



## **TOWN COUNCIL MEETING MINUTES DECEMBER 5, 2017**

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

**CALL TO ORDER & PLEDGE TO THE FLAG.** The Town Clerk, Twila Lycette, called the meeting to order at 7:00 PM.

**ROLL CALL.** Members present were Councilors Brunelle, Lunt, Albert, Kolbe, Crawford, Ward, and Larochelle. Also present were Diane Barnes, Town Manager; Lydia Colston, Finance Director; Ross Cunningham, School Committee member; and approximately 10 other citizens in the audience.

### **INAUGURATION OF ELECTED OFFICIALS**

Mrs. Lycette welcomed everyone to the Town Council's 12<sup>th</sup> annual organizational meeting that's held on the first Tuesday after the first Monday in December. She said 2,083 ballots were cast on November 7 resulting in the following candidates being elected and sworn into office:

Council At Large: Fern Larochelle with 1,684 votes  
School Committee Members: Ross Cunningham with 731 votes  
Water Commission Member: Roger Bickford with 1,229 votes

### **ELECTION OF COUNCIL CHAIRMAN**

**(VOTE 2017-295)** Councilor Albert nominated Councilor Ward for Chairman. Seeing no other nominations, all voted by show of hands. Vote 7-0 carried and Councilor Ward was duly elected Chairman for the ensuing year.

### **ELECTION OF COUNCIL VICE CHAIRMAN**

**(VOTE 2017-296)** Councilor Crawford nominated Councilor Brunelle for Vice Chairman. Seeing no other nominations, all voted by show of hands. Vote 7-0 carried and Councilor Brunelle was duly elected Vice Chairman for the ensuing year.

The Town Clerk passed the gavel to Councilor Ward, congratulated him, and thanked everyone for attending the Inauguration of Elected Officials portion of the meeting.

### **GOOD NEWS & RECOGNITION**

Ross Cunningham reported a fantastic turnout with around 400 attending our Very Merry Main Street event this year. 27 businesses were involved. The Fire Department saw at least 250 visitors. Santa was escorted by the Police Department from MTM to downtown Main Street. He thanked everyone for their involvement and support.

Ross Cunningham announced an upcoming event held by the business leaders in our community, which includes the Planning Board, Contracted Town Planner, and business owners. He encouraged the Council to get their RSVP in soon. It's a visionary meeting to determine what Lisbon would be like in 10 to 12 years so Lisbon can move forward and with direction. He said it is important that business owners let the Planning Board and Contracted Town Planner know where they are expecting to be in 5 to 10 years. It will take place on December 14 at 5:30 PM at Daniel Buck's Auction House on Lisbon Street.

Councilor Larochelle mentioned the lights on the big Christmas tree next to the X-tra Mart are arranged in more of a traditional style this year. He said sometimes it's the little things that get noticed the most. He said a lot of

individuals have made many positive comments about how much better it looks so thank you to whoever is responsible for making that happen; people are paying attention.

## **PUBLIC HEARING**

### **A. AMEND CHAPTER 50 SECTION 48 – MUNICIPAL PARKING LOTS**

The Chairman opened the public hearing. Amy McCain said she has lived on Main Street for 18 years. From midnight to 6:00 a.m. November 1 to April 1 she cannot park on the road. She said this makes it hard for her because they have a small driveway. There is no snow at times during this period. For many years she paid her neighbor across the street to park there. She said it would be so much easier if only during a snow storm they were not allowed to park on the street. She said she could find a place to park during a parking ban and asked the Council to consider amending the ordinance to make it easier for residents. There were no other comments. The Chairman closed the public hearing.

### **B. RENEWAL SPECIAL ENTERTAINMENT PERMITS FOR THE COOMBS-MOUNTFORT AMERICAN LEGION POST 158**

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

### **C. RENEWAL SPECIAL ENTERTAINMENT PERMITS FOR THE SLOVAK CATHOLIC ASSOCIATION**

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

### **D. RENEWAL AUTOMOBILE GRAVEYARD PERMIT FOR CAMPBELLS USED AUTO PARTS**

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

### **E. RENEWAL AUTOMOBILE GRAVEYARD PERMIT FOR HUSTON'S AUTO SALVAGE**

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

## **AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS**

Dorothy Fitzgerald said she has used Campbell's Junkyard on many occasions. She said she wouldn't know what to do without them. They are just great.

## **CONSENT AGENDA**

**VOTE (2017-297)** Councilor Kolbe, seconded by Councilor Albert moved to approve the Municipal Accounts Payable & Payroll Warrants **#60** for \$56,799.56, **#61** for \$3,237.31, **#62** for \$5,062.06, **#63** for \$395,518.04, **#64** for \$176,190.30, **#65** for \$16,726.13, the School Accounts Payable & Payroll Warrants **#14** for \$932.37, **#1030** for \$13,025.22, **#1029** for \$378,379.45, **#1810** for \$74,832.16, along with the November 14 Workshop and Regular Minutes and the minutes of November 21 plus renewal automobile graveyard permits for Campbell's Used Auto Parts and Huston's Auto Salvage and Liquor Licenses and Special Entertainment Permits for Coombs Mountfort Post 158 and the Slovak Catholic Association. **Order passed - Vote 7-0.**

## **COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS**

### **POLICY ON TREASURER'S DISBURSEMENT WARRANTS FOR MUNICIPAL EMPLOYEE WAGES, BENEFITS & STATE FEES**

*(Policy, Rules, & Regulations)*

INTRODUCTION: Councilor Ward reported this amendment to Section 86-7 Policy on Treasurer's Disbursement for Municipal Employee Wages, Benefits, and State Fees is done yearly so any Councilor can sign them.

**VOTE (2017-298)** Councilor Albert, seconded by Councilor Kolbe moved to adopt the amended Treasurer's Disbursement Warrant for Municipal Employee Wages, Benefits, and State Fees as follows:

**Sec. 86-7. - Policy on treasurer's disbursement warrants for municipal employee wages, benefits, and state fees.**

(a) *Purpose*. This policy allows designated municipal officers (councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants for wages, benefits, and state fees only.

Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits.

(b) *Delegation of authority*. Pursuant to 30-A M.R.S.A. § 5603(2)(A)(1)(3), the following authority is granted with respect to treasurer's disbursement warrants for municipal employee wages, benefits, and state fees only:

(c) *Current municipal officers*. The municipal officers in office at the time of execution of this policy are: Normand Albert, Christopher Brunelle, ~~Dale James Crafts~~, Fernand Laroche, Kris Crawford, Kasie Kolbe, Mark Lunt, and Allen Ward.

The chair of the municipal officers designates any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

(d) *Effective date*. This policy becomes effective on December 5, 2017.

(e) *Copies*. The chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer.

(f) *Lapse*. This policy lapses one year after its effective date, if not sooner amended or canceled.

(g) *Renewal*. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

(h) *Reminder*. The treasurer shall remind the municipal officers to consider renewing this policy on or before the first council meeting in December.

(i) *Original*. The clerk will maintain the original copy of this policy on file.

**Order passed - Vote 7-0.**

**POLICY ON TREASURER'S DISBURSEMENT WARRANTS  
FOR SCHOOL EMPLOYEE WAGES AND BENEFITS  
(Policy, Rules, & Regulations)**

**INTRODUCTION:** Councilor Ward reported this amendment to Section 86-6 Policy on Treasurer's Disbursement Warrants for School Employee wages and benefits is done yearly so any Councilor can sign them.

**VOTE (2017-299)** Councilor Brunelle, seconded by Councilor Lunt moved to adopt the amended Treasurer's Disbursement Warrant for School Employee Wages and Benefits as follows:

**Sec. 86-6. - Policy on treasurer's disbursement warrants for school employees wages and benefits.**

(a) *Purpose*. This policy allows designated municipal officers (councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign school disbursement warrants for wages and benefits only. Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any disbursement warrant, including warrants for wages and benefits.

(b) *Delegation of authority.* Pursuant to 30-A M.R.S.A. § 5603(2)(A)(2), the following authority is granted with respect to disbursement warrants for school employee wages and benefits only when the treasurer has been presented with a disbursement warrant signed by the school superintendent and approved by the majority of the school board, and municipal officers delegated by the chair:

(c) *Current municipal officers.* The municipal officers in office at the time of execution of this policy are: Normand Albert, Christopher Brunelle, ~~Dale James Crafts~~, Fernand Larochelle, Kris Crawford, Kasie Kolbe, Mark Lunt, and Allen Ward.

The chair of the municipal officers designates any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

(d) *Effective date.* This policy becomes effective on December 5, 2017.

(e) *Copies.* The chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer.

(f) *Lapse.* This policy lapses one year after its effective date, if not sooner amended or canceled.

(g) *Renewal.* This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

(h) *Reminder.* The treasurer shall remind the municipal officers to consider renewing this policy on or before the first council meeting in December.

(i) *Original.* The clerk will maintain the original copy of this policy on file.

**Order passed - Vote 7-0.**

## COUNCILWORKING RULES

**VOTE (2017-300)** Councilor Brunelle, seconded by Councilor Kolbe moved to amend Sec. 74-201 Working Rules for Town Council as follows:

### **Sec. 74-201. - Working Rules for Town Council.**

(a) *Purpose.* The purpose of these rules is to establish procedures for the conduct of town business before the council, pursuant to the authority of council under Section 2.06(b) of the Charter.

(b) *Effective date/adoption/amendment.*

(1) *Effective date.* These rules shall be effective for the council year that runs from the organizational meeting on the first Tuesday after the first Monday in December to the next organizational meeting in the ensuing year. Should the council fail to adopt working rules at its organizational meeting, then the rules for the previous year shall remain in full force and effect.

(2) *Adoption.* The adoption of these working rules, or any amendment thereof, shall require four affirmative votes.

(3) *Amendment.* These working rules may be amended at any regular or special meeting of the town council. Any amendment proposed for these working rules shall be submitted in writing and shall be included in the agenda package for the meeting at which the amendment is to be considered.

(c) *Agenda.*

(1) *Development.* The development of agendas for meetings of the Lisbon Town Council shall be in accordance with Section 2.04(a)(2) of the Charter.

(2) *Deadline.* For regular and special meetings of the council held at the designated time and place, all agenda items shall be provided to the manager's office by close of business on the Wednesday prior to the regular Tuesday meeting.

The agenda shall be provided online by the close of business on the ~~Thursday~~ **Friday** prior to the regular Tuesday meeting. Changes to the agenda will not normally be made after this time and documentation for all agenda items will be included with the agenda. Any missing documents will be addressed via memorandum from the Town Manager (i.e. fuel bids).

For special meetings not scheduled at the regular Tuesday meeting time, agenda items shall be provided by the town manager's office at least 48 hours before the scheduled time and date of the meeting.

When an emergency meeting is called, or changes to the regular meeting agenda are needed, agenda items shall be provided as much in advance as possible prior to the meeting, but may be presented at the meeting itself if circumstances so require.

In the event a councilor, resident and/or taxpayer of the Town of Lisbon, authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, wishes a matter to be considered at a council meeting, it shall be submitted to the town manager as far in advance of the meeting as possible, and prior to the Thursday deadline. The individual requesting the matter be considered shall explain the reason or necessity for consideration in order for the request to be considered by the council for inclusion on the agenda.

- (3) *Consent agenda.* Those items which in the opinion of the chair are considered routine matters not requiring debate, may be included on the agenda as a consent item. If so designated, it shall be listed on the agenda under "consent agent." Any councilor wishing to have any item so listed, removed from the consent agenda, shall have the unlimited right to do so at any time prior to the vote by council on the consent agenda. If such an item is removed from the consent agenda, it shall be considered as the next item of business after the consent agenda. In the case of items included as consent items, the motion to approve the item shall be considered to have been adopted by the town council as part of its vote to approve the consent agenda.
- (4) *Fiscal items.* If a proposal has a direct fiscal impact of \$10,000.00 or more and requires a council vote outside the annual budget process, the council may consider that proposal only after the finance department has provided the council with a written evaluation of the direct impact of the proposal on town revenues and expenditures during the current and following fiscal year. As used in this rule, "proposal" means a supplemental appropriation, a proposed contract, or a proposed grant. This rule does not preclude the council from considering a proposal's longer term impact on town revenues and expenditures.
- (5) *Order of business.* All regular meetings of the town council shall transact their business in the following order:
  - a. Call to order and pledge to flag;
  - b. Roll call;
  - c. Reading of meeting rules;
  - d. Good news, recognition;
  - e. Public hearings;
  - f. Audience participation and response;
  - g. Consent agenda;
  - h. Council orders, resolutions, and ordinances;
  - i. Other business;
  - j. Appointments;
  - k. Councilor communication;
  - l. Any business and council response;
  - m. Executive session;
  - n. Adjournment

The town council shall have the right to change the agenda order and to take up any agenda item out of order.

- (6) *Non-agenda items.* In the event the town manager, town staff, or a councilor, wishes a matter to be considered at the current council meeting, that was not able to be submitted prior to the deadline and has not been included on the agenda, then that matter in proper form shall be submitted to the town council as far in advance of the meeting as possible, but it may be presented at the meeting. The councilman, the manager or staff requesting that the matter be considered, shall explain the reason for the necessity of immediate consideration at the current meeting. The council may vote to waive the

rules to consider that item, and upon a majority vote of those councilors present, the item(s) shall be considered for action by council.

(d) *Meetings.*

- (1) *Generally.* Unless otherwise designated by the chair or by four members of council, and for good cause shown, meeting of the town council shall occur at the central meeting room in the town office building.
- (2) **Attendance. Failure to attend 3 consecutive meetings of the Council without being excused by a vote of the Council will result in forfeiture of office. Acceptable excuses include, without limitation, illness, vacation, and family emergencies.**
- (2) *Meeting length.* All council meetings, workshops, or executive sessions shall be conducted, except in extraordinary circumstances, within 2½ hours of the time the meeting is called to order. At regularly scheduled meetings, this will call for adjournment on or before 9:30 p.m. The council may, by waiving these rules, agree to extend the time for meetings if it is deemed appropriate.
- (3) *Adjourned sessions.* Any session of the town council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.
- (4) *Organizational meeting.* The council shall conduct an organizational meeting at 7:00 p.m. at its regular place of meeting, on the first Tuesday after the first Monday of December of each year. The meeting shall address the installation and oath of office of newly elected councilors, the election of a chair and vice chair, appropriate annual appointments as may be necessary, consideration and adoption of council working rules for the ensuing year, and such other organizational matters as may be deemed necessary and appropriate.
- (5) *Regular meetings.* The town council shall hold its regular meetings at 7:00 p.m. on the first and third Tuesdays of each month. If that Tuesday falls on a holiday, then the meeting shall be held on the next day. For good cause, the meeting date may be changed by the chair or by the vote of four councilors to another date and or time. If it is determined by the chair that there is no business to come before the town council, then he/she shall advise the town council accordingly and no meeting need be held.
- (6) *Special meetings.* Special meetings shall be held upon the call of the chair or four or more members of the council in accordance with the provisions of Section 2.06 of the Charter. The same notice requirements for a regular meeting shall pertain to the calling of a special meeting.
- (7) *Emergency meetings.* Where circumstances justify and constitute a hazard to the health, safety and welfare of the inhabitants, that requires action by the town council, then an emergency meeting may be held. Notice shall be given in the best practical manner including telephonically. The press shall be given the same notice within the same time frame as the town councilors.

(e) *Conduct of meetings.*

- (1) *Rules of procedure.* Meetings shall be conducted in accordance with Robert's Rules of Order except as otherwise provided herein or required by the Charter.
- (2) *Decorum.* The chair shall preserve decorum and decide all questions of order and procedure subject to appeal to the town council. Anyone desiring to speak shall address the chair, and upon recognition by the chair, shall confine themselves to the question under debate and shall avoid all personal attacks and indecorous language. No person shall enter into any discussion either directly or indirectly or through a member of the town council without the permission of the chair. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the town council or while attending the town council meeting may be removed from the premises and such person shall be barred from further audience before the town council for the duration of the meeting. The chair may direct a police officer to remove such offenders from the premises and aggravated cases shall be prosecuted on appropriate complaint signed by the chair.

Once recognized by the chair, persons desiring to address the town council shall state their name for the record, and shall limit their remarks to the matter under discussion. All remarks and questions addressed to the town council shall be addressed to the town council as a whole and not to any individual member thereof. All remarks and questions addressed to the administration of the town shall be addressed to the town manager and not to any individual town employee. No comment shall

be allowed which has the effect of embarrassing or attacking the character of any individual, staff member, or councilor, and this rule shall be liberally construed and strictly enforced. No one, other than the individual having the floor, shall enter into any discussion either directly or indirectly without permission of the chair.

Councilors, staff, and the public shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the order of the chair or the rules of the town council. All members of the town council, staff and public shall accord the utmost courtesy to each other, to town employees and to the public members appearing before the town council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personal attacks. Town councilors shall confine their questions as to the particular matters before the assembly and in debate shall confine their remarks to issues before the town council. Individuals shall be removed from the meeting for failure to comply with decisions of the chair or for continued violations of the rules of the town council. If the chair fails to act, any member may move to require the chair to enforce the rules and the affirmative vote of the majority of the town council shall require the chair to act.

- a. *Council.* During the town council meetings, a councilor, once recognized, shall not be interrupted while speaking unless called to order by the chair, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. If a councilor is called to order while speaking, the councilor shall cease speaking immediately until the question of order is determined. If ruled to be in order, the town councilor shall be permitted to proceed. If ruled to be not in order, the town councilor shall remain silent or shall alter the remarks so as to comply with rules of the town council.
  - b. *Staff.* While the chair shall have the authority to preserve decorum in meetings as far as staff members and town employees are concerned, the town manager shall also be responsible for the orderly conduct and decorum of all town employees under the town manager's direction and control. The town manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by town employees in town council meetings.
  - c. *Public.* Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted and may result in removal of the offenders from the premises.
- (3) *Tabling motions.* Although tabling motions under Robert's Rules of Order are not designated as motions which are debatable, this council shall allow debate on a tabling motion. However, any such debate will be limited to the reasons for the tabling motions and shall not be a continuation of the merits of the motion or any amendments that may be offered to the motion.
- (4) *Chair-presiding officer.*
- a. *Presiding officer.* The chair shall be the presiding officer at all meetings and workshops of the Lisbon Town Council. In his/her absence, the vice chair shall assume the duties of presiding officer. If both the chair and the vice chair are absent, then those town council members present, if constituting a quorum, shall proceed to elect by majority vote of those present a chair pro tem to preside at that particular meeting. If the chair or vice chair appears at the meeting, then they shall assume the duties of presiding officer.
  - b. *Participation by presiding officer.* The presiding officer, whether the chair, vice chair or chair pro tem, shall have full and complete authority to fully participate in the meeting and all agenda items. Specifically, the presiding officer may move, second, declare by unanimous consent and debate from the chair subject only to those limitations of debate as are by these rules imposed on all council members, and shall not be deprived of any of the rights and privileges of a councilor by reason of acting as presiding officer.
- (5) *Public comment.*
- a. *General public comment.* During the time scheduled for public comment on the regular town council meeting agenda (audience participation), members of the public who are residents and/or taxpayers of the Town of Lisbon or authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, may address the town council regarding items or issues that are on the agenda for that meeting.

- b. *Public comment on agenda items.* After introduction of an agenda item, appropriate motions, and time for explanation and council questions, the public shall be allowed to comment on that agenda item at the discretion of the chair. During that period of time, the public comment shall address only the agenda item before council.
  - 1. Any individual wishing to address council, after being recognized by the chair, will move to the lectern to address council, and shall give his or her name and address before beginning any remarks.
  - 2. No individual shall be permitted to address the council more than twice on any subject or agenda item during a council meeting. The purpose of public comment is for the council to receive input from the general public on town matters. It is not intended, nor shall it be construed as an opportunity for debate.
  - 3. Comments shall be limited to the items on the agenda and to a time period of three minutes or less and shall be directed through the chair.
  - 4. Comments by the public shall be limited to the expression of opinions or concerns regarding the agenda item or direct questions pertaining to any factual question presented by the agenda item.
  - 5. If, during time of public comment, a person seeks merely to reinforce a point made by another speaker, his or her remarks should simply note concurrence with the specific point.
- (6) *Action on agenda items.* As each item on the agenda for any meeting is brought to the floor for discussion:
  - a. The town clerk reads the agenda item and the action being requested of council.
  - b. The sponsor of each item or, if there is no council sponsor, the town manager, or town staff, shall first be allowed to present their initial comments for consideration by the public and councilors.
  - c. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the town manager or staff regarding the agenda item which any councilor may have which would help to clarify the question presented by the agenda item. The chair may allow questions from the public during this time, however, no debate or discussion of collateral issues shall be permitted.
  - d. When authorized by the chair, any additional public comment shall be no longer than two minutes per person and must be to request or furnish new or undisclosed information or viewpoints only.
  - e. Once the agenda item has been explained by its sponsor or the town manager or staff and clarified by any questioning, the discussion on the specific agenda item will remain with the council and additional public comment, prior to final council vote, will only be allowed at the chairman's discretion.
- (7) *Voting.*
  - a. *Affirmative votes.* In accordance with the provisions of Section 2.06(c) of the Charter, four affirmative votes shall be required for the adoption of any item by the town council.
  - b. *Roll call votes.* Roll call votes where the vote of each individual councilor is solicited by the clerk, may be called for by the chair or by any individual member of the town council, with respect to any particular agenda item.
  - c. *Abstentions.* All council members recognize the duty of each councilor to represent their constituents by participating in voting on all items that come before council in the conduct of the town's business. Therefore, abstentions on particular items will only be permitted where there is an expressed conflict of interest or other serious matter that precludes the councilor from participating in and voting on that item. Where the councilor intends to abstain from participation and voting on a particular item, he shall advise the other councilors present as soon as that item is placed on the floor, of his intent not to participate and to abstain from voting, and the reasons that the abstention is required. Once expressing the intent to abstain, the councilor shall have no further participation in that particular agenda item.



- (8) *New business.* During the time scheduled for public comment on the regular town council meeting agenda (New business), councilors, town employees, members of the public who are residents and/or taxpayers of the Town of Lisbon or authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, may address the town council regarding items or issues that are not on the agenda for that meeting.
- a. Anyone wishing to address council will wait to be recognized by the chair before beginning any remarks. Audience members will move to the lectern to address council, and shall provide name and address prior to addressing the council.
  - b. The purpose of new business is for the council to receive input on town matters not on the agenda for that meeting. It is not intended, nor shall it be construed as an opportunity for debate of previous agenda items or reinforcement of a point made by another speaker. Comments shall be to furnish new or undisclosed information or viewpoints and limited to a time period of two minutes or less and shall be directed through the chair.
- (f) *Committees and appointments.* The council, from time to time, and where deemed necessary and appropriate to effectively and efficiently carry out the business of the town, may appoint such committees and make other individual appointments as may be required. Committees may be ad hoc or may be adopted as standing committees. Where the council elects to use an interview system, and receive recommendations from the interview panel, such recommendations shall be taken into consideration, but shall not be considered binding or requiring the appointment of a particular candidate.
- (g) *Executive sessions.* All motions for executive sessions shall state the nature of matters to be dealt with, with specific statutory references to the particular subject matter. No topic(s) other than these referred to in the motion shall be discussed during executive session. All matters discussed during executive session shall be held in strictest confidence by councilors and shall not be discussed with or divulged to any person other than a fellow councilor or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office and shall subject the offending councilor to sanction by the council.
- (h) *Workshops.*
- (1) Workshop meetings shall be held when deemed appropriate and necessary.
  - (2) Workshop meetings should be focused on the council's formulation of policy based upon general topic discussions of current issues or project orientated. They may be also held for the purpose of disseminating information for council enlightenment and evaluation or for the discussion or refinement of future agenda items.
  - (3) No binding vote shall be taken on any matter under discussion, but a non-binding vote on any matter under discussion may be taken.
  - (4) Citizens are welcome to attend workshops, however, citizens will not normally participate in workshop discussion unless invited to do so by the town manager or town council.
  - (5) Prior to the conclusion of a workshop, if time permits, the chair may allow questions from the public. Comments by the public shall be limited to no longer than two minutes per person and no debate or discussion of collateral issues shall be permitted. Comments shall be limited to the expression of opinions, questions or concerns pertaining to agenda items.
- (i) *Conflicts.*
- (1) *Financial interest.* A town councilor who has a financial interest in any contract with the town or in the sale, purchase or lease of any land, material, supplies or services to or from the town, shall disclose the interest and abstain from negotiating, voting upon or otherwise participating in decisions involving such contract, sale, purchase or lease, unless the contract, lease or sale is awarded through a competitive bidding process. Similarly, a councilor who has a financial interest in any matter for the town council shall disclose the interest and abstain from voting on any matter involving the interest. A copy of the disclosure and the abstention shall be recorded with the town clerk. A councilor has "financial interests" within the meaning of this section if the councilor owns at least a ten percent interest in the business or economic entity or ten percent or more of the stock of the corporation involved in the pending transaction or matter.
  - (2) *Relationship.* A town councilor is disqualified in any quasi-judicial matter before the town council, if the councilor is related to any of the parties within the sixth degree (second cousin). The councilor

shall disclose the interest and abstain from voting unless all parties waive the disqualification in writing.

- (3) *Appearance of conflict.* A town councilor shall avoid the appearance of a conflict of interest, whether there is a technical conflict or not, by disclosure of the facts underlying the potential conflict, and where appropriate, be abstaining from voting on the matter. If, after disclosure, the councilor believes the interest will affect the councilor's ability to make a fair and impartial decision faithful to the public interest, the councilor shall abstain from voting.
- (4) *Participation.* An abstaining councilor may but need not remain in the town council chamber during debate or votes on that issue.
- (5) *Judgment of qualifications.* If there is any doubt as to whether a councilor has a conflict of interest in any matter, the chair shall determine the qualification of the challenged member by the vote of council. The decision of the town council shall be final.
- (j) *Anonymous communications.* Anonymous communications submitted to council, the town manager or staff, shall not be considered before council nor shall it be made a part of the record of council proceedings.
- (k) *Waiver.* Any of the rules contained herein or any portion of any rule may be waived for the purpose of any meeting or any portion thereof, by a majority vote of the councilors present.

**COUNCILOR COMMENTS:** Councilor Crawford said he would like to see the reasons for absences limited. He said if you are elected to this position you have an obligation to be there. He explained that 7 absences in any year should be reviewed by the Council or Chairman. After further discussion, an amendment was offered.

**VOTE (2017-300B)** Councilor Crawford, seconded by Councilor Brunelle moved Amendment #1 as follows:

- (2) *Attendance.* Failure to attend 3 consecutive meetings of the Council without being excused by a vote of the Council will result in forfeiture of office. Acceptable excuses include, without limitation, illness, vacation, and family emergencies. **A limit of seven (7) excused absences over a one year session shall trigger Council review.**

**Amendment #1 passed – Vote 7-0. Main Motion as amended #1 passed - Vote 7-0.**

## AMEND CHAPTER 50 SECTION 48 MUNICIPAL PARKING LOTS

### *Final Reading*

**VOTE (2017-301)** Councilor Larochelle, seconded by Councilor Crawford moved to amend Chapter 50 Section 48 Municipal parking lots as follows:

### **Sec. 50-48. Municipal parking lots.**

- (a) *General provisions.*
  - (1) Any area designated as a municipal parking lot is maintained for the sole and exclusive purpose of providing an area where motor vehicles may be left parked or standing for the purpose of allowing their operators and passengers to conduct their affairs and for ~~such permitted parking for such duration and time periods~~ as may be ~~applicable to the type of permit issued~~ determined by the Town.
  - (2) The owner and/or operator of any motor vehicle using a municipal parking lot or municipal parking space, shall park their vehicle within the designated areas indicated by white or other markings and parking shall be limited to such designated areas.
  - ~~(3) Parking in municipal parking lots shall be between the hours of 6:00 a.m. and midnight and no parking shall be allowed in any municipal parking lot from midnight to 6:00 a.m. except for 24 hour or overnight permitted parking.~~
  - ~~(4) Various types of permitted parking may be allowed in municipal parking lots. Where such permitted parking is allowed, a permit shall be issued to the appropriate party, which will be displayed in the vehicle on the driver's side windshield. Permitted parking shall be to a numbered space in a particular location as assigned by the town.~~
- (b) *Main Street, east side; Lisbon Falls.*

(1) *Parking restrictions.* General parking in the public parking lot on the east side of Main Street in Lisbon Falls shall be restricted ~~to two consecutive hours.~~ as follows:

- a. Parking shall be limited to no more than 7 consecutive days.
- b. Parking is prohibited during any parking ban imposed by the Town in accordance with section 50-11.
- c. Parking is prohibited during festivals and special events in the Main Street Lisbon Falls area, as determined by the Public Works Director.

(2) *Enforcement.* Any vehicle found in violation of this section is subject to a fine in accordance with section 50-321, and may be towed in accordance with section 50-327.

(2) ~~Permitted parking.~~ The following permits shall be available to the classifications of individuals delineated below and subject to the restrictions and conditions applicable to each permit:

- (a) ~~Business owners/employees permits.~~ Two permits may be issued to each business for the purpose of providing assigned numbered parking to the owner and/or employees of that business, which shall permit parking on an all day basis. Such permits shall be assigned to individual owners and/or employees and upon a change in business ownership or should the employee leave that business employment, then the permit issued of that individual shall become void. Additional permits for owner/employees may be issued for all day parking in an assigned location at the rate of \$25.00 per month, six months for \$120.00 or yearly for \$240.
- (b) ~~Overnight parking permits.~~ These permits shall be available to individuals who reside in homes or residential units located in the area adjacent to the parking lot and will be essentially for the purpose of overnight residential parking. No more than six of these permits may be issued and the assigned spaces will be located on the easterly boundary of the parking lot. Each overnight permit holder will be responsible for snow removal in the immediate area surrounding their parking spaces. It shall be a condition of this permit that the individual to who it is assigned reside in a residential unit adjacent to the parking area, and should such residence be changed, then the permit will become void.
- (d) ~~Twenty four hour permits.~~ Individuals residing in dwelling units in the area immediately adjacent to the parking lot shall also be eligible to apply for 24 hour permits. These permits shall also be subject to the restriction that the permittee continue to reside in the area adjacent to the parking lot and if that residence is discontinued, then the permit shall become void. The permit holder shall be responsible for snow removal in the immediate area of their assigned space. These permits shall be issued at a cost of \$25.00 per month, \$120.00 for a six month period or \$240.00 for a yearly permit.

**Roll Call Vote: Yeas – Albert, Lunt, Crawford, Ward, Kolbe, Brunelle and Larochelle. Nays - None.**  
**Order passed - Vote 7-0.**

#### AMEND FEE SCHEDULE - MUNICIPAL PARKING LOTS (Policy, Rules, & Regulations)

**COUNCILOR COMMENTS:** Councilor Albert mentioned that Amy McCain's testimony, although not applicable to this section, should be addressed. He asked the Chairman to bring this to Mrs. Barnes' attention when she returned.

**VOTE (2016-302)** Councilor Crawford, seconded by Councilor Kolbe moved to adopt the following amendment to the fee schedule:

TRAFFIC AND VEHICLES		
50-48(b)	Parking permits for <u>Main Street Municipal Parking public lot; east side of Main Street, Lisbon Falls:</u>	
	<u>Additional permits for owner/employees all day parking</u>	
	<u>Per Month</u>	<u>25.00</u>

	<del>Six Months</del>	<del>120.00</del>
	<del>Yearly</del>	<del>240.00</del>
	<del>Twenty four hour parking for residents:-</del>	
	<del>Per month</del>	<del>25.00</del>
	<del>Six months</del>	<del>120.00</del>
	<del>Yearly</del>	<del>240.00</del>

**Order passed – Vote 7-0.**

## OTHER BUSINESS

### A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said there is nothing to report.
2. Planning: Councilor Ward mentioned the December 14 meeting at Daniel Buck's Auction House and the workshop at 7PM on the Comprehensive Plan. He said the Council will be taking action on two vacancies.
3. Water Commission: Councilor Crawford said there is nothing to report.
4. LDC: Councilor Albert asked Councilor Larochelle to be their liaison too, if willing. He said that would be awesome to see him attend, especially if he couldn't make a meeting.
5. Conservation Commission: Councilor Lunt said he was waiting to hear back from Richard Main.
6. Recreation: Councilor Kolbe said there is nothing to report.
7. County Budget: Councilor Ward said there is nothing to report until next September.
8. Library: Councilor Lunt reported they held a very successful Very Merry Main Street Event at the Library. It was nice to see the Library open.

### B. REVIEW COUNCIL'S ACHIEVEMENTS

**INTRODUCTION:** Councilor Ward reported on Council achievements that took place from January 1 to November 30, 2017 as follows:

During the 2016-2017 session the Town Council made much progress on our list of goals we set for ourselves the coming year as well as addressed the items listed below.

- Secured \$1.5mil in funding for the voter approved repair and paving of Bowdoinham Rd, Gould Rd, & Summer Street through Maine Municipal Bond Bank and awarded contracts for the work to be done. In addition, the Council allocated \$425,000 in funds for paving on Warren Circle, Hudon Rd, Nason, Whitney, Madelyn, Prince, Brook St, and Keay Rd with the 2017-2018 budget. Authorized paving a portion of Capital Avenue and the Transfer Station roadways with 2017 funding, and used MDOT favorable pricing to pave Canal and Main Street to avoid another spring pothole season in that area.
- Council held several workshops and budget meetings including one meeting with Department Heads to improve communication with departments and to listen to their needs. These meetings resulted in a budget and an improved 5 year capital improvement plan that best addresses all departmental needs.
- Revised the town's Fund Balance Policy, to maintain an unassigned GF fund balance of no less than 12% and no more than 16% of the current fiscal year's budget (Gross Town operating budget, including Town's share of School Budget, County's operating budget, and debt service). This policy will enable the Town to achieve its goal of an appropriate level of undesignated fund balance. Excess funds may be utilized for other

municipal purposes, including additional capital improvement needs, tax rate stabilization, or reduction purposes.

As part of the 2017-2018 budget Council authorized the following fund balance allocations to reduce the tax rate:

Computer Server Upgrade	\$ 50,000
Generator Pad & Infrastructure	\$ 20,000
Natural Gas Conversion (Lisbon Falls Fire/Library)	\$ 23,704
High Density Storage (Town Clerks Office)	\$ 30,000
Radio Equipment Upgrades (Police)	\$ 40,000
Police Cruiser	\$ 35,000
Fire Department Capital (Truck)	\$ 75,000
ET Smith Hose Company Floor	\$ 25,000
Public Works (2) Trucks	\$300,000
Recreation Playground	<u>\$ 20,000</u>
	\$618,704

- Council privatized sidewalk snow plowing as part of this year's budget by awarding a 5 year contract.
- Presented and got voter approval for a \$9,000,000 Grant and funding package through the USDA RD for much needed sewer system, pumping stations, and treatment plant improvements. The projects will include upgrades to sanitary sewer lines on St. Ann Street, Webster Road, Upland Road, Park Street, Ferry Street, Osborn/Nason Street, Andrea Street, Main Street and vicinity, upgrades to the Davis Street and possibly Brook Street pump stations, and upgrades at the existing wastewater treatment plant. The scope will be refined to accomplish as much work as possible to improve the wastewater system within the funding available. The specifics of the funding include a grant of \$2.5mil and 2.625% interest on \$6.5mil balance financed through sewer rates.
- The Council awarded a contract for the Route 196 Downtown Infrastructure project funded by the \$370,000 CDBG Downtown Revitalization Grant. The project is scheduled to begin in the spring of 2018. Council nominated the LDC to receive the Spirit of America Award for their work on this project.
- Modified the terms of the Kelly Park TIF & Credit Enhancement Agreements to allocate \$1.1 in funds for public improvements in infrastructure.
- Approved \$124,000 in CDBG Facade grant applications to Seven businesses investing in excess of \$374,000 locally for their business as well as first hand a revitalization of downtown Lisbon Falls in this past year. In addition to the above, the Town Council would like to thank the following business for their combined investment in our Town for their new, relocated, or expanded businesses. If I have forgotten anyone, I apologize but appreciate everyone who has come forward in the past year to be a part of something pretty cool to see and be proud of locally.

A&C Transport	Atlas Chiropractic	Chris' House
Bill Stevens Auto Sales & Body Shop	Dingley Press	Domino's Pizza
Frank's Place	Haggerty Realty	Glidden Tax and Accounting
Gentlemen's Quarters Barbershop	Joe Kennedy Tile & Stone	Kieran Transport
Lisbon Local Business Listings	Legendary Status	Maine Family Legal
Norther Chi Martial Arts	O'Brien Property Services	Oh My Stars! Painted Sign
Rogers Insurance	Rusty's Lantern	Serenity Beauty & Spa
Sippy Cup Consignment	Smiley's Ice Cream	Springworks Farm
Summer Street Childcare	Verizon IM Wireless	

- The Council recommitted to local dispatching after conducting an exhaustive combined discussion of all stakeholder workshop and public hearing process.
- The Council is presently weighing all options related to the services of Lisbon Emergency since being made aware of their unexpected operational pressures this past July. Through the workshop and sub-committee processes we continue to work with all stakeholders on a solution on how best to deliver these services to Lisbon in the future in their timeframe to meet their needed deadline for a commitment from the Town. Granting their funding request, outsourcing, or combining with Lisbon Fire all being explored at present.

- Town Council worked with Positive Change Lisbon and the Recreation department on the fund raising for and construction of the Mitchell Joseph Breton-Tuplin playground at MTM.
- Established the Lisbon Community Garden Ad-hoc Committee. The Lisbon Community Garden is focused on education and food production.
- Council ordered a moratorium on retail marijuana establishments, retail marijuana stores, and retail marijuana social clubs until the State figures out the logistics of the new law.
- Council approved a new website by Virtual Towns & Schools.
- Council accepted \$20,000 worth of various Police equipment or Homeland security grants.
- Council approved an ATV ordinance allowing the operation of ATV's on designated roadways in the Town of Lisbon.
- Council changed Town office hours back to 8:30am-4:30pm Mon-Fri as well as made changes added new Library hours until Noon on Mondays.
- Council updated our Disaster Recovery plan with the assistance of our EMA Director.
- Council is currently working with the Planning Board with the update of the Comprehensive Plan.
- Council Good News and Recognition-Council recognized the following over this session:  
2017 Unified Basketball State Champions  
Lisbon High School Cheerleaders- State Champions  
Lisbon High School Baseball-Class C Southern Regional Champions  
LJAL-U12 Cal Ripkin State Champions  
Twila Lycette, Clerk -Ethelyn Stuart Marthia Award  
Eugene D. Dackmine-100 Years Proclamation
- During this calendar year, Lisbon suffered the loss of William Bauer, Water Commissioner; Frank Anicetti, Business Leader & Mr. Moxie, a local celebrity; and Gina Mason, Legislator, School Committee member, former Town Councilor, and Moxie Committee volunteer.

Councilor Albert said let's do more of the same this year. He pointed out the successful audit and praised Lydia Colston for getting our house in order. He congratulated her efforts on successfully bridging the communication gap between the municipal and school entities, making us all better business partners. It's nice to see all the cards on the table.

### C. COUNCIL GOAL SETTING

Councilor Larochelle suggested asking the Committee's to present their goals to the Council. He said goals can bring people together and make these meeting worthwhile, plus the Council can see what's happening and can tell what it needs to do to help them accomplish their goals. Councilor Albert explained this can give them a sense of purpose, plus help show measurable progress so in the end we can say, look where we are now; much like the playground at MTM that started with a goal.

Councilor Ward said the Council needs to continue the Moxie discussion.

We will be continuing the Lisbon Emergency discussion as well. Councilor Albert updated the Councilors on the subcommittee's progress. Chief MacDonald spoke for a few minutes and asked the citizens of Lisbon to come forward to express their wants. For instance, do they want to wait 40 minutes for an ambulance? Chief MacDonald thanked everyone for the efforts being made so far.

## APPOINTMENTS

### COUNCIL COMMITTEE ASSIGNMENTS

The Chairman asked Councilors where their interest was for serving as Committee Liaisons. The following Councilors volunteered to serve as follows:

<u>Liaisons</u>	<u>Boards/Committees</u>	<u>Additional Liaisons</u>
Councilor Lunt	Administration/Library	
Councilor Crawford	Public Safety	Councilors Larochelle
Councilor Kolbe	Public Works/Parks/Recreation	Councilors Albert
Councilor Larochelle	School Facility Committee	Councilor Brunelle
Councilor Albert	School Committee	Councilors Crawford & Ward
Councilor Ward	Planning Board	
Councilor Brunelle	Water Commission	
Councilor Larochelle	Lisbon Development Committee (LDC)	Councilor Albert
Councilor Larochelle	Assessment Review Board	
Councilor Larochelle	Voter Registration Appeals Board	
Councilor Kolbe	Ethics Panel	
Councilor Lunt	Library Governing Board	
Councilor Crawford	Zoning Appeals Board/Sewer Appeals Bd	
Councilor Ward	Conservation Commission	
Councilor Kolbe	Recreation Committee	Councilor Albert & Crawford
Councilor Lunt	Commercial Revolving Loan	Councilor Albert
Councilor Ward	County Budget Committee	Councilor Lunt

### COUNCILOR COMMUNICATIONS

Councilor Albert said the Very Merry Main Street was another successful event on Main Street. Nice job everyone.

### AUDIENCE PARTICIPATION FOR NEW ITEMS-NONE

### EXECUTIVE SESSION – NONE

### ADJOURNMENT

**VOTE (2017-304)** Councilor Brunelle, seconded by Councilor Albert moved to adjourn at 8:03 PM. **Order passed – Vote 7-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved December 19, 2017