



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
MINUTES

MONDAY

AUG. 6th, 2018

7:00 P.M.

Attending:

*Mayor McPike
Councilor McAvoy
Councilor Cormier
Councilor Wilde
Councilor Marble
Councilor Wright
Councilor Ryder*

*Town Manager Chandler
Town Clerk Paula Scott
CEO Myles Block
Public Safety Dir. Rogers
Town Planner Karen Cullen
Resident Valerie Webster
Resident Eric Jarvi*

Mayor McPike called the meeting to order at 7:00 p.m.

- A. PLEDGE OF ALLEGIANCE** – *Mayor McPike led the Pledge of Allegiance*
- B. CONSENT AGENDA** – *Councilor McAvoy made a motion, seconded by Councilor Wilde, to accept the consent agenda. Councilor Marble made a motion to amend the motion to set aside the Infrastructure Committee minutes for correction, seconded by Councilor Ryder. The motion to amend was brought to vote. Unanimous in favor, 7-0.*

Resolution 2018-109

The motion to accept the consent agenda was then brought to vote. Unanimous in favor, 7-0.

Resolution 2018-110

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. **June 18th, 2018 Council minutes**
- b. **July 2nd, 2018 Council minutes**
- c. **July 16th, 2018 Council minutes**

3. COMMUNICATIONS

- a. **Information on the services provided by Eastern Area Agency on Aging**
- b. **Letter to the FTA regarding the Community Connector**

NOTE: The Council will take a 5-minute recess at 8:00 pm.

4. REPORTS

- a. **Finance Committee Minutes – July 2nd, 2018**
- b. **Infrastructure Committee Minutes – June 25th, 2018**
- c. **Planning & Development Committee Minutes – June 6th, 2018**
- d. **Services Committee Minutes – March 12th, 2018**

C. PUBLIC COMMENTS – *Mayor McPike recognized Eric Jarvi of 10 Sophie Lane who approached the podium. Mr. Jarvi informed Council and the public watching at home that at 10:30 a.m., the Hampden Historical Society broke ground at the site of the future archival wing. The capital campaign called “Our History Lives Here” has raised \$378,000 of the \$500,000 needed for the cost of expansion. This is due to the generosity of Hampden businesses and numerous people who have donated money and in-kind services. He thanked Mary Poulin, Bion and Doreen Foster for their efforts leading the campaign.*

D. POLICY AGENDA

- 1. NEWS, PRESENTATIONS & AWARDS** - *None*
- 2. PUBLIC HEARINGS** - *None*
- 3. NOMINATIONS – APPOINTMENTS – ELECTIONS** - *None*
- 4. UNFINISHED BUSINESS** - *None*

5. NEW BUSINESS

- a. **Request for authorization for the expenditure of \$2,600 from Municipal Building Reserve Account (3-702-00) for the replacement of existing lighting in the Community Room – referral from Finance & Administration Committee** - *Councilor McAvoy made a motion to authorize the expenditure of \$2,600 from Municipal Building reserve to replace the lights in the community room. Councilors McAvoy, Cormier, Marble, Wright, Ryder and Mayor McPike voted in favor. Councilor Wilde voted in opposition. Motion carries, 6-1*

Resolution 2018-111

- b. **Request for authorization for the expenditure of \$4,200 from Municipal Building Reserve Account (3-702-00) to decommission the hot water heater and re-pipe to the existing boiler – referral from**

Finance & Administration Committee – Councilor Wright made a motion, seconded by Councilor McAvoy, to authorize the expenditure of \$4,200 from Municipal Building reserve to decommission the hot water heater and re-pipe the existing boiler. Unanimous in favor, 7-0.

Resolution 2018-112

- c. **Request for authorization for the expenditure of \$2,000 from Municipal Building Reserve Account (3-702-00) to remove the existing VCT flooring and apply epoxy coating in the town office lobby – referral from Finance & Administration Committee** – Councilor McAvoy made a motion, seconded by Councilor Wilde, to authorize the expenditure of \$2,000 to remove the VCT flooring and apply epoxy to the floor in the town office lobby. Unanimous vote in favor, 7-0.

Resolution 2018-113

- d. **Request for authorization for the expenditure of \$2,816 from Municipal Building Reserve Account (3-702-00) to remove the carpeting and apply epoxy coating in upstairs rooms of public safety – referral from Finance & Administration Committee** – Councilor McAvoy made a motion, seconded by Councilor Marble, to authorize the expenditure to remove carpeting and apply epoxy in the upstairs rooms of public safety. Councilor Wilde explained that this is a result of the mold remediation already approved as an additional charge. Motion brought to vote. Unanimous in favor, 7-0.

Resolution 2018-114

- e. **Request for authorization for the expenditure of \$1,200 from Municipal Building Reserve Account (3-702-00) for the installation of wiring and a switch to the town Christmas tree – referral from Finance & Administration Committee** – No referral from Finance Committee so item was passed over.
- f. **Request for authorization for the expenditure of \$3,500 from Municipal Building Reserve Account (3-702-00) for the installation of ADA compliant door openers for the Public Safety entrance – referral from Finance & Administration Committee** – Councilor Wright made a motion, seconded by Councilor Marble, to authorize the expenditure of \$3,500.00 from Municipal Building Reserve to install ADA

compliant door openers for the Public Safety entrance. Councilor Marble explained that this is in addition to the ADA openers that were installed in the front of the building and continuation of discussions that started two years ago to become better compliant. Motion was brought to vote. Unanimous vote in favor, 7-0.

Resolution 2018-115

- g. **Town Council referral to public hearing for August 20th, the proposed amendment to the Hampden Mobile Home Park Ordinance, Section 8.3.18, Minimum Separation Requirements – referral from Planning & Development Committee** – Councilor Ryder explained that this is just going back to the State requirements. Councilor Ryder made a motion, seconded by Councilor Marble to refer to public hearing on August 20th. Unanimous vote in favor, 7-0.

Resolution 2018-116

- h. **Town Council approval of the proposed emergency ordinance entitled Town of Hampden Emergency Ordinance Regarding Medical Marijuana Retail Stores, effective upon adoption, pursuant to Sec. 214 of the Town Charter – referral from Planning & Development Committee** – Councilor Marble made a motion, seconded by Councilor McAvoy to adopt the proposed emergency ordinance, entitled Town of Hampden Emergency Ordinance Regarding Medical Marijuana Retail Stores, effective on August 6th, 2018. Manager Chandler reported that because of recent legislation regarding recreational adult use marijuana the State has also amended existing medical marijuana laws. Manager Chandler stated that towns can allow the sale of medical marijuana in a retail establishment and this emergency ordinance will give the Town time to develop where we might want to allow those establishments. Mayor McPike asked for a roll call vote. Councilor Ryder – yes, Councilor Wright – yes, Councilor Marble – yes, Councilor Wilde – yes, Councilor Cormier – yes, Councilor McAvoy – yes, and Mayor McPike – yes. Unanimous in favor, 7-0.

Resolution 2018-117

- i. **Town Council referral to public hearing for August 20th, the proposed ordinance entitled Town of Hampden Moratorium Regarding Medical Marijuana Retail Stores – referral from Planning & Development Committee** – Councilor McAvoy made a motion,

seconded by Councilor Ryder to refer the proposed ordinance entitled Town of Hampden Moratorium Regarding Medical Marijuana Retail Stores to public hearing for August 20th. Manager Chandler explained that this is an extension of the emergency ordinance just passed which is good for only 60 days, by Charter. This will extend another 120 days and again, be in place to allow the Town to develop regulations and zoning relative to medical marijuana retail sales. Councilor Wilde stated that this is in response to the vote in 2016 where the townspeople overwhelmingly voted against legalization of marijuana. Mayor McPike called for a roll call vote. Councilor Ryder – yes, Councilor Wright – yes, Councilor Marble – yes, Councilor Wilde – yes, Councilor Cormier – yes, Councilor McAvoy – yes, Mayor McPike – yes. Unanimous vote in favor, 7-0.

Resolution 2018-118

- j. **Town Council referral to public hearing for August 20th, the proposed ordinance entitled Town of Hampden, Maine Marijuana Ordinance – referral from Planning & Development Committee –** *Councilor McAvoy made a motion, seconded by Councilor Ryder to refer the proposed ordinance entitled Town of Hampden, Maine Marijuana Ordinance to public hearing for August 20th. Manager Chandler spoke to the intent of the ordinance in regulating the amount of additional mature, immature and seedlings that someone can grow in addition to what the statute allows. Planner Cullen clarified the three options under the law; plants can be grown on either a person’s property of domicile, or property they own but do not live on, or someone else’s property with a written agreement. This ordinance will limit the additional number of mature plants that can be grown on a parcel. In answer to questions by Councilor McAvoy about the number of ordinances the town will ultimately have regarding marijuana, Planner Cullen stated that this is going to ultimately be the only ordinance that will be filled with all things pertaining to marijuana, including licensing and permitting, in the future. Discussion ceased, and the motion was brought to vote. Unanimous vote in favor, 7-0.*

Resolution 2018-119

- k. **Town Council referral to Public Hearing for August 20th, the proposed Ordinance Authorizing Appropriation and Borrowing of Funds to Finance Road and Bridge Improvements – referral from Finance & Administration Committee –** *Councilor Ryder made a*

motion, seconded by Councilor Marble, to refer the proposed Ordinance Authorizing Appropriation and Borrowing of Funds to Finance Road and Bridge Improvements to public hearing for August 20th. Councilor McAvoy made a motion to amend the motion to include borrowing up to \$1.4 million, seconded by Councilor Marble. The motion to amend was brought to vote. Unanimous vote in favor, 7-0.

Resolution 2018-120

Councilor Ryder clarified that the number was just a target number but it may or may not change. He invited the public to attend the hearing. Manager Chandler stated that the total amount is to fund four different infrastructure projects which are the additional funds needed for Route 1-A project, the traffic signal at the intersection of Rte. 1-A and Western Ave, and the repair of the Manning Mill and Sawyer Road bridges as identified by MDOT. He stated that we will be looking to spend less, depending on the bids. The amended motion was then brought to vote. Unanimous vote in favor, 7-0.

Resolution 2018-121

E. COMMITTEE REPORTS

Planning & Development – Councilor Ryder reported that committee reviewed and discussed the proposed medical marijuana and recreational ordinances that were referred tonight.

Services – Councilor Marble stated that on 7/18, members reviewed and discussed the possible additions to parking at the municipal site and recommended an RFQ for permitting. The committee was addressed by a member of the public, Chris Packard who represents the Landmark Heritage Trust to discuss the possibility of acquiring public access to the Souadabscook at the lot commonly known as Vafiades landing. Committee discussed proposed changes to the Harbor Ordinance and possible public hearing but postponed to allow Manager Chandler to research legalities with the Harbor Master enforcing town ordinances.

Infrastructure - Councilor Cormier reported that at the 7/23 meeting, the committee discussed a code complaint awaiting resolution, were updated on the status of mold remediation and the paving program. Paving was to start the same day. The committee approved the purchase of a truck for the cemetery. Members were updated on status of School House Lane, to begin this fall, and discussed the bond that was referred tonight.

Finance – Councilor McAvoy reported that all items discussed in committee were dispensed with tonight.

- F. **MANAGER'S REPORT** – *Manager Chandler offered highlights from his written report, attached as Exhibit A. In speaking about the recent regional active shooter training, he commended Chief Rogers, Sgt. Bailey, and Lt. Lundstrom for their efforts.*

- G. **COUNCILORS' COMMENTS**
 - Councilor Ryder – No comment*
 - Councilor Wright – Reminded everyone to attend Children's Day this weekend*
 - Councilor Marble – Also reminded the public about Children's Day and offered congratulations to the Hampden Historical Society*
 - Councilor Wilde – Stated that the town center planning meeting had a good turn out and thanked citizens for attending.*
 - Councilor Cormier – No comment*
 - Councilor McAvoy – Reminded everyone to be careful in this heat and to pay attention to older folks to make sure they are safe. He reminded everyone to shop local and buy American and wished Hampden good night.*
 - Mayor McPike – Informed the public that the ordinances discussed here tonight are on line for the public to review, or they can stop at the town office.*

- H. **EXECUTIVE SESSION – Attorney-Client Consultations – pursuant to 1 MRSA § 405 (6) (E)** – *Councilor Wright made a motion, seconded by Councilor Cormier to enter executive session for attorney-client consultations. Mayor McPike called for a roll call vote. Councilor Ryder – yes, Councilor Wright – yes, Councilor Marble – yes, Councilor Wilde – yes, Councilor Cormier – yes, Councilor McAvoy – yes, Mayor McPike – yes. Unanimous vote in favor, 7-0.*

Resolution 2018-122

- I. **ADJOURNMENT-** *The meeting was adjourned at the conclusion of the executive session.*

Respectfully Submitted,



Paula A. Scott, CCM
Town Clerk