



**TOWN COUNCIL
MEETING MINUTES
MAY 10, 2022
LISBON TOWN HALL**

Mark Lunt 2022
Donald Fellows 2022
Jason Smith 2022
Fern Larochelle 2023
Harry Moore, Jr. 2024
Raymond Robishaw 2024
Clifford Miller 2024

CALL TO ORDER. The Chairman, Fern Larochelle, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Fellows, Lunt, Larochelle, Robishaw, Miller, and Moore. Also present were Ryan McGee, Interim Town Manager; Dr. Richard Green, Superintendent of Schools; Marie Hale, Water Commissioner; Mark Stevens, Parks and Recreation Director; Kayla Tierney, Finance Director; Mark Stambach, Code Enforcement Officer; Ross Cunningham, Economic & Community Development Director; Traci Austin, School Committee Chair; Haley Redman, School Bookkeeper; Curtis Lunt, Finance Committee; and one citizen in the audience.

Interim Town Manager Ryan McGee proposed that the item for the Emergency Sign Ordinance discussion be moved from Item 8 - Other Business to Item 7 – Council Orders, Resolutions & Ordinances. Seeing no objections, the Chairman moved the Ordinance discussion to Item 7.

VOTE (2022-113) Councilor Fellows, seconded by Councilor Robishaw, moved to excuse Councilor Smith's absence.

Order passed – Vote 6-0.

GOOD NEWS & RECOGNITION

Councilor Larochelle welcomed Ross Cunningham as the new Lisbon Economic and Community Development Director. Mr. Cunningham said he had a great first week and Thanks to Chief McGee and the staff, has hit the ground running. He said he is excited to be here. The Chairman thanked Mr. Cunningham.

PUBLIC HEARINGS

A. School Budget and School Capital Improvement Plan (CIP)

Dr. Green started with an overview of the School Budget, he said he handed out to the Council a copy of the subsidy comparison report dated May 5, 2022, and offered an overview of the numbers. He said not much has changed and he would explain any changes and answer questions for Council. He said the School Budget that the School Committee accepted on May 9, 2022 has changed since shared with Council in March. He said that, as a result of being awarded additional funding to support the expansion of the Pre-K program and having a zero percent increase in insurance, the Committee was able to include critical classroom support positions which will address the increased enrollment and instructional needs of Lisbon students. He stated that enrollment is now back to what it was prior to Covid, and our numbers are growing and continuing to grow. He said we also are dealing with Covid-related issues, both social-emotional and instructional.

Dr. Green said there are multiple positions that have been added. He said for Pre-K, in the past there has been a lottery, and two to six kids might not be able to be in the program. He continued that this year the number was 18, so the Director of Curriculum contacted the State, and they changed the State Subsidy form to add the students. He said as a result he was able to add the Pre-K offer to all the families in town who need it. He said positions added were a Grade 5 position, a Middle School Literacy support position, and a Math position at the High School. He said they were trying to figure out throughout the year how to fund the new positions needed, and as a result of the additional funding and the zero increase in insurance, they were able to use existing money. Dr. Green pointed out that in the revised subsidy comparison report, the

actual increase to the local taxpayers has decreased by \$30,657.00 from the original proposal, for a total increase of \$317,218.00, or 4.3%.

Dr. Green stated that the Lisbon School system, unlike the rest of the region and State, has been able to offer full in-person instruction over the past 26 months. He shared that the previous week was Staff Appreciation Week, and commended them on their amazing efforts. He said the Lisbon School Committee has been proactive in providing the resources needed to support the students and staff, and the budget is a reflection of those efforts. He emphasized the amount of impact Covid has had on staff and students, it is definitely concerning. He said for academics, scores are at or near the national average, but they are lower than pre-Covid and we are seeing some students as much as 1-2 years behind. He said these additional supports being put in place will hopefully counteract some of those unknowns we are still dealing with.

Dr. Green said, looking at the 10-year graph, he included increases and decreases to compare the budgets over the years. He thanked the Council for their continued support and asked if there were any questions.

Councilor Moore asked about hazard stipends and relief funds. Dr. Green said there was no stipend, but they did a 1% increase on the base across the board. He said for relief funds, the majority were spent on infrastructure and technology, including heat and ventilation.

Councilor Larochelle asked if there are still positions that need to be filled. Dr. Green replied that there have been difficulties filling positions due to the competitiveness of the field right now. He said they are still in need of a school nurse. He agreed with Councilor Larochelle that it is a staffing issue, not a funding issue.

Traci Austin, chair of the School Committee, announced that there are kitchen positions for summer school right now, as well as teachers and a School Committee opening.

The Chairman invited additional members of the public to speak. Seeing no speakers, the Chairman thanked Mr. Green and closed the Public Hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS – NONE

CONSENT AGENDA

Vote (2022-114) Councilor Fellows, seconded by Councilor Lunt, moved to accept the consent agenda as follows:

- A. Municipal accounts payable warrants – \$ 468,787.23
- B. Municipal payroll warrants – \$ None
- C. School accounts payable warrants– \$ None
- D. School payroll warrants – \$ None
- E. Workshop/Meeting Minutes of May 3, 2022
- F. Off Premise Catering License for Railroad Restaurant & Pub
- G. Itinerant Vendor Permit for Riverside Flea Market
- H. Mobile Home Park Licenses for Trust Avery and Brookwood Court

Order passed - Vote 6-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

Item taken up out of order per the Interim Town Manager's recommendation.

TOWN OF LISBON EMERGENCY SIGN ORDINANCE

THE TOWN OF LISBON adopts an Emergency Sign Ordinance as follows:

WHEREAS, concerns have been identified regarding the Town's existing sign ordinance, Chapter 70, Article VI, Division 5 of the Lisbon Code of Ordinances, that require review, recommendation and consideration by the Town Council and Planning Board as to potential revisions to the sign ordinance;

WHEREAS, the Town needs time to study its Code of Ordinances to determine the implications of current and potential revisions to the sign ordinance and to develop reasonable ordinance amendments;

WHEREAS, the Town Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the Town's ordinances to determine the land use and other regulatory implications of signs and what sign regulations might be appropriate;

WHEREAS, amendments to existing ordinance may require public hearings by the Planning Board and Town Council and votes by the Planning Board and Town Council;

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least ninety (90) days from the date the Town first considers this emergency ordinance;

WHEREAS, it is appropriate to temporarily stay enforcement actions by the Town related to existing signs until the Town has an opportunity to consider potential amendments to existing ordinances;

WHEREAS, there is currently road construction in Town that has the potential to negatively impact local businesses by making it more difficult for customers to access businesses, and for businesses to make their presence known; and

WHEREAS, temporarily allowing businesses to place temporary signage during this time period is necessary to mitigate the impact of road construction on local businesses, and also to allow time for the Town to study its Code of Ordinances and to develop reasonable ordinance amendments;

WHEREAS, in the judgment of the Town, these facts create an emergency within the meaning of Section 2.08(b) of the Town Charter, and require this Emergency Sign Ordinance as immediately necessary for the preservation of the public welfare;

NOW, THEREFORE, the Town does hereby ordain that the following Emergency Sign Ordinance be, and hereby is, enacted:

Section 1. Stay on Enforcement Actions.

The Town hereby declares that there shall be a temporary stay on enforcement actions under the Town's existing sign ordinance related to all signs that existed on the effective date of this ordinance. This temporary stay on enforcement actions shall remain in effect for ninety (90) days from the effective date of this Emergency Sign Ordinance, unless extended or modified by the Town Council, for the express purpose of allowing the Town to consider an amendment or amendments to the Town's existing sign ordinance; and

BE IT FURTHER ORDAINED, that notwithstanding any law to the contrary, this temporary stay of enforcement actions, when enacted, shall apply to any enforcement actions related to signs that exist on the effective date of this Emergency Sign Ordinance, regardless of whether such enforcement actions were commenced prior to the effective date of this Emergency Sign Ordinance; and

BE IT FURTHER ORDAINED, that during the time this Emergency Sign Ordinance is in effect, no officer, official, employee, office, administrative board or agency of the Town shall take any enforcement action under the existing sign ordinances related to signs that existed on the effective date of this Emergency Sign Ordinance; and

BE IT FURTHER ORDAINED, that nothing in this Emergency Sign Ordinance shall limit or restrict the Town, after expiration of this Emergency Sign Ordinance, from initiating enforcement actions relating to any sign or from continuing enforcement actions related to signs that were initiated prior to the effective date of this Ordinance; and

BE IT FURTHER ORDAINED, that existing Town ordinance provisions related to construction and permitting of new permanent signs shall remain in effect during the applicability of this Emergency Sign Ordinance, and the Code Enforcement Officer shall keep the Planning Board informed of any permit applications for new permanent signs that are submitted or approved during the applicability of this Ordinance.

Section 2. Suspension of Sign Ordinance Provisions Related to Temporary Signs

The Town hereby declares that all provisions in the Town's existing sign ordinance related to temporary signs shall be suspended, and shall not be in effect, during the time that this Emergency Sign Ordinance is in effect. This suspension of the existing sign ordinance provisions related to temporary signs shall remain in effect for ninety (90) days from the effective date of this Ordinance, unless extended or modified by the Town Council, for the express purpose of

allowing greater flexibility for businesses that may be impacted by current road construction in Town, and for the purpose of allowing time for the Town to consider an amendment or amendments to the Town's existing sign ordinance. The placement or display of any temporary signs during the applicability of this Emergency Sign Ordinance shall not create any right to maintain such signs beyond the time that this Ordinance is in effect, nor shall placement or display of any temporary sign during the applicability of this Ordinance create any rights related to non-conforming signs under applicable Town ordinances.

Section 3. Definitions.

Temporary sign shall have the same meaning as set forth in the Town's existing sign ordinance, Lisbon Code of Ordinances Section 70-715, i.e., a sign that is not designed or intended to be permanently mounted or affixed to the ground, a building, or a structure, and which is displayed only for a temporary or limited timeframe.

Town means the Town of Lisbon, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

Section 4. Effect on Existing Ordinances; Severability

Those provisions of the Town's existing ordinances that are inconsistent or conflicting with the provisions of this Emergency Sign Ordinance, are hereby repealed to the extent that they are applicable for the duration of this Emergency Sign Ordinance, and as it may be extended as permitted by law, but not otherwise. Should any section or provision of this Emergency Sign Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 5. Effective Date; Emergency Declaration

This Emergency Sign Ordinance shall be effective immediately upon enactment by the Town Council and shall remain in effect for 90 (ninety) days from the date of enactment unless it is terminated or extended in accordance with this Ordinance. In accordance with Section 2.08(b) of the Town Charter, this Ordinance shall be enacted as an emergency ordinance.

COUNCILOR COMMENTS: The chairman entertained comments from the Council. Councilor Fellows asked if we have an idea of the direction the Planning Board will go in. Councilor Larochelle replied that he had spoken with the Planning Board chair and the suggestion is to have a Council workshop with the Planning Board.

Councilor Moore asked who wrote the Emergency Ordinance. Chief McGee said the Town Attorney wrote it.

VOTE (2022-114A) Councilor Fellows, seconded by Councilor Lunt, moved to adopt the Town of Lisbon Emergency Sign Ordinance as presented.

Roll Call Vote: Yeas - Councilors Lunt, Fellows, Smith, Larochelle, Moore, Robishaw, Miller. Nays – None. Councilor Smith was excused. Order passed - Vote 6-0.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. **School Committee:** Councilor Larochelle referenced the presentation by Dr. Green earlier in the meeting and said that there is an increase in the School Budget but it is lower than previous years.
2. **Planning Board:** Councilor Fellows said they will meet on Thursday and will talk about the sign ordinance. The Chairman requested the Emergency Ordinance be shared with the Planning Board for their meeting.
3. **Lisbon Development Committee:** Councilor Larochelle asked Mr. Cunningham to speak because there is a meeting planned for the next night. Mr. Cunningham said he will take stock of where the LDC is with its projects. He said he understands that the Council has put the future of Worumbo on hold until the Assistant Town Manager and Town Manager, in addition to himself, are hired. He confirmed the meeting is tomorrow night at the Town Hall at 6:00 pm.
4. **Conservation Commission:** Councilor Moore asked Mr. Stevens to speak since he was in the audience. He said they met last month. He said on May 17 there will be a Town tour to get some information on invasive species.
5. **Recreation Committee:** Councilor Miller stated the Fishing Derby is next weekend. Mr. Stevens added that it will be virtual again this year. He said there will be a lottery, the winner will have lunch with the Town Manager/Police Chief. He also said the Cruise Nights will begin Memorial Day evening, the Worumbo site looks

good for it. He said the biggest thing is that they have new employees, getting all the grass cut before the Memorial Day weekend.

6. County Budget Committee: Councilor Lunt said he had nothing new to report.
7. Library Governing Board: Councilor Lunt said he had nothing new to report.
8. Water Commission: Councilor Fellows said there is nothing new but the Water Commission moved their next meeting to next Monday.
9. Finance Committee: Councilor Robishaw said he had nothing new to report and the next meeting is next Monday.

TOWN MANAGER'S REPORT

Mr. McGee said the Worumbo site looks very nice, it has been hydro-seeded and they are getting water to it. He thanked Mr. Stevens for his crews hard work getting things done around the Town offices. He said they are moving along with the Town Manager search.

APPOINTMENTS

APPOINTMENT TO THE LIBRARY GOVERNING BOARD

VOTE (2022-115) Councilor Fellows, seconded by Councilor Lunt, moved to appoint Anne Labbe to the Library Governing Board to 2024 to fill a vacant seat.

Order passed – Vote 6-0.

COUNCILOR COMMUNICATIONS – NONE

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS – NONE

EXECUTIVE SESSION

VOTE (2022-116) Councilor Fellows, seconded by Councilor Lunt, moved to go into Executive Session Per 1 M.R.S.A. §405 (6) (A) Personnel Matters at 7:40 PM.

Order passed - Vote 6-0.

VOTE (2022-116A) Councilor Fellows, seconded by Councilor Lunt, moved to leave Executive Session and enter back into Council meeting at 8:30 PM.

Order passed - Vote 6-0.

Councilor Miller stated that, due to unforeseen circumstances related to his business ventures, he must submit his resignation from Council.

VOTE (2022-116B) Councilor Fellows, seconded by Councilor Robishaw, moved with regret to accept Councilor Miller's resignation from the Town Council.

The Chairman thanked Mr. Miller for his time on the council, he said Mr. Miller was a big part of the Council and they have made big strides in the last several months. He said the Council appreciates everything Mr. Miller has done and wishes him the best in all his business ventures. The Council expressed agreement with the Chairman.

Order passed - Vote 6-0.

ADJOURNMENT

VOTE (2022-117) Councilor Fellows, seconded by Councilor Miller, moved to adjourn at 8:34 PM.

Order passed - Vote 6-0.

Lisa M. Ward, Council Secretary
Town Clerk

Date Approved: _____