



## TOWN COUNCIL MEETING MINUTES DECEMBER 18, 2018

Christopher Brunelle, At Large 2019  
Mark Lunt, District 1 2019  
Kris Crawford, District 2, 2019  
Fern Larochelle, At Large 2020  
Normand Albert, At Large 2021  
Kasie Kolbe, District 1 2021  
Allen Ward, District 2 2021

**CALL TO ORDER.** The Chairman, Councilor Albert, 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, Albert, Kolbe, Brunelle, Lunt, and Larochelle. Also present were Diane Barnes, Town Manager; Steve Aievoli, Sewer Department Superintendent/Interim Public Works Director; Nate LeClair, Fire Chief; Miriam Morgan-Alexander, Assessment Review/Appeals Board Member; and approximately 12 citizens in the audience.

**VOTE (2018-263A)** Councilor Albert, seconded by Councilor Kolbe moved to excuse Councilor Crawford's absence. **Order passed – Vote 6-0.**

### GOOD NEWS & RECOGNITION

**VOTE (2018-263B)** Councilor Albert, seconded by Councilor Kolbe moved to adopt the Community Markets Coalition Resolution as follows:

**WHEREAS,** the Maine convenience store industry, with more than 1,000 stores, the State selling fuel, food and merchandise, more than 3 billion dollars in sales in each year;

**WHEREAS,** as part of the fabric of the community, convenience stores support local charities, from youth sports teams to food drives, they strengthen the communities that they serve;

**WHEREAS,** convenience stores are closely tied to their community; according to a National Association of Convenience Stores consumer survey, says 78% of National Association Convenience Store member companies support five or more charities in their communities, and 83% have been involved in charitable giving for more than 10 years and;

**WHEREAS,** the median charitable contribution per store is \$4,100 in direct contributions and \$2,500 in donations collected; this means that as an industry, convenience stores contribute or collect nearly \$1 billion dollars a year for charities;

**WHEREAS,** there are 1,028 convenience stores in Maine; no matter their location, they are designed to serve customers on the go, whether for fuel, drinks, and snacks, fill-in groceries, or ATMs;

**WHEREAS,** the average convenience store in Maine provides 15 jobs in the community totaling more than 16,000 across the state, split about equally between full and part-time workers;

**WHEREAS,** convenience store jobs also can help students successfully afford a higher education and increase their business success, no matter what career path they ultimately pursue;

**WHEREAS,** convenience stores are responsible retailers in the community, creating store-level sales practices for "age-sensitive products" like tobacco and alcohol such as "We Card Because We Care";

**WHEREAS**, convenience stores conduct 4.5 million ID checks nationally for age restricted products every day, more than anyone in the country; by comparison, the Transportation Security Administration conducts about 2 million ID checks a day;

**WHEREAS**, convenience stores don't just serve communities, they invest in them; on average, a convenience store operator invests \$4.27 million dollars to open a new store in a rural neighborhood; with this large investment, they have a stake in the community's success and seek to enhance it;

**WHEREAS**, in rural areas, convenience stores are often the only place in town to buy grocery items, fuel, other products, or services; 81% of rural Americans say that a convenience store is within 10 minutes of their home;

**WHEREAS**, consumers agree that convenience stores represent the community's values. More than two in three Americans (or 71%) say that convenience stores share their values and do business the right way; and more than three in four (or 77%) say they would be favorable to a new store being built or opened in their community;

**THEREFORE, BE IT RESOLVED**, that in recognition of outstanding contributions to and service to the Town of Lisbon, we hereby most highly commend the community markets that operate in Lisbon, Maine.

**Order passed – Vote 6-0.**

Matthew Morrison, Vice President of the Maine Energy Marketers Association explained how negative news and politics effect the market place. He advocates for a seat at the table to discuss negative situations, to present the positive side, and to educate citizens about how involved and committed these providers really are. Mr. Morrison thanked the Council for their support.

## **PUBLIC HEARING**

### **A. JUNKYARD PERMIT FOR HUSTON'S AUTO SALVAGE**

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

### **B. JUNKYARD PERMIT FOR CAMPBELL'S USED AUTO PARTS**

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

### **C. MEDICAL MARIJUANA ESTABLISHMENT LICENSE FOR LISBON CANNABIS COMPANY**

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

## **EXECUTIVE SESSION**

**VOTE (2018-264)** Councilor Kolbe, seconded by Councilor Larochelle moved to go into Executive Session at 7:06 PM per 1 MRSA Section 405 (6) (A) Personnel Matters. **Order passed – Vote 6-0.**

The Council returned to their seats. Councilor Kolbe, Seconded by Councilor Larochelle moved to come out of executive session at 7:22 PM. The Chairman resumed the meeting.

*Items Taken Out Of Order*

## **APPOINTMENTS**

### **PLANNING BOARD MEMBER – ASSOCIATE**

**VOTE (2018-275)** Councilor Kolbe, seconded by Councilor Lunt moved to appoint Shaun J. Carr an Associate Member on the Planning Board to 6/30/2021. **Order passed - Vote 6-0.**

### CONSERVATION COMMISSION MEMBER

**VOTE (2018-276)** Councilor Kolbe, seconded by Councilor Albert moved to appoint Savanna Hagerthy to the Conservation Commission to 6/30/2020. **Order passed - Vote 6-0.**

### AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS – NONE

### CONSENT AGENDA

**VOTE (2018-26)** Councilor Kolbe, seconded by Councilor Lunt moved to approve the following:

A. Municipal Accounts Payable & Payroll Warrants -			
#12-07-2018	\$14,940.61	#12-13-2018	\$5,938.75
#12-18-2018	\$250,939.60	#42	\$170,637.78
#43	\$18,196.74		

B. School Accounts Payable & Payroll Warrants -			
#1029	\$348,275.46	#1030	\$11,274.01
#1031	\$54,461.48	#1032	\$369,430.91
#14	\$2,853.71	#	\$

Plus the Minutes of November 13 and December 4, 2018, the renewal Automobile Graveyard Permit for Campbells Used Autoparts, renewal Automobile Graveyard Permit for Huston's Auto Salvage, and set a public hearing for January 15 for a Victualer's license for the Rusty Lantern, and approve the Municipal/County Agreement for PSAP & Dispatch Services. **Order passed - Vote 6-0.**

### COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

#### BID FOR THE HYDRAULIC EXTRICATION EQUIPMENT

**INTRODUCTION:** The Fire Chief requested permission to go out to bid for the hydraulic extrication equipment, which the Council approved \$18,000 through the undesignated fund balance.

**COUNCILOR COMMENTS:** Chief LeClair said he would sell the old equipment at auction or traded it in. Councilor Ward mentioned it could be donated to another town, as well.

**VOTE (2018-266)** Councilor Brunelle, seconded by Councilor Larochelle moved to give the Fire Chief permission to go out to bid for the Hydraulic Extrication Equipment. **Order passed - Vote 6-0.**

#### SCHOOL CAPITAL RESERVE EXPENDITURE

**INTRODUCTION:** Allen Ouellette, School Facilities Manager, explained that the School's Capital Reserve Fund was created in 2011 to allow the School Committee to use existing money to pay for maintenance and minor remodeling. Since 2011, money from the undesignated balance and unanticipated revenues has been transferred into the Capital Reserve Fund.

Mr. Ouellette said the current balance is \$67,675. The School Committee voted 5-0 to request Council permission to utilize an amount not to exceed \$56,000 to pay for the update of the phone system at the Lisbon Community School.

**VOTE (2018-267)** Councilor Ward, seconded by Councilor Kolbe moved to give the Lisbon School Committee permission to utilize an amount not to exceed \$56,000 for updating the phone system at the Lisbon Community School. **Order passed - Vote 6-0.**

*Next Items Taken Out Of Order*

JANUARY COUNCIL MEETINGS  
&  
SET WORKSHOP-ATV ORDINANCE

**INTRODUCTION:** Mrs. Barnes asked the Council what meetings they would like to schedule for January since the next meeting would be on a holiday, January 1, New Year's Day.

**COUNCILOR COMMENTS:** Councilor Kolbe recommended going with one meeting on January 15. Councilor Albert asked when the Council would like to set a workshop to discuss Council Goals. Councilor Brunelle suggested January 15 as well, but to start with the workshop on goals at 6:00 PM that night.

Mrs. Barnes indicated Roger Bickford has some recommended changes for the access roads in the ATV Ordinance and requested a Council Workshop to discuss these. She recommended combining Mr. Bickford's request with the Council's annual review prior to the trails opening in May. Councilor Ward requested Mr. Bickford identify and summarize his proposals for the Council to review on January 15 to determine whether a workshop would be needed and if needed, they would set one then.

**VOTE (2018-269)** Councilor Kolbe, seconded by Councilor Larochelle moved to hold one meeting in January on the 15<sup>th</sup> and to start at 6:00 PM with the workshop on Council Goals. **Order passed - Vote 6-0.**

NIMS RESOLUTION

**INTRODUCTION:** Mrs. Barnes explained that between 2006 and 2008, the State of Maine, its sixteen counties, and their respective municipalities adopted by resolution the Homeland Security Presidential Directive #5 (HSPD-5) which requires all state, tribal, and local governments to adopt the National Incident Management System (NIMS) as a condition of receiving federal preparedness funds beginning in 2005. These funds include Homeland Security Grants, Firefighter Grants, Hazard Mitigation Grants, etc. with the exception of federal disaster assistance under the Federal Robert T. Stafford Act. The local resolution states that all departments of that jurisdiction shall utilize and respond by the prescribed NIMS and local Incident Command System plans be updated as needed, that all covered by the NIMS requirements completed required training such as incident command training for emergency responders, and incident command orientation for elected municipal officials (NIMS 402 training), and that adoption of the resolution be made in a meeting open to the public. In 2006, Androscoggin County and all fourteen of its political subdivisions adopted and signed the NIMS Resolution.

Mrs. Barnes said it is time again for the State, its 16 counties, and all of the counties' local jurisdictions to reaffirm adoption of the NIMS Resolution by reviewing and signing a new NIMS Resolution for 2018.

**VOTE (2018-270)** Councilor Ward, seconded by Councilor Kolbe moved to confirm adoption of the following NIMS resolution:

RESOLUTION CONFIRMING ADOPTION OF THE  
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

**WHEREAS,** President Bush issued Homeland Security Presidential Directive (HSPD-5), *Management of Domestic Incidents*, on February 28, 2003, directing the Secretary of Homeland Security to develop, submit for review to the Homeland Security Council, and administer a National Incident Management System (NIMS); and

**WHEREAS,** NIMS will provide a consistent nationwide approach allowing federal, state, local and tribal governments to work effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents; and

**WHEREAS,** The Department of Homeland Security has sought extensive input on NIMS from state, local and tribal officials, the emergency response community, and the private sector and has incorporated the best practices

currently in use by incident managers; and

**WHEREAS,** Effective homeland security incident management involves new concepts, processes, and protocols that will require refinement over time. The collective input and guidance from all homeland security partners has been, and will continue to be, vital to the further development of an effective and comprehensive national incident management system; and

**WHEREAS,** NIMS was published by the Department of Homeland Security on March 1, 2004; and

**WHEREAS,** HSPD-5 and NIMS require all federal departments and agencies to adopt NIMS and use it in domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation programs and activities, as well as to assist state, local, or tribal entities; and

**WHEREAS,** HSPD-5 and NIMS require federal departments and agencies to require state, tribal and local organizations to adopt NIMS as a condition for federal preparedness assistance beginning in federal FY 2005 and to confirm adoption of the NIMS Resolution in FY 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the Lisbon Town Council as follows:

**SECTION 1:** That all departments of the Town of Lisbon, in Androscoggin County, shall utilize the National Incident Management System (NIMS) prescribed by the Department of Homeland Security;

**SECTION 2:** That the Lisbon Town Council directs all departments to train their personnel on the NIMS and to update the Town's Integrated Emergency Management Plan (formerly known as the Incident Command System Plan – an Addendum to the City's overall Emergency Operations Plan);

**SECTION 3:** That this Town Council hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements;

**SECTION 4:** This Resolution shall take effect at the earliest period allowed by law.

Effective: This 18<sup>th</sup> day of December in the Year of Our Lord 2018

**Order passed - Vote 6-0.**

#### WESTERN MAINE TRANSPORTATION ALTERNATIVE SHOPPING DESTINATION

**INTRODUCTION:** Western Maine Transportation contacted the Town to see if we would be receptive to having the Lisbon Connection Bus go to Topsham at least one Tuesday a month instead of Wal-Mart in Auburn for shoppers that usually ride the bus on Tuesdays. The driver polled the shopper riders and they thought this would be a good alternative.

Richard Nadeau said he spoke to the driver who said WMTS would like him to bring the issue to the Lisbon Town Council. He said they were looking at going to Topsham one week and Auburn/Lewiston the next; alternating between the two routes every other week.

**COUNCILOR COMMENTS:** Councilor Larochelle asked if there would be additional costs associated with this change. Mrs. Barnes indicated there would be none and that WMTS might pick up additional riders, too. She said this change fell in line with their goal to expand into the Brunswick/Bath area.

**VOTE (2018-271)** Councilor Larochelle, seconded by Councilor Kolbe moved to support the recommendation of WMTS to conduct a trial run to Topsham at least one Tuesday a month for the shoppers. **Order passed - Vote 6-0.**

AMENDMENT TO EMERGENCY ORDINANCE  
FOR LICENSING OF MEDICAL MARIJUANA ESTABLISHMENTS

**INTRODUCTION:** Mrs. Barnes explained this change specifies that odor mitigation systems should only be needed for establishments that cultivate, manufacture or extract marijuana.

**VOTE (2018-272)** Councilor Larochelle, seconded by Councilor Kolbe moved to adopt the following Amendment to the Emergency Ordinance for licensing of Medical Marijuana Establishments:

Amendment to Emergency Ordinance for Licensing Of  
Medical Marijuana Establishments

Section 10-611, Subsection 3 of the Emergency Ordinance for Licensing of Medical Marijuana Establishments adopted by the Council on November 13, 2018, is amended as follows:

(3) Ventilation.

- (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
- (b) All medical marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.

**Emergency Declaration**

The Town Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of medical marijuana business establishments, thereby necessitating amendment of the emergency ordinance adopted by the Council on November 13, 2018. This amendment shall be enacted as an emergency ordinance under Section 2.08(b) of the Town Charter. It shall be effective as an emergency ordinance immediately upon enactment and shall remain in effect through the ninety-first (91st) day following the date on which the emergency ordinance that it amends was adopted, unless finally adopted as a regular ordinance within that time.

Proposed: December 14, 2018.

Approved: December 18, 2018 (EMERGENCY)

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, and Kolbe. Nays - None. Abstentions: Brunelle.**  
**Order passed - Vote 5-0-1.**

MEDICAL MARIJUANA ESTABLISHMENT ORDINANCE  
*First Reading*

**VOTE (2018-273)** Councilor Larochelle, seconded by Councilor Kolbe moved to adopt the Medical Marijuana Establishment Ordinance as follows:

LISBON CODE OF ORDINANCES  
CHAPTER 10-BUSINESSES  
ARTICLE XI. – MEDICAL MARIJUANA ESTABLISHMENTS

Sec. 10-601. - Authority.

This article is enacted pursuant to authority granted under 30-A M.R.S. § 3001, 22 M.R.S. § 2423-A(14) and 22 M.R.S. § 2429-D.

Sec. 10-602. - Purpose.

The purpose of this article is to provide procedures and standards relating to the operation of medical marijuana establishments and to require their annual licensing.

Sec. 10-603. - Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

*Registered caregiver retail store.* “Registered caregiver retail store” means a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients that operates a retail store to sell medical marijuana to qualifying patients.

*Registered dispensary.* “Registered dispensary” means a dispensary authorized under state law to cultivate and dispense medical marijuana to qualifying patients and caregivers.

*Marijuana testing facility.* “Marijuana testing facility” means a public or private laboratory authorized under state law to test medical marijuana for contamination, potency or cannabinoid profile.

*Manufacturing facility.* “Manufacturing facility” means a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

*Medical marijuana establishment.* “Medical marijuana establishment” means a registered caregiver retail store, registered dispensary, marijuana testing facility, or manufacturing facility.

*State registration authority.* “State registration authority” means the authority created or designated by the state for the purpose of regulating and controlling registration for medical marijuana establishments.

*Disqualifying drug offense.* “Disqualifying drug offense” means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under the Maine Medical Use of Marijuana Act.

Sec. 10-604. - License required.

No person shall operate a medical marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as a medical marijuana establishment, without a valid license issued by the town. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of a medical marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

Sec. 10-605. - Application.

Each applicant for a medical marijuana establishment license shall complete and file an application on the form provided by the town clerk, together with the applicable nonrefundable license fee, as well as the following supporting materials:

- (1) A copy of the applicant’s state registration application and supporting documentation, as submitted to the state registration authority, if applicable.
- (2) Evidence of all state approvals or conditional approvals required to operate a medical marijuana establishment, including, but not limited to, a state registry identification card or registration certificate.
- (3) If not included in the applicant’s state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the medical marijuana establishment.
- (4) If not included in the applicant’s state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator’s license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Lisbon to obtain criminal records and other background information related to the individual.

- (6) A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- (7) A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the medical marijuana establishment.
- (8) Evidence of an interest in the premises in which the medical marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- (9) Evidence of all land use approvals or conditional land use approvals required to operate the medical marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- (10) Evidence of all other approvals or conditional approvals required to operate the medical marijuana establishment, including any applicable food or victualer's license.
- (11) Evidence of compliance with the requirements of sections 10-611 and evidence that the standards listed in section 10-610 have been met.

If the town clerk determines that a submitted application is not complete, the clerk shall notify the applicant within ten (10) business days of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

Sec. 10-606. - Investigation of applicant, officers, etc.

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 10-605(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, and plumbing code, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.
- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.
- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk; and
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 10-605(5) and shall report findings in writing to the town clerk.

Sec. 10-607. - Action on application.

- (1) Public hearing. The town clerk upon receipt of a completed application and upon receipt of the reports required under section 10-606 above, shall schedule a public hearing at a regular or special meeting of the town council and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Lisbon at least seven days prior to the date of the scheduled public hearing. Costs of the hearing notice shall be paid out of the license and processing fee.
- (2) Town council action. The council, after notice and public hearing, shall determine whether the applicant complies with the requirements of this article. Upon such determination by the council, the town clerk shall be authorized to issue the license.

Sec. 10-608. - Status of license—Display.

No license issued under this article may be assigned or transferred to another entity. Any change in ownership or change in the officers of an owner shall require a new license. Licenses are limited to the premises for which they



are issued and are not transferable to another location. The license shall be displayed in a conspicuous place in the medical marijuana establishment for which the license is issued.

Sec. 10-609. - Duty to update information.

Any licensee issued a license under this article shall have the duty to maintain updated and accurate information regarding all of the information provided pursuant to the application process and as required in section 10-605 within ten days of any change of status. Failure to provide and maintain current and accurate information may result in revocation of the applicant's license.

Sec. 10-610. - Standards for approval, denial, revocation.

A license application for a medical marijuana establishment shall be denied by the town council, and an existing license may be suspended or revoked by the town council after notice and hearing, if the applicant, or any owner of the applicant or licensee:

- (1) Fails to meet the requirements of this ordinance.
- (2) Is not at least twenty-one (21) years of age.
- (3) Is not a resident of the state of Maine.
- (4) Has had a license for a marijuana establishment revoked by a municipality or by the state.
- (5) Has not acquired all necessary state and local approvals prior to issuance of the license.
- (6) Has been convicted of a disqualifying drug offense.
- (7) Has provided false or misleading information in connection with the license application.

Sec. 10-611. - Operating Requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

(1) Fixed location.

All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate medical marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.

(2) Security.

- (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
- (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
- (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).

(3) Ventilation.

- (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
- (b) All medical marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.

(4) Loitering.

The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.

(5) Compliance with requirements of state and local law.

A medical marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing medical marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

Sec. 10-612. - Violations; penalties.

In addition to revocation or suspension of a medical marijuana establishment license as provided in this article, the violation of any provision of this article shall be punished by a fine of not less than \$500.00 nor more than \$2,500.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In addition to such penalty, the town may enjoin or abate any violation of this article. All fines and penalties, together with costs of prosecution of violations, which shall include the town's cost and attorney's fees, shall inure to the benefit of the town. This section shall be enforced by the Lisbon police chief, the Lisbon codes enforcement officer, and/or their designees. Notice of violations by medical marijuana establishment licensees of other provisions of this Code shall be provided to the police chief, town officers, and town attorney.

Sec. 10-613. - License fee.

The annual license fees shall be as follows:

Registered caregiver retail store:	\$ 250
Registered dispensary:	\$ 250
Manufacturing facility:	\$ 250
Marijuana testing facility:	\$ 250

Sec. 10-614. - Severability.

If any section, phrase, sentence or portion of this article is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Sec. 10-615. - Appeals.

An appeal from any final decision of the town council under this article may be taken by any party to Superior Court within thirty (30) days of the decision being appealed in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, and Kolbe. Nays - None. Abstentions: Brunelle. Order passed - Vote 5-0-1.**

**MEDICAL MARIJUANA ESTABLISHMENT LICENSE FOR  
LISBON CANNABIS COMPANY**

**VOTE (2018-274)** Councilor Kolbe, seconded by Councilor Larochelle moved to approve the license for Lisbon Cannabis Company.

Councilor Larochelle asked if this application was complete. Mrs. Barnes said no and explained that the Fire Chief and Code Enforcement Officer (CEO) had not completed their inspections as required yet because construction was not complete. Jason Smith said he was planning to open around February 1. He said he has not installed the front door yet and that he just learned today that the State Fire Marshall's office would need to inspect that also.

Councilor Albert said since there is no sense of an emergency that he would be inclined to hold off on issuing this license for now. Councilor Ward recommended approving the license contingent upon final inspections by our Fire Chief and CEO.

**VOTE (2018-274)** Councilor Kolbe, seconded by Councilor Larochelle moved Amendment #1 that the Town Clerk be authorized to issue the license contingent upon final inspections being completed by our Fire Chief and CEO. **Amendment passed – Vote 5-0-1.**

**Main Motion as Amended #1 passed - Vote 5-0-1.**

## **OTHER BUSINESS**

### **A. COUNCIL COMMITTEE REPORTS**

1. School: Councilor Albert said he was going to mention the phone system, but that's already been discussed. He said there is nothing else to report.
2. Planning: Councilor Ward said they are processing a couple of applications and a hearing for Crafts was scheduled.
3. LDC: Councilor Larochelle said he had nothing to report.
4. Conservation Commission: Councilor Ward said he had nothing to report.
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 reported the town received a worker's compensation dividend check and that our mod rate is up to 1.33 now.

Mrs. Barnes reported that the Rusty Lantern would open on Thursday at 5AM for business.

Mrs. Barnes indicated that the MUNIS module scheduled to be online the first part of January was moved to the first part of April.

### **C. DEPARTMENT HEAD WRITTEN REPORTS**

Councilor Ward recommended Mrs. Barnes let Councilors know about ribbon-cutting ceremonies when the Economic Development Director and Town Manager are not available so that someone from the town can be present.

Councilor Ward requested Departments include a little bit more about what is happening in their departments, like stats on visits, inspections, issues, violations, etc. per month. He requested the Finance Director present a verbal financial report soon. He said the carpet at the Library looks great. He congratulated the two new officers (Chandler/Koffman) who recently graduated from the Police Academy.

### **D. COUNCIL COMMITTEE LIAISONS**

Councilor Albert asked Councilors if they wanted to switch positions to different committees. There were no changes. Councilor Crawford was added to fill the Water Department Liaison opening.

Liaisons

Boards/Committees

Additional Liaisons

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 Crawford	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 Board	
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

## APPOINTMENTS

### PLANNING BOARD MEMBER – ASSOCIATE

*See motion taken towards the beginning of this meeting.*

### CONSERVATION COMMISSION MEMBER

*See motion taken towards the beginning of this meeting.*

## COUNCILOR COMMUNICATIONS

Councilor Ward asked for a list of allocations left to complete in the fund balance account still open that could expire this June 30.

Councilor Albert asked for an update on Winter Operations. Mr. Aievoli reported all the plow routes are covered. He said he was trying to get a handle on salt usage right now, but everything is going well. He was pleased to report openings filled and/being covered by volunteers from the School Department. They have been a great help.

Councilor Larochelle wished everyone a Very Merry Christmas and safe travels.

## AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE

## ADJOURNMENT

**VOTE (2018-277)** Councilor Albert, seconded by Councilor Kolbe moved to adjourn at 8:05 PM. **Order passed - Vote 6-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved: January 15, 2019