



**TOWN COUNCIL
MEETING MINUTES
MARCH 7, 2017**

Dale Crafts, At Large 2017
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

CALL TO ORDER. The Chairman, Allen 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, and Crawford. Councilors Albert and Crafts were excused. Also present were Diane Barnes, Town Manager; Lydia Colston, Finance Director; Dennis Douglass, CEO/Health Officer; Marc Hagan, Police Chief; Ryan Leighton, Public Works Director; Diane Nadeau, Librarian; Tracey Steuber, Economic and Community Development Director; Mark Stevens, Parks & Recreation Director; Donald Fellows, Planning Board Chairman; Karen Pardis, Planning Board Member; Scott Hall, Planning Board Member; and approximately 15 citizens in the audience.

GOOD NEWS & RECOGNITION

Councilor Ward said he had someone approach him this week to say thank you to those responsible for grooming the Androscoggin River walking trails and Beaver Park trails. He publically thanked Gordon Curtis from the Prejepscoot SnoChiefs, Mark Jones, and Cheri Garnett. They did an excellent job this year.

PUBLIC HEARING

**A. RENEWAL SPECIAL ENTERTAINMENT PERMIT – RAILROAD
RESTAURANT & PUB**

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 (2017-260) Councilor Kolbe, seconded by Councilor Lunt moved to approve the Accounts Payable & Payroll Warrants #109 for \$124,656.71, #110 for \$131,396.04, #111 for \$13,039.06, #112 for \$17,731.88, and #113 for \$197,111.05, along with the Minutes of February 14, February 21, and a Special Entertainment Permit and Liquor License for the Railroad Restaurant and Pub. **Order passed - Vote 5-0.**

COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

**ORDINANCE – FEE SCHEDULE
(First Reading)**

COUNCILOR COMMENTS: Councilor Ward asked for assurance that everyone showing up at the Dump has a sticker and demo permit, and that those without one are being turned around and asked to go get one. He said there is time to look further into this and make changes later if needed.

Councilor Ward pointed out on page 14 that he would like to undo his suggestion to strike the parking changes in 50-48(b) under Traffic and Vehicles leaving it the way it currently is in the ordinance. He mentioned these fees may be necessary now that all the buildings in the downtown area are filled. He said there might be parking issues to deal with downtown in the future so it could be nice to have this in place. Mr. Douglass pointed out this is important to leave in to deal with tenant parking as space becomes a premium. There are a few buildings with tenants living on top of businesses. Right now this gives them an option to give tenants permits for the six spots reserved for tenant use at the far end. If that is taken away those vehicles might end up parking on Main Street taking spots away from customers parking to access businesses. Councilor Lunt agreed and that it could be an even bigger fight to get it back in. Councilor Ward suggested taking up Order 2017-46 and 47 at the same time.

VOTE (2017-46) Councilor Brunelle, seconded by Councilor Lunt moved to adopt the fee schedule changes presented in Order 2017-46, un-striking 50-48 under Traffic & Vehicles (leaving that section the way it was), and Order 2017-47 Chapter 50-48 Traffic & Vehicle Amendments.

A vote was taken quickly. The Town Clerk pointed out this vote needed to be taken by roll call. **Roll Call Vote: Yeas – Lunt, Crawford, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 5-0.**

Mrs. Barnes explained that Order 2017-47 Chapter 50-48 Traffic Amendments would not need to be included in that motion since the Council decided to leave that section the way it currently is.

VOTE (2017-46A) Councilor Brunelle, seconded by Councilor Lunt moved to reconsider and amend the previous motion to remove the adoption of Order 2017-47 Chapter 50-48 amendments. Both having voted on the prevailing side and seeing no objections, a roll call vote was taken to reconsider and amend as suggested.

Roll Call Vote: Yeas – Lunt, Crawford, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 5-0.

The Main Motion as Amended, restated by the Council Chair, was to adopt the fee schedule as presented in Order 2017-46, un-striking 50-48 under Traffic & Vehicles (leaving that section the way it currently is) and to not adopt Order 2017-47 Chapter 50-48 amendments (leaving that second the way it currently is, also).

Roll Call Vote: Yeas – Lunt, Crawford, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 5-0.

ORDINANCE – CHAPTER 50 TRAFFIC AND VEHICLES SECTION 50-48 AMENDMENTS (Item taken up under 2017-46 above)

2017 CLICK IT OR TICKET/BUCKLE UP NO EXCUSES ENFORCEMENT EDUCATION GRANT

INTRODUCTION: Chief Hagan explained that the Maine Bureau of Highway Safety (MeBHS) is offering the 2017 Click It Or Ticket / Buckle Up No Excuses Enforcement and Education Grant to selected agencies to reduce non-belted occupant fatalities and injuries on Maine roads. The 2017 Click It Or Ticket / Buckle Up No Excuses Enforcement and Education Program begins May 22nd, 2017 and ends on June 4th, 2017. He indicated the Lisbon Police Department has been pre-approved for up to \$4,313 in award money to be applied toward officer overtime while conducting safety belt enforcement. He asked the Council for permission to apply, accept, and use the allocated funding towards safety belt enforcement.

VOTE (2017-48) Councilor Brunelle, seconded by Councilor Lunt moved to authorize the Police Chief to apply for the 2017 Click It or Ticket/Buckle Up No Excuses Enforcement and Education Grant for up to \$4,313 and authorize the Town Manager to accept the funds if the grant is awarded. **Order passed - Vote 5-0.**

CHARTER AMENDMENT PUBLIC HEARING

INTRODUCTION: The Town Clerk recommends the deadline for filing nomination papers be changed from 45 days to 60 days prior to Election Day. This will allow the necessary time needed to coordinate programming local tabulators, printing local ballots, and delivering local ballots so everything should coincide with state programming, printing, and delivery of state ballots when conduction state and local elections together.

COUNCILOR COMMENTS: Councilor Lunt asked when nomination papers would be due then. Mrs. Lycette explained that they would be due September 25 right now, but this change would make them due on September 11 which is a little earlier in the month. Councilor Lunt asked when nomination papers would be available. Mrs. Lycette said they would be due around the 15th of August, but this change would move that date to July 31 or August 1. Councilor Kolbe confirmed the change moves both dates further from the election by 15 days. Mrs. Lycette said yes, that would be the time frame needed to ensure we receive local and state absentee ballots at the same time so they can be mailed out together.

VOTE (2017-49) Councilor Kolbe, seconded by Councilor Lunt moved to schedule a public hearing for the proposed charter amendment on April 4, 2017 at 7:00 p.m. **Order passed - Vote 5-0.**

APPROVAL OF CDBG MICRO ENTERPRISE FACADE GRANT APPLICATIONS

INTRODUCTION: Ms. Steuber indicated the CDBG Facade Grant Advisory Committee recommends the following for Town Council approval:

<u>Grant</u>	<u>Applicant</u>	<u>Total Project Cost</u>
\$20,000	Kristina Pomerleau at 9-13 Union Street	\$55,660
\$20,000	Peter Austin at 2 Main Street	\$70,725
\$20,000	Traci Austin at 4 Main Street	\$56,250
\$5,255.49	Michael Kolster at 5 Main Street	\$10,510.98

She said the total of all the projects comes to \$65,255.49. She indicated these projects fall within the guidelines and can be approved by the State CDBG office in Augusta.

VOTE (2017-50A) Councilor Brunelle, seconded by Councilor Lunt moved to approve the request for \$20,000 for Kristina Pomerleau's \$55,660 project, pending her obtaining a D-U-N-S number and that it meets codes. **Order passed - Vote 5-0.**

VOTE (2017-50B) Councilor Brunelle, seconded by Councilor Lunt moved to approve the request for \$20,000 for Peter Austin \$70,725 project, pending his obtaining a D-U-N-S number and that it meets codes. **Order passed - Vote 5-0.**

VOTE (2017-50C) Councilor Brunelle, seconded by Councilor Kolbe moved to approve the request for \$20,000 for Traci Austin \$56,250 project, pending her obtaining a D-U-N-S number and that it meets codes. **Order passed - Vote 5-0.**

VOTE (2017-50D) Councilor Brunelle, seconded by Councilor Crawford moved to approve the request for \$5,255.49 for Michael Kolster's \$10,510.98 project, pending his obtaining a D-U-N-S number and that it meets codes. **Order passed - Vote 5-0.**

FUND BALANCE POLICY REPEAL & REPLACE

INTRODUCTION: Mrs. Colston said the current fund balance policy stipulates that the Town of Lisbon strives to maintain an unassigned fund balance amount equal to 12.5% of the town's general fund budget town and school). This policy sets a level of fund balance that is not feasible for the town to maintain. The revised policy will enable the town the flexibility to use excess funds in unforeseen circumstances that it does not currently have.

I recommend the Council consider revising this policy establishing clearer language that strives to maintain an unassigned general fund balance no less than 12% and no more than 16% of the current fiscal year budget calculated as follows:

Gross Town operating budget, including the Town's share of the School Budget only, Town's portion of the County's operating budget, and debt service.

VOTE (2017-51) Councilor Brunelle, seconded by Councilor Crawford moved to repeal the current Fund Balance Policy and replace it with the following Fund Balance Policy:

Chapter 86

Article 1- In General

86-1 FUND BALANCE POLICY

a) The Town of Lisbon recognizes the importance of maintaining an appropriate level of undesignated fund balance. The Town's unassigned GF fund balance serves a number of stabilizing purposes. It is a surplus of amounts which have accrued from unexpected operating budget surplus and unanticipated excess revenues. The surplus also provides the Town with an amount for use in unforeseen, unbudgeted emergency situations, and provides a cash flow cushion to offset the need for borrowing in anticipation of tax receipts.

b) In order to maintain financial stability, the Town has established this policy to maintain an unassigned GF fund balance no less than 12% and no more than 16% of the current fiscal year's budget as defined below:

Gross Town operating budget, including Town's share of School Budget, Town's portion of the County's operating budget, and debt service.

c) One the Town achieves its goal of an appropriate level of undesignated fund balance, any excess funds may be utilized for other municipal purposes, including, without limitation, additional capital improvement needs, tax rate stabilization, or reduction purposes. For example, by utilizing excess fund balances for capital improvements, the Town will reduce the need to incur long-term debt and will avoid creating an operating funding gap for subsequent fiscal years.

d) This policy has been adopted by the Town to recognize the financial importance of a stable and sufficient level of undesignated fund balance. However, the Town, reserves the right to appropriate funds from the undesignated fund balance for emergencies and other requirements the Town believes to be in the best interest of the Town.

e) In the event the Town's undesignated fund balance drops below the 12% minimum, a written plan to replenish the fund within a maximum of three fiscal years must be approved by the Town Council at the time of the emergency GF Fund balance appropriation.

Order passed - Vote 5-0.

KELLY PARK DRAINAGE EASEMENT

INTRODUCTION: Mrs. Barnes mentioned this item is not ready for Council approval. The town's attorney suggested a couple of amendments. She requested permission to sign the easement after legal negotiates those changes with the developer.

COUNCILOR COMMENTS: Councilors Kolbe and Ward indicated they would like to see those amendments before approving.

VOTE (2017-52) Councilor Lunt, seconded by Councilor Kolbe moved to place the item on the next agenda.
Order passed – Vote 5-0.

DAVIS STREET PUMP STATION GRINDER

INTRODUCTION: Mr. Leighton reported the town funded in the 2016-2017 Sewer Budget funds to replace the Davis Street Pump Station Grinder. This unit has been out of service for nearly a year while we waited for the results in the Sewer System Evaluation report. The Sewer System evaluation recommends updating the Davis Street

pump station. For now the recommendation is to purchase and install a new in channel grinder. Mr. Leighton requested permission to go out to bid for this unit.

VOTE (2017-53) Councilor Brunelle, seconded by Councilor Lunt moved to authorize the Public Works Director to go out to bid for the Davis Street Pump Station Grinder. **Order passed - Vote 5-0.**

KELLY PARK TIF DISCUSSION & SETTING DATE FOR WORKSHOP

INTRODUCTION: Councilor Ward asked that this workshop be scheduled in March if possible. Mrs. Barnes suggested the Council meet at 6:00 PM on March 21 or March 28. Councilor Ward said he would like to take a poll to see how many Councilors were interested in not revisiting the TIF, keeping it at a 60%/40% split still. Councilor Lunt indicated he would like to hear opinions from the Planning Board and the Lisbon Development Committee.

Mr. Fellows said he may not have gone far enough with his research last time and that after further study he could see how this 60/40% split would be a benefit to the Town of Lisbon. He indicated this 40% could be invested in several ways over on the Lisbon Village side of town.

Justin Merrill from Moody Road asked how Kelly Park would impact the taxpayers' of Lisbon.

COUNCILOR COMMENTS: Councilor Ward explained the increase in value for taxable property on the 33 house lots once built. He mentioned the increase valuation from the rental units' would be sheltered from our valuation and therefore not reduce our state subsidy for schools or increase our county tax bill.

Councilor Lunt mentioned that although we wouldn't lose any revenue we would still be absorbing the local costs for the additional children added to our school system.

Mrs. Barnes said she would get back to the Council with a date when Mr. Kelly could attend.

TANK 9 DISPOSITION

INTRODUCTION: Chief Galipeau requested direction on what the Council would like to do with Tank 9. He said the apparatus is out of service and currently sitting in the station. The Fire Chief suggested they take the useful equipment off the truck and move it to Public Works. At that point they could have the body appraised by a fire truck company to either sell it outright or scrap the cab and chassis. He reported at least one maintenance company might be interested in it. He offered to check on what the value of the body may be for the town.

Chief Galipeau reported the truck cannot take a valid sticker and the value on the cab and chassis may not be of any value to the Town of Lisbon. He recommended, if the Council chooses to sell it outright, that the funding be earmarked to go back into the Apparatus replacement and refurbishment account.

COUNCILOR COMMENTS: Councilor Ward directed Chief Galipeau to make it happen and to go for the best value for the community.

VOTE (2017-55) Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Fire Chief to strip Tank 9 of useful equipment, move it to the Public Works lot, and solicit sealed bids to dispose of the cab and chassis. **Order passed - Vote 5-0.**

ENGINE 1 EXTRAS

INTRODUCTION: Chief Galipeau requested approval for the extras needed on Engine 1. The apparatus falls in line with the established apparatus refurbishment capital plan that was established in 2004 so the funding for this project already established will not impact the taxpayer. This list included 29 items totaling \$7,806 that Pierce found should be addressed. This list was expected for direction, per contract, for items that do have a definite impact on life safety, but may not be in the specs. The original contract was \$55,370. Chief Galipeau reported we should not be receiving any more lists from this point since their review of the truck is close to being complete, but that there is no guarantee they won't be contacting us again for direction.

Chief Galipeau requested this funding come from this year's established apparatus refurbishment allotment of \$75,000, which has \$53,677 left.

VOTE (2017-56) Councilor Brunelle, seconded by Councilor Lunt moved to authorize the expenditure of \$7,806 from the apparatus refurbishment account for Engine 1 extras as presented. **Order passed - Vote 5-0.**

TAX ACQUIRED PROPERTY SALE

INTRODUCTION: Mrs. Barnes explained that the Town of Lisbon foreclosed on the following properties on January 3, 2017 for non-payment of Real Estate Taxes. The 30-day redemption period has now expired after the taxpayers were notified by mail that they have 30 days to redeem their property by paying all outstanding taxes and fees owed before the Town takes steps to dispose of the tax acquired property. The properties below remain unpaid.

<u>Name</u>	<u>Address</u>	<u>Total Owed as of 3/7/2017</u>
Walter Huston, Heirs of	Summer Street	\$ 232.67
Ronald R. Rioux	3 Lincoln Street	\$ 5,934.25

COUNCILOR COMMENTS: Councilor Ward asked what happens to the amount over the taxed amount due. Mrs. Barnes said that goes into the Real Estate Reserve Account she had set up after she arrived to be used to purchase new property when needed.

VOTE (2017-57) Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Town Manager to advertise the tax acquired property for sale by sealed bid with the amount due as a minimum bid. **Order passed - Vote 5-0.**

PERMISSION TO ACCEPT DONATIONS FOR SUMMER READING PROGRAM

INTRODUCTION: Mrs. Nadeau explained that the Library Department is seeking Town Council permission to send out letters to local businesses to ask for their financial support for the 2017 Summer Reading Program. These letters have traditionally been sent by the Friends of the Library and gifts/donations have been managed and expended by the organization. The funds have always been used for craft supplies, entertainers, and other items that support the success of the Summer Reading Program. The average total of the donations in the last few years is \$600-\$800. This year's gifts/donations would be given to the Town of Lisbon to be expended specifically by the Library Department for the 2017 Summer Reading Program needs. It is unfortunate that the Friends of the Library are incapable of fundraising at this time.

COUNCILOR COMMENTS: Councilor Kolbe pointed out that this would be similar to the letter sent out for Moxie donations and/or donations for the MTM playground at the Recreation Department.

VOTE (2017-58) Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Library Department to seek and accept donations for the Summer Reading Program as outlined [exclusively used for Summer Reading Program under the direction of the Town Manager]. **Order passed - Vote 5-0.**

SET WORKSHOP FOR WESTERN MAINE TRANSPORTATION

INTRODUCTION: Mrs. Barnes indicated Western Maine Transportation is in the middle of a transit study funded by the State of Maine. They would like to meet with the Council to see what Lisbon's needs are. It should take about 60-90 minutes.

VOTE (2017-59) Councilor Brunelle, seconded by Councilor Kolbe moved to set a workshop with Western Maine Transportation on May 23 at 6:00 PM. **Order passed - Vote 5-0.**

**PERMISSION TO GO OUT TO BID FOR FAÇADE IMPROVEMENTS FOR
CDBG FACADE GRANT**

INTRODUCTION: Ms. Steuber reported all the projects will go out to bid and the lowest bidder will be awarded the bid. Each will be reviewed by the State of Maine Historical Preservation Department to ensure they meet those guidelines, too.

VOTE (2017-60) Councilor Kolbe, seconded by Councilor Lunt moved to go out to bid for the Facade Improvements for the CDBG Facade Grant. **Order passed - Vote 5-0.**

**MAINE MUNICIPAL EMPLOYEES HEALTH TRUST (MMEHT)
WELLNESS PROGRAM GRANT**

INTRODUCTION: One of the benefits afforded to Town Employees as MMEHT plan participants is the Wellness Incentive Grant Program. "The Health Trust supports the development of local efforts for wellness among its participating groups. To encourage these programs, the Health Trust offers financial support to participating groups with approved wellness programs. The maximum grant award is \$40 per year, per employee covered under the Health Trust health insurance programs."¹

The Town of Lisbon currently has 47 health plan participants. The maximum grant application for 2017 is an amount of \$1,880.

VOTE (2017-61) Councilor Brunelle, seconded by Councilor Kolbe moved authorization to apply and accept funds from the Maine Municipal Employees Health Trust (MMEHT) 2016 Wellness Grant in the amount of \$1,880. **Order passed - Vote 5-0.**

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. Planning: Councilor Ward indicated they will meet again on Thursday.
2. Water Commission: Councilor Crawford mentioned he missed the last meeting but will attend the next one.
3. LDC: Fern Larochelle, Chair reported his committee picked expiration terms at the last meeting. He said they began a program called snapshots, which means they will be taking photos of the area looking for items they can change to make it look better. For instance, maybe a new sign is needed somewhere and items like that.
4. Conservation Commission: Councilor Lunt indicated he needs to attend one still.
5. Recreation: Councilor Kolbe said she had nothing new to report.
6. County Budget: Councilor Ward said he had nothing new to report.
7. Library: Councilor Lunt reported the Council has already heard about the Summer Reading Program. He said that's such a great program to get kids involved.

B. TOWN MANAGER'S REPORT

Mrs. Barnes reported that next Tuesday the Council will be meeting with the Superintendent of School to listen to the school budget presentation. She reported municipal budgets were ready for Council members to pick up tonight. She pointed out the budget letter in the front hits the highlights.

¹ Maine Municipal Employees Health Trust Wellness Coordinator Training Manual

AUDIENCE PARTICIPATION FOR NEW ITEMS

Mr. Douglass thanked the Council for their approval on the Façade Grant projects. He asked the Council to ensure these bids for the Façade Grant go to the lowest “qualified” bidder; to do otherwise would be the worst possible way to do business. He recommended emphasis on local businesses, too.

Mr. Douglass pointed out the building at 10 Union Street is going to be tagged as a dangerous building next week. He recommended the Council consider purchasing it, tearing it down, and making a parking lot for the Library patrons and/or to others in the downtown area. He said it sure would be worth the effort to solve a few parking problems in that area.

COUNCILOR COMMUNICATIONS

Councilor Kolbe reported she and several key municipal officials attended the MMA workshop entitled “Lifting the HAZE”. She indicated that adopting a moratorium would help send a message the Lisbon can’t do anything until the state acts. Mr. Fellows said the moratorium can be extended if necessary until we come up with something that works for Lisbon.

Councilor Lunt said he agreed with checking into purchasing 10 Union Street. He said he would like the Council to look into this. He said it just makes sense to obtain this property.

APPOINTMENTS - NONE

EXECUTIVE SESSION – NONE

ADJOURNMENT

VOTE (2017-62) Councilor Brunelle, seconded by Councilor Kolbe moved to adjourn at 8:22 pm. **Order passed - Vote 5-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: March 21, 2017