

# **Town Council Meeting Minutes June 17, 2019**

The meeting was called to order at 7:00 pm.

## **Roll Call**

Councilors De Lima, Johnson, Asherman, Hemphill, Trickett, and Kuhn were present and answering roll call. Councilor Cahan arrived late.

## **Pledge of Allegiance**

Councilor Hemphill led those present in the Pledge of Allegiance.

## **Oath of Office Ceremony**

Deputy Town Clerk Linda Case delivered the Oath of Office to new Councilors Janice De Lima, Tommy Johnson and Jay Trickett.

### **Item 1                    Presentation from 5th graders from Falmouth Elementary School on the environmental impacts of plastic straws, and what they have done to mitigate those impacts.**

Donna Cheney of the Recycling and Energy Advisory Committee discussed the work the Committee did on reducing the use of plastic bags in town and the research they did on Styrofoam. The State has now passed a law to ban plastic bags as well as Styrofoam. While the Committee was researching a ban on plastic straws, they discovered that a group of 5<sup>th</sup> graders at Falmouth Schools had already banned them on the school campus.

Simon Thayer, Adey Wrona, Amanda Liu, gave a presentation on the effects of plastic straws on the environment, wildlife, and humans. Their classmate Elias Rahbar was also a part of the project but was not able to attend the meeting. Together, the four of them created the NPF, “No Plastic Foundation”. With the help of their vice-principal and the head of Food Services, they have moved the school from using plastic to paper straws.

The Council congratulated the students on their hard work and efforts.

### **Item 2 (a)                Election of Town Council Chairperson.**

Councilor Hemphill nominated Chair Kuhn; Councilor Cahan seconded. Motion carried 7-0.

### **Item 2 (b)                Election of Town Council Vice-Chairperson.**

Councilor Hemphill nominated Councilor Asherman; Councilor Johnson seconded. Motion carried 7-0.

### **Item 2 (c)                Order to appoint members to the Council Finance Committee.**

Councilor Hemphill nominated Councilors De Lima, Trickett and Asherman. Councilor Johnson seconded. Motion carried 7-0.

### **Item 2 (d)                Order to appoint members to the Council Ordinance Committee.**

Councilor Hemphill nominated Councilors Hemphill, Cahan and Asherman. Councilor Johnson seconded. Motion carried 7-0.

**Item 2 (e) Order to appoint members to the Community Development Committee.**

Councilor Hemphill nominated Councilors Johnson, Cahan, and Trickett. Councilor Johnson seconded. Motion carried 7-0.

**Item 2 (f) Order to appoint members to the Council Appointments/Personnel Committee.**

Councilor Hemphill nominated Councilors Hemphill, De Lima, and Johnson. Councilor Johnson seconded. Motion carried 7-0.

**Item 2 (g) Order to appoint members to the Council's ad-hoc Committee on Retail Marijuana.**

Councilor Trickett nominated Councilors Cahan, De Lima and Johnson. Councilor De Lima seconded. Motion carried 7-0.

**Item 2 (h) Order to appoint Council members to serve as liaisons to various boards and committees.**

Councilor Cahan nominated the slate of appointments; Councilor De Lima seconded. Motion carried 7-0.

Board of Assessment Review and Sewer Appeals	Quasi-judicial
Board of Zoning Appeals	Quasi-judicial
Conservation Commission	JOHNSON
Economic Improvement Committee	DE LIMA
Harbor/Waterfront Committee	JOHNSON
Human Services Committee	ASHERMAN
Land Management and Acquisition Committee	HEMPHILL
Library Board of Trustees Liaison & Fin. Cmte appte	KUHN
Long-Range Planning Advisory Committee	ASHERMAN
Parks and Community Programs Advisory Cmte	DE LIMA
Planning Board	Quasi-judicial
Recycling & Energy Advisory Committee	CAHAN
School Board	N/A
Shellfish Conservation Committee	TRICKETT
Voter Registration Appeals Board	Quasi-judicial

**Item 2 (i) Order to appoint one primary and one alternate representative to the ecomaine Board of Directors.**

Councilor Cahan nominated Councilor Hemphill and Town Manager Nathan Poore; Councilor De Lima seconded. Motion carried 7-0.

**Item 2 (j) Order to appoint two representatives to the General Assembly of the Greater Portland Council of Governments.**

Councilor De Lima nominated Councilors Cahan and Kuhn; Councilor Hemphill seconded. Motion carried 7-0.

**Item 2 (k) Order to appoint one person to serve on the METRO Bus Board of Directors.**

Councilor Trickett nominated Councilor Cahan; Councilor De Lima seconded. Motion carried 7-0.

Councilor Hemphill moved to appoint Councilor Cahan to the MMA Legislative Policy Committee, with Councilor Kuhn as an alternate; Councilor Johnson seconded. Motion carried 7-0.

**Item 2 (l)            Order to appoint a Council member and the Town Manager to serve on the Metro Coalition.**

Councilor Johnson nominated Chair Kuhn and Mr. Poore; Councilor Hemphill seconded. Motion carried 7-0.

**Item 2 (m)            Order to appoint one representative and two alternates to the PACTS Policy Committee.**

Councilor Johnson nominated Councilor Cahan as the representative and Councilor Trickett and Jay Reynolds, Director of Public Works, as alternates; Councilor Trickett seconded. Motion carried 7-0.

**Item 2 (n)            Order to authorize the Town Manager to name Amy LaMontagne, Assistant Town Manager, as his designee in the event of his absence.**

Councilor Cahan moved the order; Councilor De Lima seconded. Motion carried 7-0.

**Item 3                Public Forum**

Mike Doyle of Portsmouth, NH asked that the Council turn off their microphone when they're not speaking to avoid feedback. He discussed the proposed affordable housing development from Habitat for Humanity—he felt it was an inappropriate development for this town. Falmouth and Cape Elizabeth have the highest concentration of lawyers, doctors, and businesses owners in their populations. He worried about social inequalities among children at the school because of this. There are many staff in the School Department who are making over \$100,000/year; he argued they do not need workforce housing.

**Item 4                Consent Agenda**

- **Order to approve the minutes of the May 13, 2019, Town Council Special Meeting**
- **Order to approve the minutes of the May 15, 2019, Town Council Workshop Meeting**
- **Order to approve the minutes of the May 29, 2019, Town Council Meeting**

Councilor Asherman moved the consent agenda; Councilor Cahan seconded.

Councilor Kuhn opened a public comment period; there was no public comment.

Motion carried 7-0.

**Item 5                Report from Council Committees and liaisons regarding updates on assignments.**

Councilor Cahan reported that REAC is working on a proposal to ban plastic straws. She also reported that Metro and other transit agencies did a scavenger hunt where stakeholders would see how fast they could get places by taking public transit. Buses to and from Falmouth were full. Fares will increase in the fall to pay for the upcoming electronic upgrade (winter/spring).

Chair Kuhn asked that the Town Manager provide an update on the situation in Portland with the asylum seekers, the lack of homeless shelters in Portland, how residents have reached out and what his response has been. He reported that Falmouth staff met last week about aiding Portland in their emergency situation for

the shelter in the short-term; there is a lot of training being provided. If there is a shortage of staffing, Falmouth has been willing to aid with police and EMS staff. The Metro Coalition, which includes town managers and elected officials, will hold an emergency meeting on this situation this week.

**Item 6                    Report from the Appointments Committee regarding various vacancies on Boards and Committees.**

Councilor Asherman reported that in the next month they will be interviewing people who may be interested in joining a committee. Even if there are no vacancies people should still fill out an application.

**Item 7                    Public hearing and order relative to renewal of permanent food service establishment licenses for: Walmart (206 US Route 1), The Woodlands Restaurant, and The Woodlands Snack Shack (10 Woodlands Drive).**

Chair Kuhn opened a public comment period; there was no public comment.

Councilor Asherman moved the order; Councilor Cahan seconded. Motion carried 7-0.

**Item 8                    Public hearing and order to approve a new permanent food service establishment license for Foreside House of Pizza LLC.**

Chair Kuhn opened a public comment period.

George Sotoropolis, owner, said they are hoping to open in about 2-3 weeks.

Chair Kuhn wondered if this should be approved yet since the State hasn't approved their application yet. Mr. Poore said they can make this conditional on that approval.

Councilor Trickett moved to amend the order to make it conditional on receipt of state approval. Councilor Asherman seconded. Motion carried 7-0.

Councilor Hemphill moved the order; Councilor Asherman seconded. Motion carried 7-0.

**Item 9                    Introduction to an amendment to the Code of Ordinances, Section 2-25 Compensation, to update councilor compensation.**

Councilor Hemphill explained that this hasn't been adjusted in many years. Staff has recommended that the compensation be increased from roughly \$1,000 annually (\$40/meeting) to \$2,000 annually (\$75/meeting). Further, the council chair would receive an additional \$1,000 annual stipend.

Chair Kuhn said this would put Falmouth in the middle of compensation rates for neighboring communities.

Mr. Poore mentioned that staff brought this forward in the budget process and it is included in this year's budget.

Councilor Trickett asked when this would take effect. He said section 205 of the Charter states that no compensation can take effect until the next Town fiscal year. Mr. Poore said he would get a legal opinion on that. The intent was for this to take effect this fiscal year.

A public hearing was scheduled for July 22.

**Item 10                  Order to change the date of 2019/2020 Council meetings impacted by holidays.**

Councilor Cahan moved the order; Councilor De Lima seconded.

Chair Kuhn opened a public comment period; there was no public comment.

Motion carried 7-0.

**Item 11                    Discussion with new Town Councilors about Resolution 130-2019, passed by the Town Council on May 29, 2019, such resolution was designed to recognize recent public input and concerns about land use ordinances, public outreach, land use planning, and residential growth and further, to commit to processes that will: 1.) develop an improved communication system and 2.) Evaluate and improve how future land use related policies are developed, with improved community outreach and input.**

Chair Kuhn explained that at the last meeting, the council approved a resolution that addressed many of the issues that came up last year, and a plan to move forward on those issues. The resolution commits to looking at communication systems, identifying shared community values and vision, developing a better process for large development proposals, leading to a plan to update the comprehensive plan.

Councilor De Lima appreciated the former Council taking the time to put this resolution in place in response to the issues that have happened over the last year.

Councilor Johnson agrees that the major problem areas have been identified in this as well as potential solutions. This will be an ongoing challenge, but this is a great start.

Councilor Trickett asked about the mention of consultants in the resolution and whether there was money set aside in the budget for those this year. Mr. Poore said that it's hard to say what the need will be. Chair Kuhn said a lot of this can be taken on by the Council as well as by staff, but for some of this work consultants may be necessary.

Councilor Trickett mentioned an idea about opportunities to have residents meet with councilors over coffee and/or lunch, and potentially having councilor liaisons to neighborhoods or sections of town. He said some have asked about having a town app.

Councilor Johnson would like to listen and get feedback from the community before too much work is done without knowing what the best ways of communications will be.

Chair Kuhn mentioned that Erin Cadigan, who coordinated the 300<sup>th</sup> celebrations, is now on staff part-time and is assigned to work on communications. Mr. Poore said they are looking at types of outreach already, including a town newsletter, and that is being worked on in-house.

Councilor Hemphill said we have lots of enhanced communications tool and a commitment from the Council to implement better communication with the community and that is a great thing.

Councilor Asherman said dynamic communication is important to him, increasing how they can listen to and interact with residents better as well.

Councilor Cahan stressed the benefit a consultant could bring with the communications. Some of the complaints they received this year have been brought up in the past and we haven't been successful at addressing them. Perhaps a consultant would be helpful with that.

**Item 12                    Order to authorize the Town Manager to mail information to residents regarding recent changes to the RA zoning district and the Council's commitments identified in a resolution adopted May 29, 2019.**

Chair Kuhn said there were efforts made to notify the public last time, but the message didn't get through. Staff developed the attached notice to announce the changes that were made to RA, as well as remind people about all the road work that is scheduled. This would be sent to all households in Falmouth, not just in RA.

Councilor Asherman moved the order; Councilor Cahan seconded.

Chair Kuhn opened a public comment period; there was no public comment.

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Councilor Cahan thought that this does a good job at showing the Council's commitment to communicate well. The flyer is colorful and catchy enough, where other town mailings haven't always been appealing.

Councilor Johnson said it also lays the ground work for future communications.

Councilor Trickett was interested in the type of feedback they get from this. He was glad they were going to send it to everyone in town.

Councilor Hemphill said the envelope will have a colorful banner to encourage people to open it, and there will be two pieces in this envelope. Councilor Asherman asked if it would be emailed. Mr. Poore said yes as well as distributed via social media.

Councilor De Lima suggests that under the "Keep Talking" section it should ask if there are other methods or communication vehicles residents would like the town to use.

Chair Kuhn spoke about the cost of these types of efforts, apps and mailings and such. There will have to be a balance.

Councilor Trickett asked how much this mailer would cost. Mr. Poore said staff had a rough estimate of \$3,000.

Councilor Trickett says something should be added to the "Keep Talking" section on how residents can contact the town. Councilor Johnson and Chair Kuhn agreed.

Motion carried 7-0.

### **Adjourn**

Councilor Asherman moved to adjourn; Councilor De Lima seconded. Motion carried 7-0.

The meeting adjourned at 8:35 pm.

Respectfully submitted,

Kimberly Darling and  
Melissa Tryon  
Recording Secretaries