



**TOWN COUNCIL
WORKSHOP &
MEETING MINUTES
JANUARY 15, 2019**

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, Norman Albert, called the meeting to order and waived the pledge of allegiance to the flag at 6:05 PM.

Members noted present for the record were Councilors Ward, Albert, Kolbe, Brunelle, Lunt, Crawford, and Larochelle. Also present were Diane Barnes, Town Manager; Marc Hagan, Police Chief; Nate LeClair; Fire Chief; and approximately two citizens in the audience at this time.

WORKSHOP

COUNCIL GOALS

Councilor Albert went over several suggestions submitted by Council members. The Council discussed some of their goals briefly. Councilor Albert said he would put together a little more streamlined list of goals and priorities for the Council to review at their next meeting. He asked Councilors to send him other recommendations through email.

GARDINER DISPATCH QUOTE

Chief Hagan explained Lisbon has an opportunity to put forward a quote to Gardiner for dispatch services for Police, Fire, and EMS. He said the rough draft given to Council earlier covers what it might cost. He said Gardiner is a busy little town. Their calls would double Lisbon's current calls. He indicated Gardiner would have to switch software to stay with the Department of Public Safety, which is a costly expense. They are looking for quotes for dispatch services from providers with the same software to compare to the price of switching software. They have to be ready by July 1. Gardiner serves seven communities. He said the biggest cost will be wages and benefits for three extra positions, including mileage, training, uniforms, recruitment, certifications, overtime, and then equipment. Gardiner would be responsible for unforeseen costs. He asked the Council if they were in favor of providing Gardiner a quote for dispatch services.

Councilor Larochelle asked if this would benefit us. Chief Hagan said other than helping them out, there would be the administrative fee. This would safely solidify out dispatch services in town. The question comes up every now and then about whether we should have our own dispatch services.

Councilor Larochelle asked whether the number at the bottom was per year for three-years. Chief Hagan said it is up to the Council whether they want to distribute this figure over a three-year period. He said the Town of Lisbon should not be paying for any additional services; these costs are all costs that Gardiner would have to take on.

Councilor Albert asked if the state would be forcing Lisbon into dispatch services with them. Chief Hagan said eventually, yes, but probably not within three years. He said eventually the equipment we have will fail and the cost to replace it will be significant. Councilor Albert said the administrative fee should be worth our while.

Councilor Kolbe said we have had this conversation numerous times, about shutting down our own and the rebuttal has always been that we want our own people answering phones and dispatching because we know our own area; they are certainly not going to send their folks here.

Councilor Ward said we know there is a potential sunset on dispatching services. Lisbon has experienced a previous disruption with Sabattus. He said pitching a proposal for this much money, then finding out that the floor

could still be pulled out from under them because Lisbon could be forced into a statewide consolidation, not to mention the three new positions factored into this discussion, shouldn't be taken lightly.

Councilor Lunt explained that PSAPs and dispatch consolidation are different. Lisbon could go to one PSAP and still have our own dispatch. Chief Hagan said eventually they will have fewer PSAPs, and eventually they will push dispatch consolidation, too. He said Lisbon currently gets all of its equipment from the state; it is in good condition and should last a number of years, but no one can tell what that number of years will be. He pointed out that when it does fail the question will be, is it worth replacing or since we will have to do this eventually should we make the move.

Councilor Ward said he would not be opposed as long as they were okay with it, knowing the writing is on the wall. Chief Hagan said his employees were happy when they heard it, but field-training officers seemed overwhelmed.

Councilor Ward said he was in favor as long as we are extremely candid with Gardiner, spelling out that we have as many questions as they have, right now. Councilor Albert said he was not a fan of parsing expenses out over three-years, because typically something happens to be due in 30 days even though we build something in that says we will not end up eating the cost; this is a part of the process that needs addressing. Councilor Ward said he would allow the Chief to move forward. Councilor Kolbe said she had no interest. Councilor Larochelle, Crawford, and Lunt said they were okay as long as we put a figure out there that benefits Lisbon in the end. Councilor Brunelle said yes on moving forward.

Councilor Albert adjourned the workshop and called for a 5-minute recess.

CALL TO ORDER. The Chairman, Normand Albert, called the meeting to order and led the pledge of allegiance to the flag at 7:35 PM.

ROLL CALL. Members present were Councilors Ward, Albert, Kolbe, Brunelle, Lunt, Crawford, and Larochelle. Also present were Diane Barnes, Town Manager; Marc Hagan, Police Chief; Nate LeClair; Fire Chief; Lydia Colston, Finance Director; Lisa Ward, EMA Director; and approximately seven citizens in the audience.

GOOD NEWS & RECOGNITION

Councilor Albert said the Lisbon High School girls' cheerleading won MVC's over the weekend. Congratulations to them.

PUBLIC HEARING

A. LICENSING OF MEDICAL MARIJUANA ESTABLISHMENTS ORDINANCE

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

B. VICTUALER'S LICENSE FOR THE RUSTY LANTERN

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 (2019-01) Councilor Larochelle, seconded by Councilor Brunelle moved to approve the following:

A. Municipal Accounts Payable & Payroll Warrants -

#12202018	\$ 3,279.81	#44	\$ 20,796.07
#45	\$175,302.32	#132019	\$19443.61
#142019	\$131,064.68	#46	\$186,586.50
#47	\$18,910.93		

B. School Accounts Payable & Payroll Warrants -

#16	\$1,105.86	#1034	\$349,304.73
#1035	\$11,233.47	#17	\$1,488.71
#1036	\$332,944.74	#1037	\$11,243.33
#1038	\$325,527.90	#1907	\$171,572.63

C. And the Minutes of December 18, 2018,

D. A Victualer's License for the Rusty Lantern, and the

E. Maine Downtown Center Affiliate Community Agreement

Order passed - Vote 7-0.**COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS****428 RIDGE ROAD DEMOLITION - EXTENSION REQUEST**

Councilor Albert, seeing no objections, requested this item be moved to a future agenda.

TAX ACQUIRED REDEMPTION PROPERTY

INTRODUCTION: Mrs. Barnes explained the Town of Lisbon foreclosed on the following properties on December 17, 2018 for non-payment of Real Estate Taxes. The next step in the process is to have Council authorize a 30-day redemption period in which taxpayers are 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.

Name	Address	Total Owed as of 2/19/2019
Gendron & Gendron	Off Cross Street	\$3,191.12
Christine Smith	8 Whispering Pines	\$ 506.39

VOTE (2019-03A) Councilor Larochelle, seconded by Councilor Kolbe moved to authorize the Town Treasurer to send out a 30-day notice of redemption to the tax acquired property owners of record allowing them to pay all real estate taxes and fees owed on the property in full by the end of the 30-day period of redemption, and to accept the funds until Council takes action to dispose of the property and issue a quit claim deed when payment in full is received. **Order passed - Vote 7-0.**

2016/17 & 2017-18 PROPERTY TAX ABATEMENT - 16 ANN STREET

INTRODUCTION: Mrs. Barnes explained that the Municipal officers after 1 year, but within 3 years from commitment may make an abatement as they consider proper to correct any illegality, error or irregularity in assessment.

Prior to the revaluation, Map U05, Lot 191, at 16 Ann Street was coded unbuildable and was valued as such. During the revaluation this account was coded incorrectly as buildable and was assessed as a buildable house lot. The Coded Enforcement Officer confirmed this lot as unbuildable in January of 2019 and an abatement was granted, reducing the value to \$3,400. However, Assessors have the authority to grant abatements for 1 year after the commitment date, abatements for the 2017/18 and 2016/17 tax years can only be approved by the council. The Assessor is recommending the following abatement for Map U05, Lot 191, at 16 Ann Street:

2016/17	Value	\$30,800 x .0224 =	\$689.92 Tax
2017/18	Value	\$30,800 x .0232 =	\$714.56 Tax

VOTE (2019-03B) Councilor Larochelle, seconded by Councilor Brunelle moved to authorize the abatement of the 2016/2017 property tax in the amount of \$689.82/valuation of \$30,800 and 2017/2018 tax in the amount of \$714.56/valuation of \$30,800 for Tax Map U05 - Lot 191 or 16 Ann Street. **Order passed - Vote 7-0.**

SPEED SAFETY DEVICE

INTRODUCTION: Chief Hagan explained that we have an opportunity to get a speed safety device from the Maine Department of Transportation as long as the town is willing to approve the Cooperative Agreement Operation and Maintenance of Pedestrian and Safety Devices as presented.

COUNCILOR COMMENTS: Councilor Larochelle said he would like to see it installed on Route 196 near Franks, but it is certainly nice to have anywhere. Chief Hagan said it certainly would be nice to have for a continual problem area.

VOTE (2019-03C) Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Town Manager to enter into a cooperative agreement with MDOT for a free Safety Device. **Order passed - Vote 7-0.**

ROAD NAME REQUEST – GOLDEN ROAD

INTRODUCTION: Ms. Malloy, the E911 Officer indicates the Road Name Request for Golden Road (drive off Frost Hill Avenue between 75 and 79) meets E911 standards and complies with the Town's road naming ordinance Section 46-93.

VOTE (2019-04) Councilor Ward, seconded by Councilor Crawford moved to adopt the name Golden Road for the extended drive off Frost Hill Avenue between 75 and 79 Frost Hill Avenue. **Order passed - Vote 7-0.**

BUDGET SCHEDULE

VOTE (2019-05) Councilor Crawford, seconded by Councilor Ward moved to approve the budget schedule as amended deleting Lisbon Emergency on April 23 since it appears on April 9, and moving the Capital Improvement Plan Presentation from April 23 to Tuesday, March 26. **Order passed – Vote 7-0.**

SOLICIT BIDS FOR EMERGENCY GENERATOR

INTRODUCTION: Lisa Ward explained that currently there is no public emergency shelter in Lisbon. After the completion of a new gym at the high school, the Town felt this was a feasible location for an emergency shelter. The need for a shelter was in mind during design and construction, including electrical and space requirements. Space was provided in the electrical room for a transfer switch. In 2016, the Town began applying for grant funds through the Department of Homeland Security to help pay for the generator and transfer switch. The Town was successful in receiving grant funds from HSGP over the past three years totaling \$36,625.89. Council also designated \$20,000 from unassigned fund balance to go towards the generator pad and infrastructure.

Mrs. Ward mentioned she spoke with the Facilities Manager so they are aware of the town's progress. She recommended bids be sought for both oil and gas since the gas line goes right by the high school and would cost less to operate. Mrs. Ward asked Council for permission to solicit bids for the generator and switch.

COUNCILOR COMMENTS: Councilor Larochelle said long-term maintenance for gas is less, too.

VOTE (2019-06) Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Town Manager and Emergency Management Director to solicit bids for a generator and transfer switch. **Order passed - Vote 7-0.**

FIRE TRUCK PURCHASING PROCESS

INTRODUCTION: Chief LeClair asked the Council to consider using HGAC (Houston-Galveston Area Council) Cooperative Purchasing Program to get multi-unit prices while only purchasing a single unit.

Chief LeClair explained HGACBuy was established per Texas Local Government Code, Title 7, Chapter 791 to allow local governments and certain non-profits the ability to contract or agree under the terms of the Act to provide purchasing services and other administrative functions appropriately established by another government entity. He said this nation-wide program has been in operation for at least 40 years. It streamlines the process.

An Inter-Local Contract is the required legal document that establishes the link between the End User and HGACBuy and gives the End User access to HGACBuy contracts.

COUNCILOR COMMENTS: Councilor Ward said Lewiston used this program to make its last three purchases and it went very well. He said you get the value you approve. He mentioned the amount needs to be in the budget to pay for it because payment in advance is required so financing would need to be in place. Councilor Larochelle asked if the town had the ability to make the payment right up front.

VOTE (2019-07) Councilor Brunelle, seconded by Councilor Ward moved to authorize the Fire Chief permission to become a participating member of the HGACBuy Cooperative to purchase a pumper Fire Truck through their procurement process. **Order passed - Vote 7-0.**

HYDRAULIC EXTRICATION BID AWARD

INTRODUCTION: The Fire Chief requested Council award the bid for the extrication equipment. The Fire Chief sent out the RFP and posted it on the Town's website. He received two bids. The bids were publicly opened on January 8 at 4:00 p.m. in the Town Manager's office. The bids were from Industrial Protection Services (Holmatro) out of South Portland and HSE (Genesis) out of Lewiston as follows:

Holmatro:	\$14,813 (\$15,639 with options)
Genesis:	\$18,030 (\$19,980 with options)

Chief LeClair said after reviewing the bids and comparing specifications, he recommends the Genesis brand offered by HSE for \$18,030 for the following reasons:

- The Genesis tool uses a Milwaukee brand battery that can be obtained locally and has a 3-year warranty. The Holmatro brand tool comes with a battery that is a proprietary item and can only be purchased from Holmatro and has a 1-year warranty.
- The firefighters who demonstrated these tools stated that the Genesis brand is narrower, better balanced, and easier to maneuver.
- And lastly, service has been an issue with the Holmatro vender lately. Speaking with other Fire Departments that have purchased Genesis, they have been happy with the service from the vendor and the company, directly.

VOTE (2019-08) Councilor Ward, seconded by Councilor Larochelle moved to award the extrication equipment bid to Genesis in the amount of \$18,030. **Order passed - Vote 7-0.**

CDBG LETTER OF INTENT MICRO ENTERPRISE FAÇADE PROGRAM

INTRODUCTION: Ms. Steuber said Lisbon has been very fortunate in securing grant funds through the Maine Office of Community Development and with the support of the Lisbon Development Committee, the Economic Development Director would like to continue grant opportunities.

Ms. Steuber asked the Council for the following authorization:

1. Give authorization for the Town Manager to submit a 2019 CDBG Micro-Enterprise Assistance Grant Letter of Intent in the amount of \$150,000.

Ms. Steuber explained these funds would be used towards exterior improvements and signage on an existing business and/or existing or developing businesses that have five or fewer employees that meets the LMI criteria. Eligible activities under the Micro-Enterprise category are grants or loans to for-profit businesses that can be used for working capital and interior renovations, façade grants or loans for exterior improvements, including signage, painting, siding, awnings, lighting and display windows. She indicated the deadline for the Letter of Intent is Friday, February 8, 2019 at 4:00 p.m.

COUNCILOR COMMENTS: Councilor Crawford asked if planters, trash receptacles, and benches were included. Ms. Steuber said provided there is money left that is a possibility. Councilor said as the town moves forward with the Village Streetscape project, Ms. Steuber can encourage the businesses in that area with these funds to make improvements to go along with the current project.

VOTE (2019-09) Councilor Crawford, seconded by Councilor Ward moved to approve and authorize the Town Manager to submit a Letter of Intent for the CDBG Micro-Enterprise Façade Program Grant. **Order passed - Vote 7-0.**

SOLICIT BIDS FOR CDBG LISBON VILLAGE STREETScape PROJECT

INTRODUCTION: Ms. Steuber said since the fall of 2018, the Lisbon Development Committee has been working with Olver Associates on the Engineering/Design Services in preparation for a CDBG DR (Community Development Block Grant) Downtown Revitalization "Village Streetscape Project."

Ms. Steuber said in the Spring/Summer of 2018, the Town of Lisbon was awarded a \$300,000 CDBG Downtown Revitalization Grant for the Village Streetscape Project. Now that we have a scope of work and plan ready, she and the Lisbon Development Committee are requesting permission to submit an RFP with alternates for the CDBG Downtown Revitalization Village Streetscape Project.

COUNCILOR COMMENTS: Councilor Larochelle said looking at the big picture, the cost to rehab the Lisbon Village area is about \$633,000, and we do not have that. He said the sidewalk streetlights are around \$170,000 alone, which is why they want to do that as an alternative bid. He said they are looking at different situations to make it work. There are a lot of moving parts. Ms. Steuber said they are looking at LED and solar panel lights; the lights in the bid are for solar panel lights. Councilor Albert pointed out this is the starting point for going after further money to get it all done. Ms. Steuber reported the more work Lisbon does on its end to position itself the better off Lisbon will be in getting those grant funds approved.

VOTE (2019-10) Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Economic & Community Development Director to solicit bids for the CDBG Lisbon Downtown Revitalization Village Streetscape Project. **Order passed - Vote 7-0.**

WELLNESS GRANT

INTRODUCTION: Tracey Steuber requested Council permission to apply and accept funds from the Maine Municipal Employees Health Trust 2019 Wellness Grant in the amount of \$2,080.00. 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 \$41.60 per year, per employee covered under the Health Trust health insurance programs."

The Town of Lisbon currently has 50 health plan participants. The maximum grant application for 2019 is an amount of \$2,080.00.

VOTE (2019-11) Councilor Albert, seconded by Councilor Crawford moved to authorize Tracey Steuber to apply and accept funds from the Maine Municipal Employees Health Trust 2019 Wellness Grant in the amount of \$2,080.00. **Order passed - Vote 7-0.**

LEASE PURCHASE PAYOFF

INTRODUCTION: Mrs. Colston said during last year's budget workshops the Council approved using undesignated fund balance to pay off the debt service for capital leases for the years 2019, 2020, and 2021. That left one of the capital leases with one remaining estimated payment of \$28,539 due in 2022. Mrs. Colston recommended over expending the debt service for capital leases expense line this year to pay off the lease completely. The estimated payment for the current year is \$20,000, saving the Town approximately \$8,500 in interest costs over the next 3 years.

VOTE (2019-12) Councilor Ward, seconded by Councilor Crawford moved to approve over-expending the debt service account in the amount of \$20,000 this year to pay off the lease purchase payment of \$28,539 as presented. **Order passed - Vote 7-0.**

ORDINANCE – ADOPT
LICENSING OF MEDICAL MARIJUANA ESTABLISHMENTS
Second Reading

VOTE (2019-13) Councilor Larochelle, seconded by Councilor Kolbe moved to adopt the Licensing of Medical Marijuana Establishments 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, Crawford, Larochelle, Ward, and Kolbe. Nays – None. Abstentions - Brunelle. Order passed - Vote 6-0-1.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said he attended the School Committee's meeting last night. He said he supported Councilor Larochelle's goal to stop printing Council packets. He said they would have some laptops available for a low cost or no cost to help pilot this program to see what it is like without paper.
2. Planning: Councilor Ward said they had three public hearings. One for Kelly Daigle for a daycare, Christine Allen for a daycare, and a subdivision proposal by Verne Ricker for Mill Street. They are discussing goal setting now that the Comprehensive Plan is nearing completion.
3. LDC: Councilor Larochelle indicated there were a lot of good things coming up. The village will see some things happening this year. There is a lot to do and some good tools to make it happen. Exciting things are happening.
4. Conservation Commission: Councilor Ward said they met tonight. They are working on proposals for composting and LED conversion for streetlights. He said solar lights are cost prohibitive the way that they understand it at this point. Their intent is to package one or two of these ideas into the budget this coming year.
5. Recreation: Councilor Kolbe said she is starting to plan for the Moxie Festival this year. There are many ideas being tossed around. It will be exciting to see what happens with them.
6. County Budget: Councilor Ward had nothing to report.
7. Library: Councilor Lunt mentioned an employee quit without notice around the holidays so it has been difficult to cover shifts to keep the hours open. They will be looking for a new part-time person there. He recommended combining two half time positions making one full time position with benefits if possible to help retain the employee.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said Lisbon had a surprise Department of Labor safety inspection this week, which took up a lot of time. She said we have not had one since 2012. She reported the Chief spent a lot of time with the inspector. They will send us something in writing.

C. DEPARTMENT HEAD WRITTEN REPORTS

Mrs. Colston commented on a couple of expense accounts that were over 50% at this time of year. She pointed out that technology was one of those because a couple of annual bills have already been paid. General Assistance is up, but we get reimbursed through the state so that will be off-set by the revenue. Emergency Management is around 74%, but that is because LEMS stipend is three-quarters paid not half. Animal Control is up at 54%, but that's because the animal shelter services budget line is 100% paid up. Other Public Works is up at 67%, but that is because of the water increase. The motor vehicle review is a little below budget projections at 47%, but it is still up over last year's amount at this time.

Mrs. Colston commented on a couple of reserve accounts and their status. The MUNIS was an error in the 2018 budget for \$26,125 that has been used. The accrual leave payout is a reserve account and that is not going to be used unless needed. The book restoration account for the Town Clerk's office for \$10,000 has not been spent yet, but the project is near completion and should be completed in March. The update for the rifles for \$7,800 has been taken out of federal asset forfeiture funds and that \$7,800 was reallocated to the Recreation bus. The Command Center car for \$4,000, \$2,200 was spent, leaving a remaining balance of \$1,797. \$7,765 dollars for fans for the Fire Department was spent leaving \$235 in that reserve line. Swift Water Rescue equipment will be ordered next month. The SCBA bottles for \$4,000, \$3,129.75 was spent leaving \$870.25. The hydraulic tools were just awarded tonight so that will be spent soon. The Library carpet project was over expended at \$9,431.43 and the additional funds for that will come from the buildings repair and maintenance line. Lastly, the debt services for 2019-2020 will be expended in the spring.

Mrs. Colston presented the following MUNIS module updates:

- Payroll scheduled to go live April 2019
- Tyler Cashiering to go live February 2019
- Real Estate Billing Module is on schedule and in the conversion process
- Animal and Business Licensing Module are in the testing phase and should be ready for use February 2019
- Utility Billing has not yet begun

Mrs. Colston said the contracted employee started and has been a huge help with the day-to-day tasks, which leave more time to focus on MUNIS implementation.

Councilor Albert thanked Mrs. Colston for her hard work. He said he understands this is a huge job. He complimented her for doing such a great job diving into it and succeeding.

D. NORTH STAR PLANNING QUARTERLY REPORTS

Councilor Ward said the report is in the Council packet. It contains what the Council has asked for. He said this was to be viewed like the Department Head Written Reports. Councilor Albert said if there were comments for Mr. Smith, please get those to Councilor Ward or the Planning Board Chairman, Karen Paradis to share.

APPOINTMENTS

REGISTRAR OF VOTERS – TWO-YEAR TERM

VOTE (2019-14) Councilor Ward, seconded by Councilor Larochelle moved to appoint Twila Lycette the Registrar of Voters for a two-year term. **Order passed - Vote 7-0.**

RESIGNATION OF BOARD OF APPEALS MEMBER – SHAUN CARR

VOTE (2019-15) Councilor Larochelle, seconded by Councilor Kolbe moved to accept Shaun Carr's resignation from the Board of Appeals. **Order passed - Vote 7-0.**

LISBON DEVELOPMENT COMMITTEE – CHRISTOPHER HUSTON

VOTE (2019-16) Councilor Larochelle, seconded by Councilor Albert moved to appoint Christopher Huston to the Lisbon Development Committee. **Order passed - Vote 7-0.**

COUNCILOR COMMUNICATIONS

Councilor Ward said Winterfest is January 26 at Beaver Park and starts at 10:00 AM. Councilor Kolbe encourages those wanting rides on the dog sleds to sign up prior to the event.

AUDIENCE PARTICIPATION FOR NEW ITEMS

Roger Bickford said the Riverside Riders wants more access to town roads so that they can combine clubs in town and get to both ends of town. He said they would need access to the following town roads:

- Light at Village Street, down Spring Street, to the Getty Station
- Pinewoods Road, down Ferry Road, to all of the trails that come into that road
- Hudon Road, down to River Road (not that problem area), to Route 196
- Open Fence at River Road then over the Sabattus Bridge, down Route 196, to the light at McDonalds

Mr. Bickford said they have to purchase the signs and posts to put them on. He suggested the Council hold a public hearing in March or early April. He said in a year or so Topsham should be connecting to Lisbon and if that happens he would want to connect that end to everything downtown in the safest way possible at that time.

Councilor Ward asked to have somebody overlay the proposal with the current map to see what this looks like with changes.

EXECUTIVE SESSION

VOTE (2019-17) Councilor Ward, seconded by Councilor Kolbe moved to go into Executive Session at 8:50 PM per 1 MRSA Section 405(6) (C) Acquisition or disposition of Real Property or Economic Development. **Order passed – Vote 7-0.**

The Council came out of executive session at 10:00 PM and resumed the meeting.

ADJOURNMENT

VOTE (2019-18) Councilor Kolbe, seconded by Councilor Crawford moved to adjourn at 10:00 PM. **Order passed - Vote 7-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: February 5, 2019