



## **TOWN COUNCIL MEETING MINUTES SEPTEMBER 5, 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, Albert, Kolbe, Crafts, Brunelle, Lunt, and Crawford. Also present were Diane Barnes, Town Manager; Tracey Steuber, Economic & Community Development Director; Ryan Leighton, Public Works Director; Donald Fellows, Planning Board Chairman; Miriam Morgan-Alexander, Assessment Review/Appeals Boards; Rick Green, Superintendent of Schools; Fern Larochelle, LDC; and approximately 10 citizens in the audience.

### **GOOD NEWS & RECOGNITION**

Councilor ward thanked Judy Arledge for bringing in the flowers they grew at the community gardens at MTM. Councilor Albert congratulated the Greyhounds for their first win in 2017.

### **PUBLIC HEARING - NONE**

### **AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE**

### **CONSENT AGENDA**

Councilor Albert, seconded by Councilor Lunt moved to approve the Municipal Accounts Payable & Payroll Warrants #20 for \$3,091.75, #21 for \$10,729.81, #22 for \$146,753.68, #23 for \$13,648.14, #24 for \$132,229.55 and #25 for \$353,756.62, the School Accounts Payable & Payroll Warrants #1010 for \$255,872.22, #1011 for \$10,499.61, #1012 for \$22,525.51, and #1804 for \$128,391.14, along with the Minutes of August 15, 2017.  
**Order passed - Vote 7-0.**

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

#### **TIMELINE, ORDER, NOTICE, ORDINANCE, & SET PUBLIC HEARING FOR PROPOSED ENERGY PERFORMANCE BOND**

##### *First Reading*

**INTRODUCTION:** Superintendent Green presented the timeline, order, notice of hearing, and ordinance for the proposed contracts regarding energy efficiency and capital infrastructure upgrades. The terms not to exceed 17 years, in a cumulative amount not to exceed \$1,650,000 for the purpose of financing the costs of certain energy-efficiency related capital improvements to the Lisbon High School. PW Sugg Middle School, Lisbon Community School, and Lisbon's Central Office, including but not limited to steam to hot water boiler conversion, classroom unit ventilator replacement, district energy management system improvements, LED lighting replacement, ceiling replacement, high efficiency AC improvements, exhaust fan replacement and classroom demand control ventilation upgrades also known as the School Project. He said these would be funded through the current budget and revenues. He indicated there would be a reduction in debt service to help offset costs. He mentioned the Facilities Committee would be meeting next Monday.

**VOTE (2017-210)** Councilor Albert, seconded by Councilor Kolbe moved to approve the Order, Notice, adopt the Ordinance, and setting the public hearing for September 19, 2017 for the proposed contracts regarding energy efficiency and capital infrastructure upgrades authorizing this item to be place on the November 7, 2017 ballot:

### **ORDER FOR PUBLIC HEARING**

WHEREAS, the Municipal Officers of the Town of Lisbon have considered and approved in concept an ordinance calling for appropriation of an amount not to exceed \$1,650,000 in connection with a lease purchase agreement to finance energy efficiency upgrades and capital infrastructure improvements to school district buildings; and

WHEREAS, pursuant to the Charter of the Town of Lisbon, a public hearing is required in order to authorize any such appropriation;

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Lisbon that a public hearing be held on Tuesday the 19th day of September 2017 at 7:00 pm o'clock at the Lisbon Town Office, 300 Lisbon Street, in the Town of Lisbon, and be it further ordered by the Town Council that notice of the hearing be published in one or more newspapers of general circulation within the Town of Lisbon not less than seven nor more than fifteen days prior to such public hearing and the scheduled final action by the Council scheduled after the public hearing at its regular meeting on September 19, 2017.

### **NOTICE OF PUBLIC HEARING TOWN OF LISBON**

The Municipal Officers of the Town of Lisbon have considered and approved in concept an ordinance calling for appropriation of an amount not to exceed \$1,650,000 in connection with a lease purchase agreement to finance energy efficiency upgrades and capital infrastructure improvements to school district buildings (the "School Project").

Pursuant to the Charter of the Town of Lisbon (the "Charter"), approval of the appropriation for this Project requires that a public hearing be conducted prior to the enactment of an ordinance calling for a referendum. Therefore, pursuant to the authority conferred by Section 8.21(b), and the requirements of Sections 4.06 and 8.11(b)(2) of the Charter, a public hearing shall be held on Tuesday, September 19, 2017 at 7:00 pm at the Lisbon Town Office, 300 Lisbon Street, Lisbon, Maine for the purpose of hearing public comment on the Ordinance providing for the appropriation of funds to finance the School Project.

Copies of the proposed text may be viewed or obtained at the Town Clerk's office, 300 Lisbon Street, Lisbon, or online at [www.lisbonme.org](http://www.lisbonme.org).

### **ORDINANCE AUTHORIZING THE TOWN OF LISBON TO ENTER INTO CONTRACTS REGARDING ENERGY EFFICIENCY AND CAPITAL INFRASTRUCTURE UPGRADES**

BE IT ORDAINED, pursuant to Articles 4.06 and 8.11(b)(2) of the Charter of the Town of Lisbon,

Section 1. That the Town of Lisbon (the "Town"), acting through the School Committee and the School Superintendent, be authorized to enter into one or more long-term tax-exempt lease purchase contracts with Siemen's, Inc, for a term not to exceed 17 years, in a cumulative amount not to exceed \$1,650,000 for the purpose of financing the costs of certain energy-efficiency related capital improvements to the Lisbon High School, P.W. Sugg Middle School, Lisbon Community School and Lisbon Central Office, including but not limited to steam to hot water boiler conversion,

classroom unit ventilator replacement, district energy management system improvements, LED lighting replacement, ceiling replacement, high efficiency AC improvements, exhaust fan replacement and classroom demand control ventilation upgrades (collectively, the “School Project”),

Section 2. That an amount not to exceed \$1,650,000 is hereby appropriated for the purpose of accomplishing the School Project,

Section 3. That the term of the lease purchase agreement described in this ordinance shall not exceed seventeen (17) years.

Section 4. That the Municipal Officers of the Town of Lisbon, being the Town Council, Town Manager, Finance Director and Clerk of the Town of Lisbon, shall determine the form, date or dates, maturities, denominations, interest rate or rates, place of payment, and other details of any contracts entered into or securities issued pursuant to this ordinance.

Section 5. That the Town Finance Director is authorized to do or cause to be done any and all such acts, including but not limited to the execution and delivery of any and all contracts, agreements, certificates, and other documents as may be necessary or advisable including by way of example the leases referred to herein, an arbitrage and use of proceeds certificate and a continuing disclosure certificate, in order to carry out the provisions of this ordinance in connection with the entry into the leases described herein.

Section 6. That if the Town Finance Director or any other Municipal Officer whose signature may be required for the financing authorized herein, is for any reason unavailable to approve and execute the required documents, then the person or persons then acting in such capacity either as an assistant, a deputy, a replacement or otherwise is authorized to act for such official and perform such act themselves.

Section 7. That it shall be a condition to the foregoing authority conferred by this Ordinance that the voters of the Town, pursuant to Article 8.11(b)(2) of the Town Charter, ratify the adoption of this Ordinance;

Section 8. That the Town Clerk file an attested copy of this Ordinance with the minutes of this meeting and in accordance with section 8.25(b) of the Town Charter make attested copies of this Ordinance available to the public;

Section 9. That a referendum election question regarding the ratification of this Ordinance be placed on the ballot for the November 7, 2017, municipal election, and that the Town Clerk is hereby authorized to take all actions required of the Town Clerk for that referendum question to be considered by the voters, and that a ballot title and referendum question in the following form appear in the warrant for and on the ballot at said election:

#### APPROPRIATION ORDINANCE

**“SHALL AN ORDINANCE APPROVED BY THE TOWN COUNCIL AUTHORIZING THE TOWN OF LISBON TO APPROPRIATE AN AMOUNT NOT TO EXCEED \$1,650,000 FOR THE PURPOSE OF FINANCING ENERGY EFFICIENCY UPGRADES AND CAPITAL INFRASTRUCTURE IMPROVEMENTS TO SCHOOL DISTRICT BUILDINGS BE APPROVED AND RATIFIED?”**

SO ORDERED AND ADOPTED by the Town Council of the Town of Lisbon this 5th day of September, 2017, and be it FURTHER ORDAINED by the Town Council of the Town of Lisbon that this Ordinance be submitted to the voters under the authority of the Town Council pursuant to the provisions of Section 8.21(b) and pursuant to the requirements of Section 8.11(b)(2) and Section 8.25(b) of the Charter of the Town of Lisbon, the submission to the voters to occur at the general election scheduled for Tuesday, November 7, 2017.

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

**VOTE (2017-210B)** Councilor Albert, seconded by Councilor Kolbe moved to approve the Timeline for Permanent Financing for the School Project. **Order passed - Vote 7-0.**

### CAPITAL RESERVE REQUEST FOR CAMERA SECURITY SYSTEM AT LCS

INTRODUCTION: Superintendent Green said the Lisbon School Committee met on Monday, August 7, 2017 and voted 5-0 to request authorization from the Town Council to utilize an amount not to exceed \$31,938 (see quote from Connectivity Point) from the Lisbon School Department's Capital Reserve Fund to cover costs associated with updating the video camera security system at the Lisbon Community School. The current balance in the Capital Reserve Fund is \$92,229. He indicated half of the cameras were not active when the school was completed so they are working on replacing those.

**VOTE (2017-211)** Councilor Crawford, seconded by Councilor Kolbe moved to authorize the School Department to expend \$31,938 from the School Department's Capital Reserve Fund to cover the costs associated with updating the video camera security system at the Lisbon Community School. **Order passed - Vote 7-0.**

### LIBRARY REQUEST TO HOLD BOOK SALE EVENTS

INTRODUCTION: Diane Nadeau reported the Library Department is seeking permission to offer the "WITHDRAWN" library books and DVD's for a fall 2017 and Merry Main Street event book sale fund raiser.

The Library Department is currently reassessing the adult book collection and the DVD collection to ensure the collections reflect and meet the current needs of the Lisbon patrons and the MILS System. All items are evaluated using the "Weeding Policy" that includes checking for materials that are outdated, in bad physical condition and beyond repair or not deemed important or of value to our long term collection or to the Maine State MILS Consortium.

The Library Department is seeking permission to move forward with these book sale events and bring back the on-going "Book Shelf" sale to offer these "withdrawn" library materials for sale with proceeds to be deposited into the G-01-2030-00 grant account to be exclusively used to support and fund future Summer Reading Programs.

**VOTE (2017-212)** Councilor Albert, seconded by Councilor Lunt moved to authorize the Library Department to move forward with these book sale events and bring back the on-going "Book Shelf" sale to offer these "withdrawn" library materials for sale with proceeds to be deposited into the G-01-2030-00 grant account to be exclusively used to support and fund future Summer Reading Programs. **Order passed - Vote 7-0.**

### APPROVE ORDER, NOTICE, ADOPT ORDINANCE & SET PUBLIC HEARING FOR PROPOSED BOND FOR WASTEWATER COLLECTION AND TREATMENT SYSTEM UPGRADES

#### *First Reading*

INTRODUCTION: Mrs. Barnes presented the Order for Public Hearing, Notice of Public Hearing, and Ordinance authorizing the town to issue up to \$6,543,000 in bonds to finance these upgrades along with the draft warrant that will be ready for Council's approval on September 19 authorizing the item to be placed on the November 7, 2017 ballot as well.

**VOTE (2017-213)** Councilor Albert, seconded by Councilor Kolbe moved to approve the Order, Notice, adopt Ordinance, and set a public hearing on September 19, 2017 for the Proposed Bond for Wastewater Collection and Treatment System Upgrades, along with authorizing this item be place on the November 7, 2017 ballot:

### ORDER FOR PUBLIC HEARING

WHEREAS, the Municipal Officers of the Town of Lisbon have considered and approved in concept an ordinance calling for the issuance of notes or bonds of the Town in an amount not to exceed \$6,543,000 to finance wastewater collection and treatment system upgrades; and

WHEREAS, pursuant to the Charter of the Town of Lisbon, a public hearing is required in order to authorize any such financing;

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Lisbon that a public hearing be held on Tuesday, the 19th day of September 2017 at 7:00 pm at Lisbon Town Office, 300 Lisbon Street, in the Town of Lisbon, and be it further ordered by the Town Council that notice of the hearing be published in one or more newspapers of general circulation within the Town of Lisbon not less than seven nor more than fifteen days prior to such public hearing and the scheduled final action by the Council scheduled after the public hearing at its regular meeting on September 19, 2017.

### **NOTICE OF PUBLIC HEARING TOWN OF LISBON**

The Municipal Officers of the Town of Lisbon have considered and approved in concept appropriating an amount not to exceed \$9,000,000 to finance wastewater collection and treatment system upgrades and related improvements (the "Project"), and have determined that the most efficient way to finance that appropriation would be through the issuance of one or more bonds or notes of the Town in an amount not to exceed \$6,543,000, and the acceptance of grants in an amount not to exceed \$2,457,000.

Pursuant to the Charter of the Town of Lisbon (the "Charter"), approval of the financing of this Project requires that a public hearing be conducted prior to the enactment of an ordinance calling for a referendum. Therefore, pursuant to the authority conferred by Section 8.21(b), and the requirements of Sections 6.09 and 8.11(b)(2) of the Charter, a public hearing shall be held on Tuesday, the 19th day of September 2017 at 7:00pm at Lisbon Town Office, 300 Lisbon Street, Lisbon Maine for the purpose of hearing public comment on the Ordinance providing for the issuance of such notes and bonds in an amount not to exceed \$6,543,000 and securing the financing described above, intended to raise a total amount not to exceed \$9,000,000 for the Project.

Copies of the proposed text may be viewed or obtained at the Town Clerk's office, 300 Lisbon Street, Lisbon, or online at [www.lisbonme.org](http://www.lisbonme.org).

### **ORDINANCE AUTHORIZING THE TOWN OF LISBON TO ISSUE UP TO \$6,543,000 IN BONDS TO FINANCE WASTEWATER COLLECTION AND TREATMENT SYSTEM UPGRADES.**

BE IT ORDAINED, pursuant to Articles 6.09 and 8.11(b)(2) of the Charter of the Town of Lisbon and section 5772 of Title 30-A of the Maine Revised Statutes,

- (1) that the Town of Lisbon (the "Town") be authorized to issue general obligation bonds in an amount not to exceed \$6,543,000 and notes in anticipation thereof (collectively, the "Bonds"), to fund a portion of the costs of (a) replacement of and upgrades to sanitary sewer lines on and in the vicinity of St. Ann Street, Webster Road, Upland Road, Park Street, Ferry Street, Osborn/Nason Street, Andrea Street and Main Street, (b) upgrades to the Davis Street and Brook Street wastewater pumping stations, (c) expansion of the wastewater treatment plant chlorine contact tank and related improvements, and (d) costs associated with the above (collectively, the "Project"), subject to approval of grants of approximately \$2,457,000 to finance remaining Project costs;

- (2) That the proceeds of the Bonds, including any investment earnings on the Bonds, be appropriated for the costs of the Project;
- (3) That the Finance Director be authorized to arrange for the sale of the Bonds at public or private sale to such parties as the Finance Director determines to be in the best interest, to execute and deliver loan agreements and other contracts, certificates and instruments as the Finance Director shall determine prudent in connection with the issuance and sale of the Bonds, to approve the date(s), maturity or maturities, denomination(s), interest rate(s), place(s) of payment, form(s) and other terms, provisions, and details of such Bonds, and to provide for the sale and delivery against payment thereof, to provide that the Bonds may be redeemable or callable, with or without premium, prior to their maturity, and to hire such financial advisors and other consultants, if any, as the Finance Director deems necessary to assist with the sale of the Bonds, all on such terms (not inconsistent with this Order) as the Finance Director shall approve;
- (4) That the Bonds be issued in registered form in the name of the Town, executed and delivered by the Finance Director and countersigned by the Chairman of the Town Council and the Town Manager under the official seal of the Town attested by the Town Clerk;
- (5) That the Municipal Officers, being the Town Council, Town Manager, Finance Director and Clerk of the Town of Lisbon are each authorized to do or cause to be done all such acts, including but not limited to the execution and delivery of any and all contracts, agreements, certificates and other documents as may be necessary or advisable in order to carry out the provisions of this Ordinance in connection with the issuance and delivery by the Town of the Bonds;
- (6) That if any Municipal Officer whose signature may be required in connection with the issuance and sale of the Bonds is for any reason unavailable to approve and execute the required documents, the persons then acting in such capacity on behalf of such Municipal Officer, whether an assistant, a deputy or in some other capacity, is authorized to act on behalf of such Municipal Officer and to perform such acts themselves;
- (7) That if any of the Municipal Officers who have signed, attested, or sealed the Bonds shall cease to be such officers before the Bonds so signed, attested and sealed shall have been actually authenticated and delivered by the Town, such Bonds nevertheless may be authenticated, delivered and issued with the same force and effect as though the person or persons who signed, attested or sealed the Bonds had not ceased to be such Municipal Officer;
- (8) That it shall be a condition to the foregoing authority conferred by this Ordinance that the voters of the Town, pursuant to Article 8.11(b)(2) of the Town Charter, ratify the adoption of this Ordinance;
- (9) That the Town Clerk file an attested copy of this Ordinance with the minutes of this meeting and in accordance with section 8.25(b) of the Town Charter make attested copies of this Ordinance available to the public;
- (10) That a referendum election question regarding the ratification of this Ordinance be placed on the ballot for the November 7, 2017 municipal election, and that the Town Clerk is hereby authorized to take all actions required of the Town Clerk for that referendum question to be considered by the voters, and that a ballot title and referendum question in the following form appear in the warrant for and on the ballot at said election, accompanied by a statement of the Town's Finance Director with respect to said indebtedness in accordance with section 5772 of Maine Revised Statutes Title 30-A:

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SECURITIES  
OF THE TOWN OF LISBON IN AN AMOUNT NOT TO EXCEED \$6,543,000 FOR THE  
PURPOSE OF FINANCING WASTEWATER COLLECTION AND TREATMENT SYSTEM  
UPGRADES AND RELATED IMPROVEMENTS.

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

### WEBSITE DESIGN BID AWARD

INTRODUCTION: Attached please find the RFP which was advertised on the Town website as well as the Maine Municipal site and sent to the following vendors:

Please note that the majority of these vendors found the RFP on the MMA website, hence the out of state interest.

Made by Darwin – Pittsburg, PA  
The Brand Collective – Lewiston, ME  
Deepblue – SanLuis Obispo, CA  
Krack Media – Mechanic Falls, ME  
Quirk Creative, LLC – Brooklyn, NY  
Chandlerthinks, LLC – Franklin, TN  
Foundation of Support – Lincoln, NE  
Alipes – Boston, MA  
Neumeric Technologies – Southfield, MI

Louder Design – North Richland Hills, TX  
Pulse Marketing Agency – Bangor, ME  
Virtual Towns & Schools – Boxborough, MA  
Revize, Troy, MI  
Avant Marketing Group – St.Louis, MO  
Civic Live – Scotts Valley, CA  
Blueprint – Miami, FL  
\*WebQA (see notes below)

We received the following bids:

Made by Darwin	\$30,000
Louder Design	\$17,000
Pulse Marketing	\$12,700
Deepblue	\$38,000
Virtual Towns & Schools	\$15,600
Krack Media	\$17,880
Revize	\$27,800
Quirk Creative	\$58,700
Avant Marketing	\$38,640
Chandlerthinks, LLC	\$44,000
Foundation of Support	\$40,250
Blueprint	\$21,500
Alipes – (after deadline)	\$65,000

After reviewing the proposals we choose to interview two companies: Virtual Town & Schools and Pulse Marketing. The interviews went well and because of its history with Virtual Town & Schools working with municipalities, we invited them back to do a presentation to department heads as well as a community group. Because Council had only approved a \$10,000 budget we decided to just cost out the website design with the intent to do the branding at a later time (funds permitting). Each company did submit a separate cost for branding and website design.

\*GovOffice Bid - I sent the bid information to WebQA as that has been my contact in regards to the current town's website and got no response. I just learned that WebQA is a separate entity that we pay \$1,400 annually just for the business directory and is not affiliated with the GovOffice, which is who our current website is with based out of Minneapolis, MN. I have spoken with GovOffice and they sent us a quote to update our current site. Their proposal is attached along with Virtual Towns & Schools.

**Cost Comparison for Website Redesign:**

Virtual Towns & Schools \$7,200 + \$1,800 = \$9,000 (year 1)

After year one the annually fee would be \$1,800 year 2, \$1,800 year 3 for a total cost of \$12,600 (hosting, maintenance, software updates)

GovOffice \$4,510 x 3 years = \$13,530 premium design (this is a 3 yr. contract)

After year three the annual fee would be \$800 plus any optional services chosen.

**Current Website:**

- Outdated and has not been updated in 10 years
- Difficult to find information
- Hosting fee \$800 annually
- Separate cost for Business Directory (\$1,400 annually)
- No additional cost with Virtual Towns & Schools
- No additional cost with GovOffice
- Separate cost for Constant Contact (\$600 annually)
- No additional cost with Virtual Towns & Schools (Agenda Management)
- No additional cost with GovOffice
- No Citizen Alert Banner
- No additional cost with Virtual Towns & Schools
- No additional cost with GovOffice
- No online forms (Bids/RFPs, Report a problem, etc.)
- No additional cost with Virtual Towns & Schools
- No additional cost with GovOffice

Some of the key features at no extra cost with Virtual Towns & Schools are: Business Directory, Agenda Manager, Bids/RFPs to name a few. We recommend awarding the bid of \$9,000 to Virtual Towns & Schools for website design and \$6,000 for branding.

After using \$2,800 from the current budget, we request the approval of an additional \$2,200 from TIF funds to complete this project. Note: \$10,000 was budgeted for this project in the FY 17 budget. These funds have lapsed to Dingley TIF fund account. We would need to re-appropriate \$10,000 along with an additional \$2,200 from the Dingley TIF fund to complete both projects.

**COUNCILOR COMMENTS:** Councilor Lunt said Virtual will be mobile friendly and should improve our image. Councilor Albert said it was a great presentation, but to be aware of any creeping annual maintenance fees when the time comes.

**VOTE (2017-214)** Councilor Crawford, seconded by Councilor Lunt moved to award the website bid to Virtual Towns & Schools in an amount of \$9,000.00 from the from Dingley TIF funds. **Order passed - Vote 7-0.**

**BRANDING BID AWARD**

**INTRODUCTION:** Mrs. Barnes explained all the materials had been given the Council in a previous packet.

**COUNCILOR COMMENTS:** Councilor Albert asked that a survey be done to see if the community wants to have a say on the idea of what they feel it should look like. This project needs some legs under it and some momentum before Council approval. He suggested using the website to do a survey before the town goes down this road. Councilor Lunt pointed out that this type of project typically costs more than \$6,000 and that it might be higher in the future and that we might spend more if we do this the way it's being proposed.

**VOTE (2017-215)** Councilor Lunt, seconded by Councilor Kolbe moved to award the branding bid to Virtual Towns & Schools in an amount of \$6,000.00 and funds to be expended as follows: \$2,800.00 from the current budget and \$3,200.00 from Dingley TIF funds. **Order failed - Vote 3-4. (Opposed: Brunelle, Ward, Albert, and Crafts)**



### AMEND FEE SCHEDULE – REMOVE PROCESSING FEE FOR RECORD CHECKS

**INTRODUCTION:** The Town Clerk requested the Council remove the processing fee for records checks since the town signed up with InforMe and can now complete public records checks at no cost. We would like to pass on that savings to our local businesses by removing only this fee from the Fee Schedule, Chapter 82-51, and from the Ordinance Sections in Chapter 10 as well.

**VOTE (2017-216)** Councilor Albert, seconded by Councilor Kolbe moved to amend the Fee Schedule in Appendix C as presented below:

Section this Code	Description	Fee/Rate
<b>BUSINESSES</b>		
10-352(d)	Adult use establishment processing and licensing fee	250.00
10-406(a)(2)	<del>Additional processing fee per person for each person required to be investigated</del>	<del>50.00</del>
10-352(d)	After-hours entertainment event licenses; nonrefundable processing fee	250.00*
	*In addition, the town may require a deposit to offset any costs or expenses expected to be incurred by the town in enforcing the terms and conditions of the license	
	Alcoholic Beverages:	
10-203	Annual license for bottle club	200.00
	Liquor license processing fee	100.00
	Liquor—Off premise permit per event	25.00
	Late liquor license processing fee	50.00
	Games of chance processing fee	25.00
	Off premise catering processing fee	25.00
10-253	Itinerant vendors application fee:	
	Six months itinerant vendor	150.00
	12 months itinerant vendor	200.00
	One week carnivals and festivals	200.00
	12-month outdoor flea market	100.00
	12-month indoor flea market	200.00
	Public records checks	50.00
	Junkyard license	100.00
	Municipal organizations or agencies are exempt from fees in this section	
10-505	Pawnbroker	250.00
	<del>Additional processing fee per person required to be investigated</del>	<del>50.00</del>
10-166	Special amusement permit application fee	100.00
	<del>Additional processing fee for each new applicant, partner or corporate officer</del>	<del>50.00</del>
82-51	Victualer establishment annual license fee:	
	No liquor license	100.00

	With liquor license	200.00
	<del>Additional processing fee for each new applicant, partner, or corporate officer</del>	<del>50.00</del>
	Reinspection by health officer or codes enforcement officer, per reinspection	150.00

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

AMEND CHAPTER 82 SEC 51-FEE / TO  
REMOVE ADDITIONAL PROCESSING FEE FOR RECORD CHECKS

**VOTE (2017-217)** Councilor Albert, seconded by Councilor Kolbe moved to amend Chapter 82-51 Fee as presented below:

**Part II ~~Board of Selectmen~~ Town Council Rules, Regulations & Policies**  
**Chapter 82 – Businesses**  
**Sec. 82-51. - Fee.**

Each victualer establishment shall pay an annual license fee as follows:

No liquor license ..... \$100.00

With liquor license ..... 200.00

~~Additional processing fee for each new applicant, partner, or corporate officer ..... 50.00~~

(Sel. Ord. of 9-21-1993; Sel. Ord. of 6-21-1994; Sel. Ord. of 2-18-2003, § 5.158; C.M. of 7-1-2014, V. 2014-118)

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

ORDINANCE – AMENDMENT TO CHAPTER 10 SEC. 166(A)  
TO REMOVE PROCESSING FEE FOR RECORD CHECKS  
&  
ORDINANCE – AMENDMENT TO CHAPTER 10 SEC. 406(A) (2)  
TO REMOVE PROCESSING FEE FOR RECORD CHECKS  
&  
ORDINANCE - AMENDMENT TO CHAPTER 10 SEC. 505(A) (2)  
TO REMOVE PROCESSING FEE FOR RECORD CHECKS  
*First Readings*

**VOTE (2017-218, 219 & 220)** Councilor Albert, seconded by Councilor Kolbe moved to amend Chapter 10-166(A), Chapter 10-406(A)(2), and Chapter 10-505(A)(2) as presented below

**Chapter 10 - Businesses**  
**Article III. Alcoholic Beverages**  
**Division 2 - Special Amusement Permits**  
**Sec. 10-166. - Fee.**

- (a) The fee for a new application shall be \$100.00 ~~and an additional processing fee of \$50.00 for each new applicant, including any partners or officers.~~
- (b) The town council shall have the authority to amend this fee after a public hearing.

(Code 1983, § 6-204(4); T.M. of 5-19-1990, art. 90; T.M. of 5-20-1996, art. 17; Sel. Ord. of 2-18-2003, § 5.158; Sel. Ord. of 6-21-05, § 5.016; T.M. of 5-15-2007, § 2007-068; C.M. of 7-1-2014, V. 2014-118)

**Chapter 10 - Businesses**  
**Article VII – Adult Use Establishments**

**Sec. 10-406. - Application.**

- (a) An applicant for an adult use establishment license shall:
- (1) Complete and file an application prescribed by and provided by the town.
  - (2) Deposit with the town clerk a processing and licensing fee of \$250.00 ~~and an additional processing fee of \$50.00 per person for each person required to be investigated~~. This fee is nonrefundable and must be deposited before the town takes any further action in investigating or processing the license. The amount of this fee may be determined and adjusted from time to time as costs and expenses may dictate by the town council.
- (b) Additional filing requirements:
- (1) A description of the form of ownership of the business enterprise together with attested copies of the organizational documents of the business entity (i.e. articles of incorporation and by-laws if a corporation, partnership agreement if a partnership, articles of association and by-laws if an association, LLC filings and managing agreement if an LLC, etc.).
  - (2) An affidavit under oath which states the names, contact information, places of residence at the time of application, and for the immediately preceding Three years of all owners, stockholders, members, partners, officers, directors, or other participants in the business entity together with all managers and supervisory personnel responsible for the business operation.
  - (3) Evidence of an interest in the premises in which the adult use establishment will be sited, 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.
  - (4) 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.
  - (5) The date of initiation of the business use if in operation at the time of adoption of this article and application for license.
  - (6) A release authorized by 16 M.R.S.A. § 620(6) (Criminal History Record Information Act) for each individual identified in subsection (b) above.
  - (7) Evidence of compliance with the requirements of sections 10-412 through 10-417 and evidence that there is no basis for denial of a license to an applicant under the standards listed in section 10-411.
  - (8) Any other information that the town manager or the town clerk, upon review of the completed application and submissions, may deem necessary in order for the town council to determine that the applicant complies with all of the regulations and requirements of this article.

(T.M. of 5-15-2006, art. 42; C.M. of 7-1-2014, V. 2014-118)

**Chapter 10 - Businesses****Article VIII – Pawnbroker Establishments****Sec. 10-505. - Application.**

- (a) An applicant for a pawnbroker establishment license shall:
- (1) Complete and file an application prescribed by and provided by the town.
  - (2) Deposit with the town clerk a processing and licensing fee of \$250.00 ~~and an additional processing fee of \$50.00 per person required to be investigated under the provisions of subsections 10-506(5) and (6)~~. This fee is nonrefundable and must be deposited before the town takes any further action in investigating or processing the license. The amount of this fee may be determined from time to time as costs and expenses may dictate, and adjusted by order of the town council.
- (b) Additional filing requirements:
- (1) A description of the form of ownership of the business enterprise together with attested copies of the organizational documents of the business entity (i.e.) articles of incorporation and by-laws if a

corporation, partnership agreement if a partnership, articles of association and by-laws if an association, LLC filings and managing agreement if an LLC, etc.).

- (2) An affidavit stating the names, contact information, places of residence at the time of application, and for the immediately preceding three years of all owners, stockholders, members, partners, officers, directors, or other participants in the business entity together with all managers and supervisory personnel responsible for the business operation.
- (3) Evidence of an interest in the premises in which the pawnbroker establishment will be sited, 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.
- (4) 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.
- (5) The date of initiation of the business use if in operation at the time of adoption of this article and application for license.
- (6) A release authorized by 16 M.R.S.A. § 620(6) (Criminal History Record Information Act) for each individual identified in subsection 10-505(b)(2) above to allow access to inspect criminal history record information.
- (7) Evidence of compliance with the requirements of sections 10-511 through 10-513 and evidence that the standards for approval listed in section 10-510 have been met.
- (8) Any other information that the town manager or the town clerk, upon review of the completed application and submissions, may deem necessary in order for the town council to determine that the applicant complies with all of the regulations and requirements of this article.

(T.M. of 1-8-2008, § 2008-03; C.M. of 7-1-2014, V. 2014-118)

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

#### ROLLER SHELVING BID AWARD

**INTRODUCTION:** The Town Clerk said the bid process for the high density storage system closed as of Wednesday, August 16<sup>th</sup> at 10:00 AM. Bids were requested from the following vendors:

Aurora Storage Products  
Dupont Storage  
Donnegan Systems, Inc.  
Kofile  
Montel

We received bids from:

Dupont Storage	\$26,880 (received after deadline)
Donnegan Systems, Inc.	\$22,720

We recommend awarding the bid to the lowest bidder Donnegan Systems for \$22,720.

**VOTE (2017-221)** Councilor Brunelle, seconded by Councilor Kolbe moved to award the bid for the Roller Shelving System to Donnegan Systems, Inc not to exceed \$22,720. **Order passed - Vote 7-0.**

#### EXTEND MORATORIUM ORDINANCE ON RETAIL MARIJUANA ESTABLISHMENTS, STORES, AND SOCIAL CLUBS & SET PUBLIC HEARING FOR SEPTEMBER 19, 2017

##### *First Reading*

**INTRODUCTION:** The current 180 day moratorium expires on October 22, 2017. Attorney Stockford has drafted a document to extend this moratorium (see attached). Keep in mind that ordinances take effect 21 days after adoption. If the Council should adopt its first reading on September 5, and also schedules a public hearing for September 19 and then adopts its second reading, an extension could take effect on October 10, just prior to the current expiration on October 22.

**VOTE (2017-222)** Councilor Kolbe, seconded by Councilor Crawford moved to extend the Moratorium Ordinance on Retail Marijuana Establishments, Stores, and Social Clubs as follows:

**TOWN OF LISBON  
EXTENSION AMENDMENT TO MORATORIUM  
ORDINANCE ON RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA  
STORES AND RETAIL MARIJUANA SOCIAL CLUBS**

WHEREAS, the Town's Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Stores and Retail Marijuana Social Clubs ("Moratorium Ordinance") was adopted on April 4, 2017, went into effect on April 25, 2017, and is due to expire after 180 days on October 22, 2017; and

WHEREAS, pursuant to the Marijuana Legalization Act, as adopted in a state-wide referendum and subsequently amended by the Legislature and codified in the Maine Revised Statutes at Title 7, chapter 417 (the "Act"), the operative provisions of the Act—including the provisions pertaining to State licensing and municipal regulation – do not become effective until February 1, 2018; and

WHEREAS, pursuant to the Act, the State of Maine licensing authority must adopt rules for the proper regulation and control of the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products and for the enforcement of the Act on or before October 30, 2017; and

WHEREAS, the Maine Legislature's Joint Select Committee on Marijuana Legalization Implementation is working to help guide the state agencies that will craft the rules and regulations around the recreational marijuana industry; and

WHEREAS, the State of Maine licensing authority that is to draft the rules and regulations around the recreational marijuana industry has not done so yet; and

WHEREAS, the Town needs to know the State of Maine regulatory framework for the recreational marijuana industry before it can determine the land use and other regulatory implications of retail marijuana establishments, stores and social clubs and consider what locations, if any, and conditions of approval, if any, might be appropriate for such uses; and

WHEREAS, the problems giving rise to the need for the moratorium still exist and reasonable progress is being made to alleviate the problems;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Lisbon, that all provisions of the Moratorium Ordinance are hereby extended for an additional one hundred and eighty (180) days (i.e., from October 23, 2017 to April 21, 2018).

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

**MDOT ROUTE 9 SNOW PLOWING & ICE CONTROL  
MODIFICATION AGREEMENT**

INTRODUCTION: This Modification agreement amends the Route 9 Snow Plowing and Ice Control contract executed by Maine DOT on 11/1/2009 with the Town of Lisbon for plowing and ice control services.

The Modification increases the amount of reimbursement to the Town of Lisbon by \$4,197.00 from \$15,483.00 to \$19,680.00 for contract year 17/18 and a 2% escalation per lane mile annually through 5/31/2030.

**VOTE (2017-223)** Councilor Brunelle, seconded by Councilor Kolbe moved to approve Modification #1 to the Route 9 Snow Plowing & Ice Control contract and authorize the Town Manger to sign the contract. **Order passed - Vote 7-0.**

## FUEL BIDS - GAS&amp; DIESEL

**INTRODUCTION:** Mrs. Barnes reported the Town of Lisbon typically requests sealed bids for the supply of diesel and gasoline from October 1, 2017 thru September 30, 2018 for applicable Town buildings.

**COUNCILOR COMMENTS:** Councilor Ward suggested spring would be a better time to obtain these bids for better pricing. He also said maybe extending the contract 6 months would help change the expiration date.

Mrs. Barnes indicated the contracts have been running from October thru September since 2009. She suggested keeping the same dates for the contract, but adjusting the date effective.

**VOTE (2017-224)** Councilor Albert, seconded by Councilor Brunelle moved to authorize the Town Manager to solicit fuel bids and to enter into a contract for the best pricing. **Order passed - Vote 7-0.**

## AWARD BID FOR CDBG INFRASTRUCTURE PROJECT

**INTRODUCTION:** Ms. Steuber reported on August 22, 2017, bids were publicly opened at 10:00am for the Route 196 Lisbon Fall Streetscape Improvements project. Two bids were received as follows:

Contractor	Location	Base Bid	Alt. 1 (Lights)	Alt. 2 (Davis St.)
Ranger Contracting, Inc.	Winslow, ME	\$273,138.50	\$13,267.00	\$21,276.00
Pratt & Sons Inc.	Mechanic Falls, ME	\$361,860.00	\$ 7,500.00	\$ 8,000.00

The unexpended funding for this project totals \$352,612. We have reviewed the bid value and incorporated it into the project budget which is included in the agenda packet.

It appears that we have sufficient funding to proceed with the base contract work plus Alternate 1 to purchase two additional solar lights.

**COUNCILOR COMMENTS:** Councilor Albert requested Ms. Steuber attentively keep an eye on this project so that it gets done within the contracted 75 days. Councilor Ward suggested adding language to address this so it comes in by June 30, 2017 and these funds don't lapse. Ms. Steuber said she would diligently work with the state and the contractor to complete the project by June 30.

**VOTE (2017-225)** Councilor Lunt, seconded by Councilor Crawford moved to award the bid to Ranger Contracting, Inc. in the amount of \$273,138.50 plus Alt. 1 in the amount of \$13,267.00. **Order passed - Vote 7-0.**

## NATURAL GAS-UNION STREET

**INTRODUCTION:** Mr. Leighton reported on August 10, 2017 we received notification from Unitil they were unable to secure all the necessary easements to continue the natural gas supply behind the businesses on the westerly side of Main Street all the way to Union Street. Based on our discussions at the time Unitil agreed to research the option of connecting to the gas main in Route 196 and running a new supply all the way from 196 to Main Street in Union Street.

Mr. Leighton explained that on August 22, 2017 we received notification Unitil was approved to bring natural gas from Route 196 up Union Street to Main Street and continuing along Main Street as originally planned. In order to proceed with this alternative we will need to make a connection in Route 196 which will likely need to be done at night. Based on the scope of this project we recommend advertising the work in Route 196 as well as the trenching on Union and Main with the pavement rehabilitation to be completed by the Public Works Department. Based on preliminary estimates, the costs associated with the outside contractor work is approximately \$20,000 to \$25,000. In addition we would need to account for Police Department overtime for traffic control assistance for the work in Route 196, approximately \$2,500, and the cost of the trench pavement to be placed by Public Works, approximately

\$5,000 for materials. He reported while this route is more expensive, it does open up additional expansion options in the future and the work can likely be completed by the end of October.

**VOTE (2017-226)** Councilor Brunelle, seconded by Councilor Kolbe moved to go out to bid the Natural Gas Union Street excavation work by a contractor. **Order passed - Vote 7-0.**

**The Council unanimously agreed to grant Mr. Leighton permission to bid the library and fire department boilers as well.**

#### SERVER/SOFTWARE BID AWARD

**INTRODUCTION:** On August 29, 2017, bids were publicly opened at 10:00 am for the server software project seven bids were received as follows:

BEK, Inc.  
Burgess Technology Services  
Dell  
CDW Government

Roundtable Technology  
SymQuest  
Systems Engineering

We received the following bids:

Burgess Technology Services	\$ 25,520.08
CDW Government	\$ 24,274.00
Dell	\$ 24,422.85
Roundtable Technology	\$ 24,985.00
Symquest	\$ 26,297.00
Systems Engineering	\$ 25,341.70
Zones	\$ 24,012.94

Received at 10:13 AM

**VOTE (2017-227)** Councilor Brunelle, seconded by Councilor Lunt moved to award the bid to CDW Government in the amount of \$24,274.00. **Order passed – Vote 7-0.**

### OTHER BUSINESS

#### A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said there was nothing to report.
2. Planning: Councilor Ward said there are two associate positions available for appointment.
3. Water Commission: Councilor Crawford said there was nothing to report.
4. LDC: Councilor Albert said there was nothing to report.
5. Conservation Commission: Councilor Lunt said there was nothing to report.
6. Recreation: Councilor Kolbe said there was nothing to report.
7. County Budget: Councilor Ward said there is a public hearing tomorrow night and that there would be ongoing meetings on Wednesdays.
8. Library: Councilor Lunt said all is good at the Library.

#### B. TOWN MANAGER'S REPORT

Mrs. Barnes informed the Council some of the stakeholders will be present at the workshop at 6:00 PM and that she did get more information from Lisbon Emergency to share for it. She said it might be better to break out into a smaller committee to work through this task. Councilor Albert indicated that he would do a ride along and encouraged other Councilors to do the same.

Councilor Ward pointed out that Lisbon Emergency will close its doors 90 days out from their deadline, which is December 31, 2017, if there is no commitment from the community to move forward. He said this is a sizeable amount of money, which is not in the current budget. He said that he has not heard from anyone on this topic locally.

### C. MASS GATHERING ORDINANCE

Councilor Ward said after talking with the Town Manager that there is nothing preventing a beer garden or gathering such as that at the Moxie Festival for non-profits. A coordinated effort needs to start now though to find the space required at the Moxie Festival.

Councilor Lunt said this Mass Gathering Ordinance deals with 5,000 attending a concert or something. Councilor Ward said there is no ability to waive liquor or food, except for non-profits and that the Council might want to consider amending the Parks Ordinance to accommodate mobile vendors at Beaver Park for the winter festival.

Councilor Albert requested that the Park Rules be amended so that it can be made available for all to use so it would be inclusive for all to use whether non-profit or not.

Councilor Ward said he would want assurances that all the requirements are being met, including barriers and/or contained areas. It would be better to make it available for all to use. He indicated food trucks were not allowed because the park ordinance is so restrictive currently, which is certainly a missed opportunity at Winterfest.

### AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS

Dorothy Fitzgerald reported the audio on the town's website is not working. The Town Clerk responded that the audio had been corrected when reported and that it should be fine at this point and agreed to check the website once more.

### APPOINTMENTS - NONE COUNCILOR COMMUNICATIONS - NONE EXECUTIVE SESSION – NONE

### ADJOURNMENT

**VOTE (2017-228)** Councilor Brunelle, seconded by Councilor Kolbe moved to adjourn at 8:27 PM. **Order passed - Vote 7-0.**

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