors and worked with Town Staff trying to address their concerns.

Vice Chair Whitney advised that she was at that first meeting and when the mountains were laid out in front of them, she begged them to keep going because this is exactly what we need in Freeport. This is

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the direction we should be taking. She is so glad they did not give up. She is aware it was a very difficult struggle for them and that Staff has been great. She is grateful they stayed the course and she can't wait for their doors to open.

Councilor Bradley understands there were concerns voiced by a few neighbors and he wanted to hear what those concerns are. He appreciated Attorney Katsiaticas' representation about spot zoning. He feels he is right on. Maine Law says it has to be consistent with the Comprehensive Plan and this project hits about four boxes so there is no problem with spot zoning. He wanted the public to know that the Council is not making an exception for one person we like. He asked if the basic changes in definitions affect any other campgrounds in Town such as Wolfe's Neck? Ms. Pelletier advised that the Nature-Based Commercial Enterprise definition is new. Currently, if adopted, this would be the only place in Freeport it is permitted but if someone should feel it is appropriate in another zoning district, it could be added in to be another permitted use at some point in time. We do have other campgrounds where this definition could apply to them. Wolfe's Neck may be a different situation where they are on the water and Shoreland Zoning could come into play but it could impact other existing campgrounds that have full existing structures, little cabins that they rent out and bring them into a level of conformity if they meet that standard. While most of the comments were favorable, we did hear comments about traffic. We heard from a close neighbor who had valid concerns about potential noise, buffering, light, traffic and circulation. A lot of those things would come up should the applicants go forward and come back through the Site Plan Review process. Based upon those comments and a couple of comments made by the Board that the language before the Council has the buffering requirements to comply with the Rural Residential and also has the 10-acre minimum lot size. She explained that areas within the Shoreland Zone fall under State Shoreland Zoning and they have their own layer of restrictions for campgrounds. She feels it is probably a benefit for these places to have structures since not everyone likes to camp in a tent.

Chair Egan mentioned that another campground could apply for and receive permission to apply the Overlay to their property. Ms. Pelletier noted we are talking about two different things. The definitions apply throughout Freeport. They are in the General Definition Section of the Zoning Ordinance. The Overlay itself is a description would be in the new Section 428 and wouldn't be designated on a map anywhere else. Should someone else in Freeport feel this might be an appropriate use on their piece of land or their general area, they could come before the Council and get a map amendment.

Councilor Bradley asked for clarification that all campgrounds are now subject to that definition. Ms. Pelletier agreed but with the exception of those in the Shoreland Zone which come under Shoreland Zoning. Councilor Bradley referred to Recompence and mentioned that he knows the cabins there have cooking facilities. He asked if this means they are not in compliance as a campground? Ms. Pelletier advised that they were already non-conforming and if they have cooking facilities, they would still be non-conforming. That is there so they don't trigger the definition of a dwelling which would have to have living space, cooking facilities and a bathroom. She suspects at Recompence they probably don't have bathrooms.

Councilor Pilch noted he has been following this application and almost all of the feedback was in support of the project. He commended the applicants for making a substantial investment in their property and in Freeport as well. He is in support of the motion on the floor.

Councilor Bradley advised that this project is in the heart of what ACAF and FEDC have been suggesting through their activities. This is the kind of thing that will distinguish Freeport. It is unbelievable that two people are doing this on their own with their own resources. He commended them and advised that he will vote overwhelmingly in support.

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

Chair Egan thanked the Neelands for a job well done. He thanked Staff for participating as well.

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ITEM # 178-20

To consider action relative to the acceptance of donated land from Warren Gerow.

**BE IT ORDERED:** That the Town of Freeport accept the donation of approximately 10.86 acres of land (a portion of the existing parcel located at tax map 022 lot 063) from Warren H. Gerow IV, to be perpetually maintained as open space in accordance with Freeport Zoning Ordinance Section 504A. Reference is made to the Subdivision Plan titled “Hanscome Woods” approved by the Freeport Project Review Board on 10/21/20.

**BE IT FURTHER ORDERED:** that the acceptance of said property is conditional on the following two items:

1. Review and approval of transfer deed by the Town Attorney.
2. Removal of all material (including material noted in Phase I ESA dated 12/2020) from the parcel, to be approved by the Town Engineer prior to property transfer.

**BE IT FURTHER ORDERED:** That the Town Manager be authorized to sign all documents necessary to effectuate the property transfer. (Lawrence & Piltch)

Chair Egan explained that the Council has heard a previous presentation of this action which is essentially the non-buildable land that abuts current Town land at the Pownal Road Field facility as well as the cross-country trail that goes through the woods. The opportunity has been outlined by a diagram and site plan in the Council’s packet for the creation of six building lots and the contribution of land that is not currently available for development because of its current condition being donated to the Town to expand the public Town holdings out at that parcel since it is an adjacent section.

Mr. Joseph mentioned that Town Staff was asked to do research on the property because of the due diligence the Town always does when accepting property. A site walk was done and an electronic document reviewed all the environmental data bases for any issues surrounding the property. Most of the issues that came back were Town issues such as a closed land fill. We were being warned of our own issues that we are responsible for on this property. There were no surprises. He displayed an area and noted there was some solid waste, but nothing was hazardous. Mr. Gerow has cleaned up the bulk of the material and was great in terms of taking care of things that were found to our satisfaction. It is mostly wetlands but he pointed to a trail that has been there for years. It makes sense to take ownership of what we have been using for several years. He feels it is a good addition and gives public access to the Hedgehog, Pownal Road and Hunter Road Fields.

Chair Egan added that the Environmental Assessment document states that the engineer found no recognized environmental conditions. That is the specific magic words that there is nothing hazardous out there on the site. He found it reassuring to hear.

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

Chair Egan thanked Mr. Gerow for his donation.

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ITEM # 179-20                      To consider action relative to the award of contract for downtown project to Principle Design group in amount of \$50,000

**BE IT ORDERED:** That a contract in the amount of \$50,000 be awarded to Principle Group, for completion of Phase #1 a downtown strategic visioning plan.

**BE IT FURTHER ORDERED:** That the Council determines that it is in the best interest of the Town to waive the Town's sealed bid requirements in the selection of Principle Group, in favor of a qualifications-based selection process.

*NOTE: The Town Council appropriated \$50,000 for this project in the 2021 Capital Budget. (Daniele & Piltch)*

Vice-Chair Whitney explained that it was over a year ago and prior to COVID-19 that we started conversations about how we could help re-energize downtown. We agreed that we would need outside expertise to help to provide a decision. In June, funds were approved by the Council and put into our Capital Budget for this purpose. It was at that point with direction from Chair Egan that she, Mary Davis and Chip Gray began interviewing 13 different consulting groups. All were excited about the resources Freeport had to offer which she listed. The number one question she is asked as a Councilor is what are you doing about Main Street? Commercial space has taken a hit and their search group nicknamed the Street Gang, consist of community members, George Casey, Maine Beer leadership, the Chamber of Commerce, business owners, Town Planner, Caroline Pelletier, Visit Freeport, L.L. Bean, Councilors and FEDC. In addition to identifying an appropriate firm to assist us and taking us to the next steps, they have been doing a lot of work just trying to energize downtown for the short term. They realize that they are lucky to have a lot of motivated people in town who love Freeport and want to see it thrive. What we need from a consultant is an expert to bring the towns peoples' voices together and to shape our identity for the future of experiential retail while enhancing access to the resources we already have. It is critical that we know what has worked in other towns like ours and what hasn't. What are the retailers of 2025 looking for? It became clear that Boston Consulting Group's Principle is the best match for us. They have a long history of guiding New England towns through major changes and you will hear now from Mary Davis, FEDC President and then the Council will have the opportunity to hear from Principle themselves.

Ms. Davis thanked Vice Chair Whitney for a wonderful set-up. As the President of FEDC, she gets a lot of questions about why is this something that FEDC is driving? She feels it is good that the Council saw a presentation last week surrounding this and Mr. Joseph has documents that will be available for the public. She explained that FEDC's mission for Freeport is sustainable economic growth that diversifies and strengthens our economic base. As they looked out over that and they have a wonderful energized Board to help to get this accomplished for Freeport. As they looked at 2019, they realized that they need to focus on downtown Freeport and make sure it remains vital. It is the large part of the economic base for Freeport but it is also a draw for visitors and for residents so it is kind of the heartbeat for Freeport.

As Vice Chair Whitney said, the Council is seeing a lot of the outcomes of the actions of this amazing group of 35 volunteers who are literally meeting every other week, once a month or every three weeks to help get this work done. As you drive through Freeport and see all the pop-ups in place, say thank you to this amazing group of people who are believing we need to revitalize downtown Freeport and are making actions on it.

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Ms. Davis mentioned that Keith has been going to the Planning Board to find out how to bring residential development into the downtown because it is vitally important that we have people living in downtown Freeport. As we came out of COVID, we said what they really need is a centralized vision of what we want downtown Freeport to be. When people come back, what do we want it to look like? What do we want it to include? What do we want it to be for residents? What do we want it to be for visitors? They realized that Freeport's downtown transition plan is important for everyone in Freeport. We only have limited resources so let's make our bang as big as we can. We need to know what townfolk want. We need stakeholder insights and want input from the business owners, the landowners and stakeholders. We want an expert to lead us through that. She feels that they don't know enough and wanted to bring in an expert from the outside who has seen it done in other towns in other locations. We want someone we can shamelessly borrow and ask them here. We don't have to reinvent the wheel. They started to interview the 13 consultants and learned a lot. She explained the questions that were asked of all of them. It all led back to the Principle Group and it had to do with their expertise in community and constituency engagement, their expertise in knowing all these experts in other areas like street development, etc. They just know how to get people involved and get their feedback in. They brought Russ Preston to Freeport and asked him a whole bunch of questions and decided he was the one for us. Mr. Preston will provide an overview of what we have outlined as a plan. She wants the Council's questions and feedback. Tonight, they are asking for funding to get this started. They do not feel they can wait to get started on downtown Freeport. They need to go now.

Mr. Preston thanked Ms. Davis and Vice Chair Whitney for the introduction. He noted it has been a fun few weeks getting to know everyone in Freeport and digging in as to how they can help. He had slides to share and encouraged the Council to chime in with questions. They have an office in Portland but he had not walked around Freeport with his "planner" hat on. They always start by asking the question: "how can we make the places we love really survive what is going on right now? They have been working with municipalities since 2010-2011 and have developed a framework for how they do it with cities and towns. Most of their work is in New England and really focus on how they can help people create authentic places. For them they realized it has to do with the people in that place at the time. They believe it is about creating a feedback loop and dialogue throughout the entire process in the community so that they can actually design the plan and create the plan together because it is the local folks that are going to actually implement the plan. That is the most important thing.

After they organize everyone, how do they listen? They come at it with a breadth of knowledge on what is going on in other places and what are these timeless principles they have learned over hundreds of years of building neighborhoods and downtowns. What is important is the local knowledge so they try to bring as many minds into the process as possible and try to leverage that local knowledge so they can see what they don't see as outsiders. What is fascinating about this is that if they can set up the organization properly, over time as they listen, listen, listen, they start to have conversations and discussions with people that may have never talked to each other and they are able to connect dots between some of these ideas and that leads to really interesting solutions. They use a lot of different tools to do this and make sure they have a number of ways to make sure people connect to a process. They have adapted a lot of these tools to a virtual platform. You can now do the same type of activity from the comfort of your living room.

They have been trying to connect to people that normally do not participate in planning and they are looking at how do they make this friendly or something fun for people to engage with and share their knowledge with them. Once they start to connect all those dots, they start to put pen to paper whether that is writing policy or illustrating the future. They can start to show them interesting ideas that come out of these dialogues. He displayed a sketch of what they did in the Town of Newcastle. The design is a way

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for them to test a lot of those ideas that come out and not just produce a report that will sit on a shelf but really actually mobilize the human capital you have in your community to move forward with a plan. This gets to adoption. For them, it is not about the end of writing the report but actually how you, as community leaders, can use it as a tool to move your community forward. In the last few years, they have been helping walk it through the adoption process and really be available in talking sessions such as this to make sure that folks really understand what the plan is saying. At the end of the day, this is one of the few tools we as humans have to plan for the future so they really want to make sure that you understand it is a local campaign and they can help to move it forward and give guidance on how to do it. At the end of the day, it is the people in the community that will help move this out.

In the last few weeks, they have tailored a 3-step process looking at an early action plan and saying what can we do now and what are the things that could be possibly implemented once the weather gets better. They would capture a lot of the information from the early action plan and then issue a report with instructions. They will still hold on to the longer-term things and in Phase 2 they will start a longer-term plan for downtown which will start with community visioning and that would get wrapped up with a Phase 3 which will really document the vision and create a long-term plan for downtown. Ideally this is early action, long-term community visioning and then the physical plan. They are really focused on downtown. He is curious to hear what the Council thinks some of the project goals should be as well. In the first phase he suggested trying to tailor a work plan to really address the needs in Freeport right now. They will be kicking it off in a workshop but they will be defaulting to virtual as much as possible. Small site walks are really important and people can do them on their own with some clear direction on what they want them to look at. Then it is getting into how they can write this early action plan together and quickly. In looking through the resources available and the timeline on this is really working with the Street Gang and all of FEDC's volunteer network to try to move some of this forward in real time as the planning is going on. In Phase 2, this is really culminated around design week or planning week and it is really a festival type atmosphere where they engage everyone in the community and bring them together during a short amount of time. They have utilized movie nights, potluck dinners or all sorts of things to bring the community into this and make it an engaging experience. They find that if they change the psychology around planning, people get more done over a playful barbecue than a conference table at these events. They will then roll into crafting the plan and come back with a draft of what the vision is. They will always be checking in at periodic points in the process to ask if this is what you need and get a signal from the community that this is what they are talking about. This will take them to May or June in the first phase. They have found that the process creates the product and the plan and they have done this with many developers over the years. He displayed some of the sketches they produced and explained what other communities such as Providence, Rhode Island requested for their areas. Mr. Preston noted that they are really excited to be doing this with Freeport. A number of their team live in Maine and are thrilled to have the potential to help Freeport out. He thanked the Council for doing the work to connect them. He offered to answer questions.

Chair Egan thanked Mr. Preston for a comprehensive presentation. He mentioned that Freeport tried to relax a bunch of zoning language that prohibits moving businesses out to the sidewalk and we had some limited success in the downtown area. The restaurants and hospitality places took advantage of that.

Councilor Bradley mentioned that he did not know what the Council's role is tonight other than to approve the money. He asked if the Council is expected to provide questions or concerns about the plan tonight or if it for sometime after the Council approves the funding? Ms. Davis advised that they want the Council's feedback on the planning portion of this. This is meant to be a community-based process and they are asking for money but they are also asking the Town to participate in a process of giving them their thoughts and input. Mr. Preston noted there is no time like the present if Councilor Bradley has advice or guidance.

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Councilor Bradley reviewed the plan and appreciates that FEDC has taken the lead on this. His comment is that it is FEDC-centric and the centrality ought to be placed on the Council and the Council should have the responsibility for the product because his observation is that FEDC and the Council don't always know who is on first? The second thing is that at the end of the day, the product will be for the adoption of the Council and the Council then should have some responsibility not just to hear from people along the way but be asked to participate in the development, whether that is by designated Council members or by regular FEDC presentations to the Council if this goes on. The Council shouldn't be left at the end of this to raise their hands and say yes, that sounds good. They should be given responsibility for those reasons. In terms of organization, he feels that it is appropriate for FEDC to lead this effort but they should be asked to bring in all the other organizations and individuals that may be what is called stakeholders. Rather than just interviewing them, he feels they should be given some responsibility for developing the product as well. Knowing how Freeport works, that will start to obliterate some of the silos that keep us from participating and cooperating with one another. If everybody thinks this is an FEDC project, they will hold back a bit. If they are invited to the table and make them co-administers, they will be at the table because they are just as interested as FEDC is. When you look at the time table, it is hard for him to make sense of it. Some attention should be made to whether that is a realistic timeframe to accomplish the things that are set out. He questions what happened to all the things FEDC did before Principle Group arrived and before they realized they needed a consultant. They did a lot of the same things that the plan says are going to be done again. He would love to know that the information captured by this process is not lost because it would be a shame to start over when you have heard from a lot of the same people. Remembering back, he feels it was valuable information. He would want to know in three phases, the first phase gives us the chance to do early action which is what are we going to do by next summer. It is also the start of Phase 2 and 3. Is there any suggestion that by funding Phase 1, we are committing to Phase 2 and 3? Is that an expectation? Can they get everything they need out of Phase 1 without making commitment to Phase 2? It would be nice to think that Phase I is an opportunity to get to know Principle Group and understand exactly what their products will be and how we would use them without having to make that commitment. He wants to know before he votes whether there is an expectation that a vote tonight for Phase 1 is any kind of a commitment for Phase 2 and 3.

Ms. Davis advised that Phase 1 is what they are asking for commitment to. It does not commit us to Phase 2 and 3. Would she like to have all 3 phases done, yes, she would but she does not have the money to do that. She does feel comfortable in moving forward with Phase 1 as she believes that we are at the right time to do that. She and Councilor Piltch have been looking at other opportunities for funding such as grants, etc. They believe this Phase 1 will help them understand Mr. Preston, his output, our progress and give us good reason to fund the next two phases. She has not committed to Mr. Preston that we will do Phase 2 and 3 but is committed to Freeport that if they can do those three phases, it would be the best thing for Freeport.

Mr. Preston mentioned that he is hoping the Council can do more work with them. They try to make it as collaborative as possible because at the end of the day, it is Freeport's plan and is ownership they want Freeport to have locally. They will look back at all the previous plans and any previous work that has already been done. Planning is never over for a community. They have had enough repeat work with their clients that they know there are only so many resources at certain times and they will make sure they collaborate to provide what Freeport needs with the resources available. Ideally, they will do a great job and Freeport will say let's keep going but he has no expectations that they will do Phase 2. While they would love to do Phase 2, Freeport has a task ahead of it on what can be done before next summer and they are committed to do that first. Ms. Davis wanted to say that giving other organizations responsibility is a great idea. Thus far, Councilors Whitney and Piltch have been very active in the whole process and she has gotten a lot of feedback from them. Other organizations have been coming forward requesting

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that they be involved in this. They want the Street Gang and others to continue to work together going forward. Councilor Bradley clarified that he is talking about an organizational commitment to the process which is different saying to FEDC, go do this for us. It leads to uncertainty as to who is in charge.

Mr. Preston noted that everything said makes sense. Chair Egan noted to Councilors Whitney and Piltch that it appears there is another member of the Council eager to participate in the planning process. He added that he would like to capture the prologue Councilor Bradley gave to his specific questions. It really captures what he has been feeling as have others about all the possible things we could be doing but we actually have access to a lot of tools and now have skilled professionals that know how to use those tools so he is interested in getting going. His only frustration is that we can't fill the high school gym with 1,500 residents to come in and join in that conversation. That is the missing part he wishes he could fix but potentially by later this spring, we might be able to have such an event. Ms. Davis noted that on the Planning Board, there was 102 people involved.

Chair Egan explained that the allocation of dollars for this initial phase has already been appropriated in our current Capital Budget. It is not a new expense.

Councilor Piltch mentioned it has been a long road. Interviewing 13 consultants is not something he signed up to do in his spare time but feels it was worthwhile. He learned a lot by learning what we don't need to do. He feels having it as a Town initiative with FEDC helping manage it, makes a lot of sense to him. It changes how it is contracted and how it is led. It is important to note that we do things differently in Freeport than most other towns in Maine and FEDC is a separate non-profit although almost entirely funded by the Town. It has a separate Board and is not a department of the Town. He agrees that we are only committing to Phase 1 now but he thinks doing Phase 1 without doing Phase 2 and 3 will be missing a huge opportunity. Phase 1 is mostly preparatory work but if we go into Phase 1, we should really be thinking of how we get Phase 2 and 3 set up and hopefully, we will be able to do it by June so we won't have a gap between them. He doesn't know if we can leverage any grant money. He noted that he doesn't know if this is perfect and exactly what we need but it is pretty close and directionally right. There is some sense of urgency and he doesn't feel it can be put off for six months or a year. He is supportive.

Ms. Davis mentioned that as president of FEDC, they are okay with it being a Council or Town project with them helping. They simply knew it needed to be done so the actions taken were aligned.

Councilor Daniele asked when the Council needs to get the money set up for Phase 2 and 3? Mr. Preston advised that ideally, they are building some capacity so if they don't have it pulled together until the beginning of May, they will know that and will try to figure out how to make it work. If it is pulled together by the end of January, great, they will be more prepared. He feels they are able to adapt and they have to tailor something that is going to work. The more they have advance notice, the better because then they can advertise the whole process. There is a benefit in having a beginning, a middle and an end for the community. He mentioned there is a thing called planning fatigue and we may have all had zoom fatigue. We want to make sure there is an expectation where we are honest with the community about here's how we are going to get there and here is what we want and they know it is going to result in something. They can certainly manage the summer with Phase 1. People might say this doesn't address some of the things I told you. Well, those things are long-term things and will be studied in Phase 2. It is something we can keep talking about but he does not have a date in mind.

Chair Egan advised Mr. Preston that starting in late February and working pretty much every week through the month of March, the Council is in its budget planning process and that would be a very convenient and opportune time to have a potential placeholder discussion for this Council to potentially look at a scope for subsequent phases so that in an orderly and normal course of our budget planning, as

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we did with this allocation, we can potentially include it in a Capital Budget going forward into FY2022 as opposed to hearing about a number the third week of May when we are a week or two away from adopting the budget which starts July 1. The Council doesn't adopt the Capital Budget until sometime towards the end of April so there is a little bit of a window there. If we are going to have a conversation about the usefulness of subsequent phases with this engagement, that would be the time frame to have that conversation. He added that he is strongly in favor of this engagement now because he is seeing a number of things converging and is really intentional about using that word because they really are lining up here where we have a lot of enthusiasm with new ideas and things happening in our community this winter taking advantage of available unused or underused spaces. A series of public discussions at our Planning Board involving a project that has now been pulled back but had well over 100 people speaking about this is not what our community wants and in contrast, we would rather see this and this over here. Being able to take advantage of that much public engagement on a project that was actually just on the drawing board, is a wonderful opportunity to harness that public engagement, interest and curiosity about what our downtown community could look like. Having a vehicle such as Phase 1 of this particular scope of work is an excellent way to attract that attention and give it a voice, a microphone and a platform to let the public come forward and start articulating that "this is what we want our community to be." He doesn't believe we could be selecting a better time than right now to organize an opportunity to collect that information from our residents.

Councilor Lawrence agrees that right now everyone is charged to do what needs to come next so he feels this is the right time to go forward with this particular project.

Councilor Piltch noted that in the order the Council is approving, we are not specifying the terms in the contract as being FEDC or the Town of Freeport. He assumes that can be worked out after we vote on it tonight and then hash out the details later. Mr. Joseph explained that it is his understanding that if the check is coming from the Town of Freeport, it will be a contract from the Town. Ms. Davis advised that they simply knew this had to be done by the Town and were less concerned if it was paid for by FEDC or the Town but got it going and they have the Council's full commitment and the Town's full commitment.

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

Mr. Preston thanked the Council and mentioned that they are looking forward to working with Freeport.

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ITEM # 180-20                      To consider action relative to adopting the 2021 Town Council schedule.

**BE IT ORDERED:** That the 2021 Town Council schedule be adopted. (Piltch & Lawrence)

Chair Egan reviewed the list of dates in 2021 the Council will be meeting. Councilor Bradley asked what *Agenda Items Due By* means? Chair Egan explained that the Town Manager and the Town Clerk have to have the items by the previous Thursday before a Tuesday Council meeting in order to put them on the agenda by that date. The agenda assembly usually starts 8 days in front of a Council meeting. There is a draft circulated to Councilors on Thursday morning and then sort of a last call bell ring on Thursday and by the end of the day on Thursday, the agenda is set. Mr. Joseph added that procedurally it is the Council Chair's prerogative to make the agenda but it is also the majority of the Council's prerogative if they do not agree with that to take something off of it as well. A simple majority vote can take up any item regardless whether it is on the agenda or not.

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Chair Egan pointed out that typically the second meeting in August is an opportunity to meet with the Bustin's Island Village Group. They host the Council for a potluck dinner out on the island and he is looking forward to that and getting back to normal in 2021.

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

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**OTHER BUSINESS:**

1. Update on MDOT Bridge Projects at Desert Rd. & Mallet Dr.

Mr. Joseph advised that there is not a ton to discuss but some very good news. DOT's Bridge Project Manager at the State and the Project Manager for the project we have been talking about met with him and Adam Bliss. They are working on getting us hard numbers that we can use for our process so we have no action to take tonight and our process on whether we are going to put a vote forward and all those questions which will be answered in the very near future. The good news is that they have considered their cost sharing percentage in light of the long conversation we had a couple of weeks ago and weeks before that as well. Essentially based on the circumstances to be consistent with all the other bridge projects going on in the State, they feel comfortable with increasing the cost sharing percentage on the Mallett Drive Bridge. The Council will recall that the original proposal was that the Town would have to pay 50% of the sidewalk and 100% of everything after that. They are proposing that the sidewalk will be in the base project cost because of the location, the connections, the pedestrian activity, etc. existing on scene currently. We will pay similar to the Desert Road Bridge, 50% of anything out of the above and beyond. That substantially affects the calculation to the tune of what they are estimating. Again, these are not hard numbers and we don't have anything to vote on because we don't have the hard numbers. They are thinking in the range of \$500,000 to \$750,000 Town share for both of the projects combined to include a two dedicated bike paths, one on each of the bridges. That is a substantial reduction to the \$1M to \$1.5M numbers that were floating around if we were to absorb the full cost of the Mallett Drive project. That is pretty significant. The reason they don't have hard numbers is that they are working with their Design Team to actually hone in on not to exceed numbers. They clarified with them that they would give us not to exceed numbers in the contract with the Town for a set amount and not just 50% of whatever the project costs are. They would say the Town will pay 50% of project costs up to whatever that cap is so if the project escalates two years from now, we don't get caught on the hook. That is absorbed by DOT. Both of those were fantastic little pieces of information they shared with us. He is planning to come back. He has had conversations with the Council Chair and a follow-up conversation with our Finance Director about whether it still makes sense to pursue bonding or an immediate cash expenditure, writing a check from the checkbook if you will on the project. That will ultimately be the Council's decision. He and Jessica will proceed with recommending a bond issue still only because they are concerned about next budget year and it will have to be a tax rate sensitive process where we will need to be mindful of the bottom line and every dollar we are spending. Spending \$500,000 out of fund balance or out of the reserve funds means we will have to raise it out of taxation in the next year or the year after to fund some of the projects in the Capital Program. That will ultimately be the Council's decision. He asked Jessica to put forward in response to Chair Egan's concerns to analyze what the issuing costs of the bonds would be and what the carrying costs of the bonds would be to make sure it is still a good decision. That ultimately will be the Council's decision as soon as the next meeting.

Chair Egan noted he would be curious to see how the "individual" or per capita property tax increment would be on a \$650,000 bond. That would be down in the word nominal in terms of property tax input when we are stretching it across the entire community and lengthening it out for a bond length repayment. That may be much less of a "lift" that we collectively have in the community to get residents engaged in this issue and understanding it and go ahead and actually show up in March at a special election bond

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vote. Those are two things that are certainly not to be taken for granted particularly since we will still be dealing with COVID in March. It is guaranteed to make the dollar amount more tolerable if the cost is in that \$600,000-\$650,000 range or possibly \$750,000 which is great news. Mr. Joseph noted we are happy and that it is no special favor. DOT is considering it in light of their standard operating practices and how they are going to be funding upcoming bridges in other areas. They are taking a pretty serious and good faith look at their upcoming projects and doing these kinds of things in other areas of the State as well which is great.

Councilor Daniele asked if there are options to make the bridge prettier with extra money being that it is kind of like the gateway to our Town? Mr. Joseph advised that this has not been discussed but probably the approaches kind of like we do now with landscaping on the off ramps. There are entrances that aesthetically upgrade the area. He doesn't believe that has a lot to do with the bridge design. If Councilor Daniele is concerned about the structural look of the bridge, they undertook that process in Yarmouth through the Bridge Committee process and the Town agreed to pay the whole difference. There is an opportunity but that almost always increases the Town share and they are already designing to meet those August/September deadlines they are talking about. He offered to float that in their next conversation with the project managers to see if that is a decision that can be made. We do have the active bridge committee process in place and when they have designs, we are supposed to meet with them to review them. He will see where that question falls and when we have to make that decision. He will report that back to the Council at the next meeting. Councilor Daniele mentioned that because we are having a cost savings, perhaps we can do a little bit extra if it doesn't cost too much money. If it just had a falcon on it and somebody driving through could notice it and think that is nice. Mr. Joseph feels there is a lot of opportunity for the cosmetic stuff and they are usually pretty open to discussing with us in the bridge design process. He will bring it up and see if he can get more information for the next meeting.

## 2. Discussion of 2021 Town Council Goals

Chair Egan mentioned that included in the Council's packets was a list of the Goals we had for this current year. It is always difficult when our Council year is in a calendar but our fiscal year is six months out of sequence. After lengthy conversations over the past few years, we have broken this list into two components with guidelines of how the Council would conduct itself and be focused on and then more specific goals that would be considered measurable and be tracked which is the bottom set of six items. We could probably spend two hours going over this dissecting it on what we did well on and what we didn't do well on. This process generally takes a couple of meetings to get it ironed out but we are not taking any action this evening to adopt a set of goals for the coming year but he wanted to open the conversation. We just spent quite a bit of time and \$50,000 on a focused effort to really take a closer look at what our downtown is going to look like. He is interested to propose, and this is what this conversation is about, to propose some ideas, to propose a goal about including the language we are talking about, not so much a consultant to do this or a plan to do that but we really are going after a goal to essentially re-brand our community where we are going to be reinventing what Freeport is known for based on what people experience when they come here. He feels it is important that we keep that front and center because a lot of the projects we might get a chance to look at or potentially participate in how we are going to finance, should be held in that lens. Is this helping align people's experience of what they are going to think about when they come here? It is not all about what other visitors to Freeport are focused on but he thinks our community wants to know what their brand is and where they live. He does not think that is a vague statement. In listening to the Planning Board meetings on the project on the Bean land and discussions we had on Complete Streets and various other resident participation forums, it is clear that there are many people that have very clear ideas in their minds about what they think our community is and should be and where they would like to see it go. There is no shortage of passionate ideas from our residents about where they think our community is going and should be going. It includes being very

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specific about what people's experiences are, again not just for the visitors coming here but the residents who actually live here and what they feel pride about. That is his suggestion to add a goal to 2021 addressing the re-branding of our community.

He suggested spending a few minutes to popcorn ideas and capture those through the minutes and then we can synthesize a draft version of this document for 2021 at our next meeting. If everyone is good, we can adopt it but if it still needs work, we can take it up at our second meeting in January.

Councilor Whitney referred to No. 3 for Aging in Place. She can add language to that goal versus creating a new goal. On Friday she will have a meeting to explore making Freeport more accessible for everyone and being more ADA compliant. Working with AARP who has some grant opportunities for us to make this happen. Instead of coming up with a new goal, she suggested coming up with language to marry those two goals together. Chair Egan felt it sounded good.

Councilor Piltch advised that he has a suggestion for adding one new goal or guideline which is to improve our efforts to communicate with Freeport residents. He feels the Council can do better and he would like to see Councilors work on that in a newsletter or the Town's website to let residents know what we are up to as a Council.

Chair Egan mentioned that Councilor Reighley communicated to him about the Council's lack of tangible progress on No. 4 which was to create an Aging Calendar which is not necessarily for the population that is over a certain age in our community but is for issues and comments that come forward that there is a technology solution to capture. How long those things are banging around in our potential to do list that either do or don't get done so it is like an aging bill you have and you know you have to pay it at some point. This would be an opportunity to collect complaints, comments, kudos or whatever it might be so we can track them and make sure they get out to the various commissions. Largely that is a function of Staff action under direction of the Manager that items come forward and things identified by us as a Council get assigned. Mr. Joseph is responsible for following those through. The focus on this item that got it on to the Goal list last year is to have more of an interactive tool. Chair Egan did not know if this is a technology solution Mr. Joseph can get for the Council's next meeting or if there is a way for us to create that interface for items to be entered into so they can be tracked in terms of how long has something been sitting around before it got addressed and when it was addressed, where did it go and what committee's lifespan in terms of Municipal action can be followed.

Mr. Joseph advised that he had a lengthy discussion with Councilor Reighley so maybe he can touch base with Chair Egan and Vice Chair Whitney and come up with ideas on what can be done on this.

Chair Egan wanted to say that the Council accomplished part of No. 2 by adopting the Complete Streets Policy. It was an accomplishment but not by any means is that a means to rest on that issue. Maybe folks want to rephrase it so we can take the momentum of what we accomplished and move it forward. He asked Councilors to think about that one.

Chair Egan explained that the reason No. 1 is on there is that it was the result of a decision in 2018 and implementation in 2019 for the Town's electricity load on all of its meters is largely now being offset by our participation in a solar field off Route 201 near Skowhegan. We are purchasing solar electricity there and earning credits on our bill and at some point, we have the ability to purchase that solar array for a significant discount over its original cost and the Town would offset nearly all of its fossil fuel generated electricity. The reason to take that success and that progress and turn it into a goal is why we have No. 1 on this list. He will continue to take a look at that and maybe we will have a refined version of No. 1 going forward for 2021. Councilor Bradley noted that he just got a letter related to global warming.

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Chair Egan did not recall seeing that letter but Councilor Piltch noted he got it by e-mail. Chair Egan advised that he would like to get a copy of that letter and noted that we may be able to articulate those concerns into a rephrasing of No. 1.

Councilor Bradley mentioned that what he heard discussed already was the idea of a racial equity policy or approach that we might make as a goal. Chair Egan agreed. Councilor Lawrence added that it is not complete but we do have a committee policy in place but we have to fill the seats.

Chair Egan agreed that he would replace the language in No. 5.

Chair Egan pointed out that he would work with Mr. Joseph and Vice Chair Whitney on refinements and circulate it ahead of our next meeting on the 5<sup>th</sup>. If it looks good, we can stamp it that evening. If it needs work, we will bring it back for discussion on the 19<sup>th</sup>.

Mr. Joseph explained that procedurally when the Council goes into an Executive Session, it means we don't have public participation. The Council can only discuss the items listed on the agenda and in this case, it is a legal consultation with the Town Attorney on a legal matter so the Town Attorney will be joining the Council in Executive Session. The Council cannot make legal decisions in an Executive Session. The Council can discuss the matter but any legal decisions that result in a decision have to be made outside of the Executive Session. We will take a roll call vote to enter Executive Session which has to be done in public. We will be leaving this zoom meeting running. Caroline will be the host and will be staffing this meeting. We will have a separate zoom meeting for the purposes only of the Executive Session. He sent an invitation to this second meeting at 6 o'clock. For the public that is watching, the Council will come back after that Executive Session and reconvene in this meeting. If the Council chooses to take any action as a result of that Executive Session, it will happen in this zoom meeting so the public can see. If there is no action, the Council will make a decision to adjourn.

ITEM # 181-20                      To consider action relative to an Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) to consult with the Town Attorney regarding a legal matter.

**ROLL CALL VOTE:** That the Town Council enter Executive Session. (6 Ayes) (1 Excused-Reighley) (0 Nays)

**ROLL CALL VOTE:** That the Town Council exit Executive Session. (6 Ayes) (1 Excused-Reighley) (0 Nays)

**MOVED AND SECONDED:** To adjourn at 11:34 p.m. (Lawrence & Daniele)  
**ROLL CALL VOTE:** (6 Ayes) (1 Excused-Reighley) (0 Nays)

Respectfully submitted,

Sharon Coffin, Council Secretary