

Town Council Meeting Minutes February 24, 2020

Chair Kuhn called the meeting to order at 7:00 pm

Roll Call

All Councilors were present and answering roll call.

Pledge of Allegiance

Chair Kuhn led those present in the Pledge of Allegiance.

Item 1 Public Comment Period.

Chair Kuhn opened the public forum.

Lee Hanchett of Stone Ridge Road discussed a letter from Robert King concerning the selection of the vision and values consultant. He urged the Council to take a close look at it. Mr. Hanchett expressed concerns including that the selected consultant was the most distant and the most expensive, that a consultant was selected before pricing was obtained, that high school students, sports clubs, and special interest groups were included in the stakeholder group for a prior study by the consultant, and that the results of other studies conducted by the consultant were general. He said if the Council was serious in their concern for older retirees with fixed incomes then it should stop and think before it signs on with an elaborate consultant.

John Winslow of Gray Road emailed the Planning Department staff regarding what is required of a traffic study. He said that the Town subdivision ordinance neither references nor defines a traffic study. He asked why the Town was not conducting water quality testing in advance of subdivisions being developed in order to create a baseline. He also expressed concern about the process for selecting the vision and values consultant. He felt that the consultant was misaligned with Falmouth. He expressed concern about the price and that a bid process was not conducted.

Chair Kuhn closed the public forum.

Item 2 (Consent Agenda)

- **Order to approve the minutes of the January 27, 2020 Town Council Special Meeting.**

Councilor Asherman moved the order; Councilor Cahan seconded.

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

The motion carried unanimously.

Item 3 Report from staff, Council committees, and Council liaisons regarding updates on assignments and projects.

There were no committee updates.

Chair Kuhn reminded the public of two upcoming public forums. The rescheduled Short-term Rentals Public forum will be held on March 11 at 7:00 pm in the Council Chambers. The second Intersections of Route 88

and Johnson Road and Town Landing Road Public Forum will be held on March 18 at 7:00 pm in the Council Chambers.

Item 4 Update on FY21 Town and School Department budget process and challenges.

Pete McHugh, Finance Director, delivered the presentation. He discussed Town budget challenges including Fire Department staff increases, staff wage increases, communication costs, benefit cost increases, building security enhancements, and the library budget request. He reviewed the Library FY21 budget challenges including cost of living increases, increased hours of tenured staff, increased contribution to MainePERs, increase in property and casualty insurance due to the larger building footprint, new equipment, adding four part-time staff positions, and hiring a new director. The School budget challenges include reduced state funding allocation due to drop in enrollment, teacher contract negotiations, health premiums, social, emotional, and behavioral needs of students, identified needs of incoming students, special education needs and modifications, increasing and more intensive English Language Learning needs, overall capital planning, student growth, early learning, CES students, and safety and security. He reviewed the factors impacting changes in state education revenue. He reviewed the upcoming budget meeting and workshop schedule.

Chair Kuhn reminded the public that all Finance Committee meetings are open to the public.

Item 5 Presentation and special public comment opportunity on Falmouth Fire-EMS Department staffing study findings.

Nathan Poore, Town Manager, and Howard Rice, Fire Chief, delivered the presentation. Mr. Poore said that he was delivering the presentation alongside Chief Rice because the staffing increases were included in the budget that he presented to the Council. It is a recommendation from the Chief Rice, the Consultant, and him. He reviewed the history of Falmouth Fire-EMS. He reviewed a timeline of the Department's staffing changes. Chief Rice reviewed the five categories of challenges facing the Department. He reviewed a slide from the February 10 staffing study presentation listing the types of situations the Department should be able to handle with appropriate staffing. He reviewed highlights from the Department's employee satisfaction survey. He said that the largest reasons why members were not responding to calls was work and family. He reviewed maps showing response times from staffing Central Station and Station 4. Chief Rice reviewed the staffing study staffing plan and the Town's proposal. In the FY2021 budget the Department is asking for an additional 14 Fulltime Fire/EMS staff at Central Station and an additional 2 daytime per diem Fire/EMS staff at Station 4. Mr. Poore described a phase 2 of the staffing plan including the addition of an additional 12 Fulltime Firefighter/EMTs at Station 4. He was not sure when phase 2 would happen. He discussed the possibility of a regional solution to achieve phase 2. He has been speaking with the managers of surrounding towns. He said that the FY21 impact of phase one of the staffing plan is \$1,372,104. The FY22 impact is projected to be \$1,465,128. He said that the Town will be looking into the facilities conversions necessary to house the increased staff.

Chair Kuhn opened the public comment period.

John Winslow of Gray Road said that the need for fulltime staff should not be a surprise. He said that the Town developed the OceanView/Natural Gas TIF in 2016. He felt that many Fire/EMS calls were from OceanView. He expressed concern that TIF funding was not being used to fund the staffing increases. He thanked Falmouth Fire-EMS for their good work.

Lee Hanchett said that the staffing increase was a need but that other recently funded projects were "wish for" items. He said that this was a good opportunity to think twice about the wish for items when you know that you have needed items.

Bill McKenney expressed gratitude for the Department and said it was an invaluable service. He encouraged the Council to heed the recommendations of the study and the Chief and hire the recommended staff as soon as possible. He asked the Council to look into whether the Police Department may have similar staffing challenges.

Ron Dearth of 20 Falmouth Road has been a per-diem member of Falmouth Fire-EMS for 16 years. He supported the proposed staffing plan. He felt that the call system leaves citizens at risk and jeopardizes fire safety. He described a fire alarm call at OceanView when no call members responded. He described the problems that could have arisen if there was an actual fire. He felt that Chief Rice and Mr. Poore had done a good job of making short-term fixes but that it was time for a more permanent fix.

Dave Cutler is Captain of the Foreside Fire Station and has been a call firefighter for 17 years in Falmouth and now serves per diem. He said that he has been the top Falmouth responder in previous years. He described the staffing changes he has seen over his 17 years with the department. He said that Foreside Station is down to 4 responders. He described what could have happened had there been an actual fire at a recent fire alarm call at Shaw's when only a few members responded.

Captain Jamie Garland of Mast Road is the captain of the Winn Road Station. He described arriving at a fire call with only one other member and trying to decide whether to check if people were inside the house. He felt that the Town must look to future and keep people safe.

Chair Kuhn closed the public comment period.

Councilor Johnson asked if he was correct that the number of fire calls has diminished. Chief Rice said there has been a reduction in the number of fire calls in town but that EMS calls had increased. Councilor Johnson asked if the EMS calls included lift assists. Chief Rice said yes. Councilor Johnson asked for clarification that it was common to have three EMS calls at one time. Chief Rice said yes. He said there were more than 300 instances in which there were two calls at once. He said the Department gets two calls at the same time almost daily and three calls at the same time a few times a month. He said three calls at once is becoming increasing frequent. Councilor Johnson asked if Chief Rice could describe a lift assist. Chief Rice said it is often people who have fallen and need help getting up or homebound individuals who need help getting in and out of their houses. Chief Rice further described the house fire call that Captain Garland discussed.

Councilor Trickett asked Chief Rice about the budgetary impacts of the Department's calls related to the senior living facilities. Chief Rice said that most of the residents of the senior living facilities have good insurance, so the ambulance bills are well paid.

Councilor Cahan thanked the firefighters who provided public comment.

Chair Kuhn thanked the Fire-EMS Department for their dedicated work. She said that next steps would be for the Council to continue to work with these materials through the budget process. She reminded the public about the schedule of upcoming budget meetings.

Item 6 Public Hearing on an Ordinance for Pesticide and Fertilizer Regulations.

Councilor Cahan provided an overview of the revisions that that Ordinance Committee made to original proposed ordinance.

Kimberly Darling, Energy and Sustainability Coordinator provided an update on water testing. Councilor Trickett asked what would be covered in the FB Environmental Associates proposal. Ms. Darling said it would be doing sampling in streams, outflows, etc. It is not testing saltwater specifically. Staff are hoping to

meet with FB Environmental Associates after the March 9 meeting to revisit the proposal. Chair Kuhn said this is part of implementation of the ordinance.

Councilor Asherman asked how the work that FB Environmental Associates would be doing would overlap or be different from the work that Friends of Casco Bay is doing. Ms. Darling said that it would be necessary to hold a follow up meeting with those parties obtain that information. Ms. Darling reviewed the draft registration form and draft reporting forms. Councilor Cahan said that requiring applicators to report dates is important for helping the Town determine if there is a time of year when it would want to do more restrictions in the future.

Chair Kuhn opened the public hearing.

Mabel O'Brien asked if what the water testing would test for and whether there would be any coordination once the Town found out what pesticides were applied to see if they are in the water. Ms. Darling said that the intention is that the reports from the applicators will inform what chemicals the water testing is testing for. She said that the intention is seeing if what is applied on land is in the water.

Palmer Higgins of Mainely Grass cautioned the committee about nuances surrounding time of year for application. He said that Falmouth can run coastal to inland and climate in the area can deviate quite a bit. He said that commercial applicators are required to follow product labels which provide instruction regarding applications at certain temperatures. He said that painting all of Falmouth with a broad brush such as its hot or too windy is a misnomer. He said that summer dormancy restrictions do not factor in irrigated lawns, shade, and cultivars which do not go into dormancy. He cautioned that the Town could infer incorrect things by looking at the data and would receive very long lists. He felt that the reports would be difficult to analyze. Councilor Trickett asked for an estimate on the amount of data that would be received. Mr. Higgins said that every time an applicator visited a property it would have to go on the list. He said that applicators could visit a property between 3 and 10 times over the course of the summer. He said that the commercial applicator industry only counts for 20-40% of applications. Most of the market for application is made up of do it yourselfers.

Art Batson of 13 Maple Street and one of the owners of Lucas Tree expressed two concerns: 1) measuring the effects of education and 2) the approach for the determination of any future regulation. He felt that the plan lacks a baseline. He said that baseline surveys are an important starting point for any project and are important for determining the effectiveness of a project. He suggested collecting the data, waiting a year, and then doing the education campaign so that the impact of the campaign can be measured. He expressed concern that the resolution did not require water testing or that decisions were based on science. He felt that if the data and the science support more regulation, the industry will support it.

Chair Kuhn closed the public hearing.

Councilor Cahan said that everything that was mentioned is information that the Town wants to have and to track and monitor for education components are well as for potential changes in the regulations. She appreciated the applicators' feedback and wanted to continue to work with them as things moved forward.

Councilor Trickett felt that the Ordinance Committee and staff did a good job of incorporating the public comments. He said it sounded like the industry is not excited about having to do the reporting but is accepting of it as at least a compromise solution that people can live with. He felt that the Town was in a good place with the ordinance itself. He said it sounded like these are implementation questions and it comes down to wanting to have a baseline and projecting out a year from now and asking the question what have we learned. He felt that if in a year from now a baseline has not been established it would be hard to draw

conclusions. He encouraged staff and volunteers to look at how this is implemented and rolled out. He thought it was important to have a baseline of facts and that the baseline was rooted in testing. He felt that the testing should be done sooner rather than later so that the Town can measure whether the education campaign is successful. He skeptical about being able to draw any conclusions without a baseline.

Chair Kuhn said that she is very interested in making evidence-based solutions. She felt that the intention of the ordinance is to develop a body of evidence and information so that a future Council can evaluate whether there really is a problem. It seemed to her with the public input that was received last time and the changes that are made it would be imposing an additional burden on applicators but one that seems absorbable without too much difficulty at this time and can lend information to future decisionmakers.

Councilor Asherman was interested in a point that was made during the general public comment opportunity about requiring proposed developments to do baseline water testing. He thought that it was something that should be considered.

Councilor Johnson said that he appreciated the work that has been done by the staff in interacting with the commercial applicators that he thinks it got to a more amenable result. He acknowledged that non-commercial applications are going to be tougher to regulate but thought this is a good first step.

Councilor Hemphill applauded all the work that has gone into this and the feedback that has been received. He felt that the educational value of this information would prove itself in the future and that Falmouth would be a better-informed community. He felt that this effort would result in improved homeowner and commercial application overtime.

The order was scheduled for the March 9 meeting.

Item 7 Update on process of selecting a consultant to assist with the community vision and values project.

Chair Kuhn said that the vision and values project is part of the implementation and public engagement resolution that was passed this summer it is the first step in the comprehensive plan and that is why it has been a priority in the Council's work plan.

Mr. Poore said the Council designated Councilors Trickett and Kuhn to work with Theo Holtwijk and himself. The Council through several public meetings developed an RFQ. He described the difference between a RFQ and a RFP. He felt that the RFQ process worked extremely well with this project. It was Council driven and Councilors contributed ideas towards widely advertising it. It was advertised nation-wide and regionally. 13 firms submitted proposals. The four-person team read through all the reports and selected 6 firms to interview. Interviews were conducted over two days. The top firm, Future iQ is a small firm headquartered in Minneapolis, MN. They have global experience, but have worked with smaller towns and have experience in Maine. Their emphasis on community engagement and data and research analysis caught the staff team's attention. They have custom built systems that can be tailored for their clients. The team really liked that the CEO, David Beurle would initially create a focus group of a few hundred people that would be the base that would be relied on throughout the process. There would then be surveys and targeted forums. Mr. Beurle showed great energy and works fast. He is from outside of Maine, but the team felt that there was some benefit to hiring a firm from away in providing a level of objectivity. He read quotes from Mr. Beurle's references. He felt that it kept building with Future iQ from the firm's RFQ submissions to the interview to the references. He felt that the process should continue to be guided by the Council. He reviewed the schedule moving forward.

Councilor Trickett said that he learned a lot from the process and reading the proposals and interviewing the firms. It expanded his own ideas about what was possible. He said that this was a competitive process with the idea of finding the proposal that was the best fit. He said if the Town and the top firm could not come to terms none of the other firms would be disqualified. He said that Future iQ's proposal and interview were unique. His approach was different in that he did not demand that the Council form a committee to direct his efforts. Future iQ develops a think tank with a huge number of people. The process that Future iQ then follows creates a structure but it is not directed. Councilor Trickett said that Future iQ was also unique in not wanting the Council to tell them what the issues were. Future iQ felt that the issues would emerge through engaging with the Town. It is important to the Council that the vision and values come from the residents. He felt that more than any of the other proposals, Future iQ demonstrated that they have successfully done that elsewhere. He felt that Future iQ probably has the most experience doing this exact process. A lot of the other firms did not have experience with the process of arriving at a vision and values statement.

Chair Kuhn said that Future iQ stood out to her because of their experience in doing this work in similar communities across the country. She said that similar towns meant rural and suburban towns on the outskirts of growing cities. She said that the themes that emerge in those communities are universal and include discomfort around the rate of change going on in the communities. She felt that it gave them very relevant experience with the kinds of issues that Falmouth is facing. She also liked that their engagement strategies were broad and diverse and different and geared to engaging a lot of different people in a lot of different ways and ways that were not going to have the effect of privileging one viewpoint over another. She said an example of that was the think tank concept. She felt a lot of discomfort with the proposals that called for the Council to put together a cabinet to design the process. She felt it was a hard thing to do and that the Council should not be involved in the process. She said that the Future iQ model starts out with the broadest possible group and then narrows down which she felt was a much better solution. Future iQ also had a unique methodology for synthesizing diverse viewpoints. She said that it is data driven and has the effect of highlighting the mainstream viewpoint. He puts the data into scatterplots and everyone's opinion is reflected but you can tell where the majority opinion is. It is not aspirational. It is saying in a democratic way that this is what most people believe. She said that for the end project the Council wanted to get something back for a vision and values statement that was concrete enough that it would enable policy decision making. She was impressed with Future iQs reports.

Councilor Asherman asked for clarification that Future iQ quantifies data from the information that they receive vs. brings in data. Chair Kuhn said that she thinks initially there is an option that they will do a consolidation of existing data to lay the context of the conversation, but the data used to drive outcomes is what Future iQ is hearing. Councilor Trickett added that Future iQ showed the team a dashboard that would allow residents to see what the data is at different phases and to analyze in different ways. Future iQ discussed how having that data could facilitate further conversations. Chair Kuhn added that she did not come in with any ideas about whether the Town would select someone local or from out of state. She said that this methodology was so different and spoke so much to the challenges that the Town has experienced.

Councilor Cahan said that this was a competitive process. An RFQ is a very commonly used way of reaching out to many different companies and getting them to apply. Having 13 responses is great. She was excited to hear that there was a company that addressed the Council's question of whether it is hearing from the majority. She felt that it sounded like the team had found a company that could help get the broader voice and show it in a data driven way. She addressed a comment about including students in the stakeholder group. She thought it was an exciting idea to use students. She said that as a Town we want to have a seniors age in place but also want to continue to be an attractive place for young families. Councilor Trickett said that he was initially hesitant when hearing about including students but realized that they are stakeholders as they are the future residents of the Town. He said that the Future iQ charts would allow people to identify which of the responses were from students. He said that another important stakeholder group was business owners

and their employees. He felt that it was only a plus that Future iQ includes these groups' perspectives. Chair Kuhn said that almost all the interviewed consultants talked about engaging students. That is a normal part of this process. She said that one reason for that is because engaging students is an important way to reach parents.

Councilor Johnson said it was specifically high school students. He felt that these were essential voices to include. They represent the next generation of the workforce. He addressed a comment about being from away. He did not care where someone is from as long as they are qualified. He felt that the Towns that Future iQ had worked with had the same fit and feel as Falmouth of being suburban, northern, rural communities. He asked about the goal of engaging 30% of the population. He asked if the Town had stated that goal previously or if it was something that Future iQ came up with. Chair Kuhn said that there was a set group of questions that all of the firms were asked to respond to. She said that the Council would like to see broad engagement. It is an ambitious goal, but we are going to go for it and felt that there was a reasonable plan in place to do it. She said that the team discussed that there will be different depths and quality of engagement. A smaller group at the end will have engaged at a deeper level. Councilor Johnson said if we do not get 30%, he did not think that would be damaging to the results. He thought it was more about the quality of the data and that the data is collected from a diverse population. Councilor Trickett added that all six firms said that 30% was not possible if you are talking about actual survey responses. Future iQ said that in-terms of deeper engagement 10 or 15% would be a good number and that 30% could be the goal for touches. Councilor Trickett did not want the 30% to be setting an expectation. Everyone said that a 30% response rate is not realistic, but the Council set that goal to emphasize that it wanted as broad of participation as possible.

Councilor Hemphill said he was pleased with the discussion and the additional background that Councilor Kuhn and Trickett provided. He felt that the Council had a consensus agreement to have two Councilors do most of the interviewing with staff. He said that the team was very forthcoming with their iterative process and kept the other Councilors informed about who they were considering and how they were interviewing them. He felt it was a successful process and was very excited about where things were at. He looked forward to working with Future iQ.

Chair Kuhn said that next steps included staff continuing to finalize the scope of work and the budget. Staff will come back before the Council at a future meeting. At that time, if there is a resolution or supplemental appropriation, there will be opportunity for public comment.

Adjourn

Councilor Cahan motioned; Councilor Johnson seconded.

Motion carried unanimously.

The meeting adjourned at 9:22 pm.

Respectfully submitted,

Marguerite Fleming
Recording Secretary