



**TOWN COUNCIL
MEETING MINUTES
APRIL 17, 2018**

Normand Albert, At Large 2018
Kasie Kolbe, District 1 2018
Allen Ward, District 2 2018
Christopher Brunelle, At Large 2019
Mark Lunt, District 1 2019
Kris Crawford, District 2, 2019
Fern Larochele, At Large 2020

CALL TO ORDER. The Chairman, Councilor Ward, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Ward, Kolbe, Brunelle, Lunt, Crawford, and Larochele.

VOTE (2018-77A) Councilor Kolbe, seconded by Councilor Lunt moved to excuse Councilor Albert's absence (vacation). **Order passed 6-0.** Councilor Albert was excused. Also present were Diane Barnes, Town Manager; Tracey Steuber, Economic Development Director; Marc Hagan, Police Chief; Mark Stevens, Parks & Recreation Director; Steve Aievoli, Interim Public Works Director; Miriam Morgan-Alexander, Appeals Board/Assessment Review Board member; Don Fellows, Planning Board Chairman; and approximately 10 citizens in the audience.

GOOD NEWS & RECOGNITION

**PROCLAMATION RECOGNIZING
THE LISBON HIGH SCHOOL DRAMA CLUB**

VOTE (2018-77) Councilor Kolbe, seconded by Councilor Crawford moved to adopt the Proclamation:

WHEREAS, Lisbon High School Drama Club had a very dynamic and successful year! 43 students were involved in the classic production of "Sweeney Todd" in October, which had three sold out performances. Theatre Arts classes and Independent Costuming Class began working on the one act production "The Importance of Being Earnest" in September. After completing a formal analysis of Oscar Wilde's original two hour play and many hours of research, the 35 minute version was ready to be cast in December. Countless hours were spent in rehearsal, building and painting the set and creating costumes.

WHEREAS, On March 10th LHS Drama Club won the regional competition for the third year in a row, and went on to States in Rockland. Regional Festival All Cast Awards were awarded to Bradley Harriman, Gage Wright, Kierra Bouchard, and Geoffrey Shambarger. Special Judges Commendations were awarded to Ashley Greene for lighting, and Kierra Bouchard for Costume Design.

WHEREAS, On March 24th LHS Drama Club placed fourth out of nine schools at the Maine Drama Festival State One Act competition. State Festival All Cast Awards were awarded to Bradley Harriman, Gage Wright, Emily Chase, and Alex Cole. Special Judges Commendations were awarded to Kierra Bouchard for Costume Design, and the Entire Cast and Crew for Outstanding Ensemble.

NOW THEREFORE, We the Town Council of the Town of Lisbon, on this 17th day of April, 2018, would like to congratulate these students for their outstanding achievement. Well Done!!

Order passed - Vote 6-0.

PUBLIC HEARING

- A. VICTUALER'S LICENSE FOR JASON & TYLER LAVERDIERE
D/B/A THE FLUX RESTAURANT

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

B. VICTUALER’S LICENSE FOR EZ MART D/B/A X-TRA MART

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

C. VICTUALER’S LICENSE FOR WALTER MORSE D/B/A WALT’S PLACE

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

D. VICTUALER’S LICENSE FOR RICHARD GEORGE D/B/A SUBWAY

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

E. AMEND CHAPTER 70 ZONING ORDINANCE, DIVISION 13.-DISTRICT USES, SECTION 70-531 TABLE OF LAND USES

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2018-78) Councilor Kolbe, seconded by Councilor Lunt moved to approve the following:

Municipal Accounts Payable & Payroll Warrants -

#110	\$21,833.22	#111	\$1,000.00
#112	\$163,086.81	#113	\$27,896.00
#114	\$17,826.40	#115	\$105,305.97
#116	\$2,305.68		

And the School Accounts Payable & Payroll Warrants -

##27	\$ 58.88	#28	\$180.08
#1052	\$ 349,936.75	#1053	\$13,197.35
#1054	\$319,427.10	#1055	\$29.84
#1819	\$84,347.19		

And the Workshop Minutes of March 27, 2018, Regular Minutes of April 3, 2018, along with the Victualer’s Licenses for the Flux Restaurant, Walt’s Place, EZ Mart d/b/a X-tra Mart & Subway, as well as the Memorial Day Parade Street Closures and the CMP Pole Permit for Mill Street.

Order passed - Vote 6-0.

COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

SET DATE FOR TIF WORKSHOP

The Council unanimously approved setting the TIF workshop at 6:00 on May 1, 2018.

EFFICIENT DELIVERY OF LOCAL & REGIONAL SERVICES GRANT

INTRODUCTION: Ms. Steuber explained that the State of Maine, Department of Economic and Community Development, announced an RFP opportunity for municipal, county or regional governments seeking to create efficiencies in service to its residents.

Maine State Government’s Fund for the Efficient Delivery of Local and Regional Services, referred to as the “Fund”, was established in 2005 to encourage intergovernmental cooperation on projects that will result in cost-

savings, and ultimately a reduction in property taxes. In support of this, the Fund provides monetary assistance to municipalities, counties and state agencies that work together for this purpose.

Because Lisbon Emergency, Inc. is requesting financial assistance from Lisbon and Bowdoin for FY 19 to support the delivery of EMS services, we qualify to submit an RFP along with the support of the Town of Bowdoin as our regional partner for these funds. The deadline for submitting the RFP is April 30, 2018. There is no municipal match required.

The ECD Department with the support from Bowdoin we ask Council to authorize the Town Manager to submit an RFP for the Maine State Government's Fund for the Efficient Delivery of Local and Regional Services.

COUNCILOR COMMENTS: Councilor Larochelle mentioned this was a great idea to collaborate with other communities to deliver efficient local services. Councilor Kolbe confirmed there was no match required. Ms. Steuber pointed out she would be submitting our estimates for the next five years for emergency services.

VOTE (2018-80) Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Town Manager to submit an RFP for the Maine State Government's Fund for the Efficient Delivery of Local and Regional Services. **Order passed - Vote 6-0.**

LETTER OF AGREEMENT BETWEEN ANDROSCOGGIN VALLEY SOIL & WATER CONSERVATION DISTRICT AND LISBON & SABATTUS

INTRODUCTION: Mr. Aievoli explained that the municipalities of Lisbon and Sabattus are working together through the Androscoggin Valley Stormwater Working Group (AVSWG) to meet the requirements of the Maine Department of Environmental Protection's (MDEP's) Municipal Separate Storm Sewer System (MS4) General Permit. The MS4 General Permit requires each municipality to develop and implement best management practices (BMPs) that will minimize stormwater pollution within their urbanized areas. The following areas will be targeted to be accomplished as required by the MS4 General Permit with Council approval.

- Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post- Construction Stormwater Management
- Pollution Prevention/ Good Housekeeping for Municipal Operations

COUNCILOR COMMENTS: Councilor Larochelle confirmed this is a similar message others are seeing in surrounding communities as well. Mr. Aievoli mentioned the survey has been arranged to be done by a Bates College student for \$690, however the total cost will be \$1,380, which will be shared between Lisbon and Sabattus.

VOTE (2018-81) Councilor Crawford, seconded by Councilor Larochelle moved to authorize the Town Manager to sign the Letter of Agreement between the Androscoggin Valley Soil & Water Conservation District and Lisbon & Sabattus. **Order passed - Vote 6-0.**

TRANSFER OF TOWN OWNED VEHICLE POLICE DEPARTMENT

INTRODUCTION: Chief Hagan explained the Police Department's vehicle replacement plan, which included the removal of a 2009 Ford Focus from their fleet. The vehicle in question has just over 70,000 miles on it and the initial intent was to sell the vehicle in a closed bid process. Kelley Blue Book values the car value between \$3,500 and \$5,300 in a private party sale.

Chief Hagan reported he spoke with the acting Public Works Director, Steve Aievoli who expressed an interest in attaining the vehicle for shared use between Public Works and the Sewer Departments. He said the vehicle in question has been stripped of emergency lighting and radio equipment and is ready to go. He requested guidance on how the Council would like to proceed.

COUNCILOR COMMENTS: Councilor Ward explained the 2/1 vehicle replacement plan in the Capital Improvement Plan, which will get the town out of the 3-year lease payment option in the future. Councilor Larochelle said he would like to save it provided it was for a practical purpose. Mr. Aievoli explained their immediate needs for the vehicle that included transportation to trainings and the Interim’s use for traveling between locations. Chief Hagan indicated the other vehicle will be ready for the Code Enforcement Department soon. Councilor Ward pointed out that this vehicle should be available for other departments to use for transportation to trainings as well.

VOTE (2018-82) Councilor Brunelle, seconded by Councilor Lunt moved to authorize the transfer of the 2009 Ford Focus to Public Works for shared use between the Public Works and Sewer Departments. **Order passed - Vote 6-0.**

AMEND CHAPTER 70 ZONING ORDINANCE,
DIVISION.13-DISTRICT USES, SECTION 70-531 TABLE OF LAND USES
Final Reading

VOTE (2018-83) Councilor Larochelle, seconded by Councilor Crawford moved to Amend Chapter 70 Zoning Ordinance, Division.13-District Uses, Section 70-531 Table of uses as follows:

Sec. 70-530. Land uses.

All land use activities, as indicated Sec. 70-531 Table of Land Uses, shall conform to all of the applicable performance standards. The district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

(1) Key to Table of Land Uses:

P	Permitted by right if they comply with all applicable federal, state and town laws and regulations and the performance standards in article VI of this chapter. Uses may also require Subdivision and/or Site Plan Review approvals pursuant to other provisions of this Code.
C	Permitted upon authorization of a conditional use permit by the planning board in accordance with Article III of this Chapter. {May also require Site Plan Review and/or Subdivision approval}
No	Prohibited

(2) Abbreviations:

RP	Resource Protection
LR	Limited Residential
GR	General Residential
RO-I	Rural Open Space I
RO-II	Rural Open Space II
RR	Rural Residential
LRR	Limited Rural Residential
V	Village
C	Commercial
I	Industrial
DD	Diversified Development

Resource Based & Recreation Uses	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Commercial/Business Uses	RP	LR	GR¹²	RO-I	RO-II	RR	LRR	V	C	I	DD
Child day care in home/eight or fewer children	NO	C	C	C	C	C	NO	C	NO	NO	P
Children's Day Care Facility	NO	NO	C	C	NO	C	C	C	C	C	C
Nursery school	NO	P	C	P	NO	P	P	P	NO	NO	C
Offices/office buildings not exceeding 2,500 sq. ft.	NO	NO	P	NO	NO	NO	NO	P	P	P	P
Office Building greater than 2,500 sq. ft.	NO	NO	NO	NO	NO	NO	NO	P	P	P	P
Convalescent, rest, nursing, or boarding homes	NO	NO	C	C	NO	C	C	P	NO	NO	C
Business occupations by resident in detached buildings	NO	NO	C	NO	C	NO	NO	P	P	NO	NO
Small businesses, on individual lots/principal building not exceeding 2,500 sq. ft.	NO	NO	C	NO	NO	NO	NO	P	P	NO	P
Campgrounds	NO	NO	NO	C	NO	C	NO	NO	NO	NO	NO
Hotel, motel, inn, tourist home	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Medical/dental office or facility	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Retail Store or outlet, such as grocery, drug, furniture	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Marijuana Retail Store	NO	NO	NO	NO	NO	NO	NO	C	C	NO	C
Service Establishment, such as barbershop, beauty parlor, cleaner	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Lawn & garden equipment sales/service	NO	NO	NO	C	C	NO	NO	P	P	NO	C
Snowmobile, motorcycle, recreational vehicle, ATV, boat sales/service	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Automobile sales, etc	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Auto service station, auto repair, gasoline service establishment	NO	NO	NO	NO	NO	NO	NO	P	P	NO	NO
Bakery or Food Shop	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Eating Place	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Recreational use such as bowling, theaters, dance hall	NO	NO	NO	NO	NO	NO	NO	P	P	NO	NO
Funeral home	NO	NO	NO	NO	NO	NO	NO	P	P	NO	NO
Auditoriums, gymnasiums, places of amusement or places of assembly	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Self-storage facility	NO	NO	NO	NO	NO	NO	NO	P	P	P	C
Shop of painter, carpenter or other skilled worker	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Wholesale establishment	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Warehouses	NO	NO	NO	NO	C	NO	NO	NO	P	P	P
Laboratory or research facility	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Laundry/dry cleaning	NO	NO	NO	NO	NO	NO	NO	P	P	P	NO
Retail sales of lumber/building supplies	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Yards of electrical, heating, painting, or roofing contractor	NO	NO	NO	NO	NO	NO	NO	NO	P ⁷	P	NO
Retail business or service involving manufacturing on the premises and not employing more than 10 people, the products of which are principally at sale at retail on the premises.	NO	NO	NO	NO	NO	NO	NO	NO	P ⁷	P	NO
Light manufacturing	NO	NO	NO	NO	NO	NO	NO	C	C	P	P
Business Office related directly to an industrial use on Premises	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Retail sales of products manufactured on premises	NO	NO	NO	NO	C	NO	NO	P	P	P	NO

Notes:

1. Up to four dwelling units.
2. Home occupations, limited to 25 percent of the total floor area and employing no more than two outside employees.
3. Mobile home parks approved during the period June 29, 1971, through March 10, 1975, under the previous ordinance.
4. Mobile home parks, limited to area within 1,000 feet of a general residential district and where public water and sewer is available or is accessible.
5. Multifamily dwelling up to two dwelling units.
6. Multifamily dwellings containing more than four units.
7. Provided that where open storage is habitually involved, a solid, view-obstructing fence shall be erected between such storage and any adjoining residential district.
8. The planning board may allow to be located in the diversified development district certain uses which are not specifically listed by conducting a public hearing and approving by affirmative vote by a majority of its members.
9. A plan unit development or cluster development must contain a minimum of 15 dwelling units.
10. Must be in a planned unit development or cluster development.
11. Multifamily dwellings are permitted as an element of the revitalization of commercial and/or industrial structures.
12. Small businesses, on individual lots/principal building not exceeding 2,500 sq. ft. are a conditional use in the general residential district.
13. Minimum lot size must be 40,000 sf. to raise nondomestic animals.

**Roll Call Vote: Yeas – Albert, Lunt, Crawford, Larochelle, Ward, Kolbe, and Brunelle. Nays - None.
Order passed - Vote 6-0.**

WARRANT JUNE 12, 2018
SCHOOL BUDGET VALIDATION REFERENDUM ELECTION

VOTE (2018-84) Councilor Crawford, seconded by Councilor Kolbe moved to approve the warrant for the School Budget Validation Referendum Election on June 12, 2018. **Order passed - Vote 6-0.**

AUTHORIZATION TO BID FUEL OIL

INTRODUCTION: The Town of Lisbon requests to solicit sealed bids on the supply of fuel oil, kerosene, propane, diesel, and gasoline for applicable Town buildings.

COUNCILOR COMMENTS: Councilor Ward asked if this was the same time we did this last year. Mrs. Barnes said no, it was done in the fall. She said the prices may be better at this time of year. She explained she would proceed to look for the best price once it has been determined what type of fuel the Library will be using next fiscal year.

VOTE (2018-85) Councilor Brunelle, seconded by Councilor Larochelle moved to authorize the Town Manager to solicit fuel bids and to enter into a contract for best pricing. **Order passed - Vote 6-0.**

PARKS AND RECREATION MAINTENANCE POSITION

INTRODUCTION: Mr. Stevens reported there had been no changes since their previous discussion at the budget workshop that this position is needed and that they are able to provide funds to start a full time person now without going over the budget, hopefully. Mrs. Barnes said this position could run anywhere from \$5,500 to \$8,500 more depending upon who goes into this position. She indicated if there were not enough to cover it, the Council could designate something from undesignated funds.

VOTE (2018-86) Councilor Larochelle, seconded by Councilor Brunelle moved to approve filling a full time Parks & Maintenance position now at the Parks & Recreation Department. **Order passed-Vote 6-0.**

LISBON CENTER CEMETERY DISCUSSION

INTRODUCTION: Mr. Stevens reported there were a lot of veteran graves in the Lisbon Center Cemetery, that the green space runs 200 feet beyond the stones, and that there are at least 100 open lots left. Mrs. Barnes mentioned a survey would need to be completed to determine the boundary lines and a deed would need to be prepared and executed before the town could take over the Cemetery.

COUNCILOR COMMENTS: Councilor Larochelle asked how much it will cost to take over the maintenance and care of the cemetery. Mr. Stevens reported the contact person said 4 hours to mow, but he didn't see how that was possible since a large number of areas will require hand cutting and weed whacking. Councilor Ward said the town cannot get away from taking care of the veteran graves there. He wanted to know how many veteran graves were in town.

Councilor Larochelle said the town needs to know boundaries, easements, and rights before moving forward. He asked why this one was being turned over to the town.

Councilor Brunelle indicated the water spigot had been turned off a long while ago; it might be a sprinkler if turned back on now. There is no service.

Seeing no objections, Councilors agreed that more research needs to be done, including information on maintenance costs and/or perpetual fund, fees, boundaries, easements, rights, and what it will cost to take over the maintenance and care of the cemetery prior to moving forward.

SET COUNCIL WORKSHOP TO DISCUSS CELOTEX PROPERTY (May 24th)

COUNCILOR COMMENTS: Council requested as much history and documentation as possible ahead of time to review prior to this workshop. Council requested an agenda be prepared, plus an outline of what we are hoping to accomplish.

Vote (2018-88) Councilor Kolbe, seconded by Councilor Lunt moved to set a joint workshop with Topsham and Lisbon to discuss the Celotex property on May 24, 2018 at 6:00 PM. **Order passed-Vote 6-0.**

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. Planning: Councilor Ward reported the board talked about tonight's amendments to chapter 70 and the marijuana moratorium, along with hearing 2 cases being brought forward.
2. Water Commission: Councilor Brunelle said he had nothing to report except that the next meeting is May 8 at 5:30 PM.
3. LDC: Councilor Larochelle reported they had a great meeting. They talked about the Village area, improvements there, and about focusing on connecting the two downtowns together since we now have a safe walking path to promote between the two ends of town. Cheryl Haggerty is spearheading a cleanup on Main Street on April 28; everyone is encouraged to bring a broom and shovel.
4. Conservation Commission: Councilor Ward reported the committee is talking about Forestry Management, Beaver Park passes, and revenues. He asked if the town could promote the park passes at the town hall when vehicles are registered or create signs to remind residents to pick them up while they are there. He suggested we remind residents to pick up dump passes as well while they are in.
5. Recreation: Councilor Kolbe said she had nothing to report.
6. County Budget: Councilor Ward said he had nothing to report.
7. Library: Councilor Lunt said he had nothing to report.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said construction started on Union Street today.

Mrs. Barnes reported Western Maine Transportation would like a letter of support from the town to apply for MDOT funds. Seeing no objections, Councilors unanimously agreed to have Mrs. Barnes send a letter of support.

C. DEPARTMENT HEAD WRITTEN REPORTS

No Comments Noted

APPOINTMENTS**LISBON DEVELOPMENT COMMITTEE**

VOTE (2018-89) Councilor Crawford, seconded by Councilor Larochelle moved to appoint Eric Metevier a regular member to the Lisbon Development Committee to January 31, 2021. **Order passed - Vote 6-0.**

COUNCILOR COMMUNICATIONS - NONE**AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE****EXECUTIVE SESSION**

VOTE (2018-90&91) Councilor Kolbe, seconded by Councilor Crawford moved to go into Executive Session at 7:53 a.m. per 1 MRSA Section 405(A) Personnel Matters and 405 (6) (C) Acquisition of Real Property or Economic Development. **Order passed – Vote 6-0.**

The Council came out of executive session at 8:40 PM and resumed the meeting.

VOTE (2018-91A) Councilor Crawford, seconded by Councilor Larochelle moved to confirm the appointment of Nate LeClair as Fire Chief with a starting salary of \$70,000 with three weeks of vacation. **Order passed - Vote 5-1. (Opposed: Brunelle)**

ADJOURNMENT

VOTE (2018-92) Councilor Larochelle, seconded by Councilor Crawford moved to adjourn at 8:40 PM. **Order passed - Vote 6-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: May 1, 2018