



**HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
MINUTES**

.....  
**MONDAY**  
.....

**AUG. 20<sup>th</sup>, 2018**

**7:00 P.M.**  
.....

*Attending:*

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

*Ryan Murdock  
Hannah Rancourt  
Deb Lovley  
Kympton Lovley  
Richard Mudd  
Mathew Davidson  
Arthur Webster*

*Town Manager Jim Chandler  
Town Clerk Paula Scott  
Town Planner Karen Cullen  
Public Safety Dir. Joe Rogers  
Eric Jarvi  
Valerie Webster  
Ben Hanson  
Representative Haggan*

*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 Marble, to accept the consent agenda. Unanimous vote, 7-0.*

*Resolution 2018-122*

**1. SIGNATURES**

**2. SECRETARY'S REPORTS**

- a. **August 6<sup>th</sup> Council minutes**

**3. COMMUNICATIONS**

- a. **Preliminary 2019 State Valuation and sales ratios**  
b. **Notice of dividend payment from MMA due to good loss experience and loss prevention policies**

**4. REPORTS**

- a. **Finance Committee Minutes – Aug 6<sup>th</sup>, 2018**  
b. **Infrastructure Committee Minutes – None**  
c. **Planning & Development Committee Minutes – None**

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

d. **Services Committee Minutes – July 18<sup>th</sup>, 2018**

C. **PUBLIC COMMENTS - None**

D. **POLICY AGENDA**

1. **NEWS, PRESENTATIONS & AWARDS - None**

2. **PUBLIC HEARINGS**

- a. **Proposed amendment to the Hampden Mobile Home Park Ordinance, Section 8.3.18, Minimum Separation Requirements – referral from Council, August 6<sup>th</sup>, 2018 – At 7:05, Councilor McAvoy made a motion, seconded by Councilor Wright, to open the public hearing. A roll call vote was taken, unanimous, 7-0**

*Resolution 2018-123*

*Councilor Marble informed the public that this is just a minor change reflective of meeting State standards. Mayor McPike opened it up to public comments. Hearing no comments, at 7:06 Councilor McAvoy made a motion, seconded by Councilor Ryder to close the public hearing. A roll call vote was taken, unanimous, 7-0.*

*Resolution 2018-124*

*Councilor McAvoy made a motion to adopt the amendment to the Mobile Home Park Ordinance, Section 8.3.18, seconded by Councilor Ryder. Unanimous, 7-0.*

*Resolution 2018-125*

- b. **Proposed ordinance entitled Town of Hampden Moratorium Regarding Medical Marijuana Retail Stores – referral from Council, August 6<sup>th</sup>, 2018 – At 7:07 p.m., Councilor Wright made a motion, seconded by Councilor McAvoy to open the public hearing. Unanimous, 7-0.**

*Resolution 2018-126*

*Councilor Marble asked the Town Planner if she would explain this. She read from prepared notes, attached as (Exhibit A). Mayor McPike opened it up for public comments. There were none and Mayor McPike asked for a motion to close the public hearing. At 7:08, Councilor McAvoy made a motion, seconded by Councilor Marble, to close the*

*public hearing. Unanimous, 7-0.*

*Resolution 2018-127*

*Councilor McAvoy made a motion, seconded by Councilor Ryder to adopt the ordinance Town of Hampden Moratorium Regarding Medical Marijuana Retail Stores. Unanimous, 7-0.*

*Resolution 2018-128*

- c. **Proposed ordinance entitled Town of Hampden, Maine Marijuana Ordinance – referral from Council, August 6<sup>th</sup>, 2018** – At 7:09, Councilor Marble made a motion, seconded by Councilor Wright, to open the public hearing. Unanimous, 7-0.

*Resolution 2018-129*

*Mayor McPike asked the Planner if she would explain this. (Exhibit A) In a nutshell, the State has given towns the authority to limit the number of mature adult plants on a property. This is provided the limit does not infringe on the rights of any individual to grow 3 mature, 12 immature and unlimited seedlings on a property on which they are domiciled, own but do not live on, or lease with written agreement. The intent of this ordinance is to house all items pertaining to adult use marijuana once the state has developed all their rules. Mayor McPike recognized Valerie Webster of 1325 Carmel Road North. She stated that she is concerned about property at 1334 CRN which is across the road from her house. It is a large parcel and she is concerned about the number of people that can grow on someone else's property. She asked if it means that the person who is renting their land is the person tending the plants, or if it is the landowner. She asked a member of the audience to comment on this, but that gentleman was not at the podium and his response could not be heard. Mayor McPike stated that he would have to come to the microphone when Valerie was finished. Valerie then stated that her last comment was to remind everyone that Hampden voted 60/40 to not legalize marijuana. The Planner took the podium and answered the questions. The number of people that can grow on another person's property is three, and the person who is growing must be the one tending the plants. Mayor McPike recognized Mathew Davison of 1334 Carmel Road North. He stated that his facility is only a medical grow facility and has nothing to do with adult use marijuana. He stated that he will always be compliant with medical use law. He stated that he has regular inspections and is compliant. At 7:20, Councilor McAvoy made a motion, seconded by Councilor Ryder, to close the public hearing. Unanimous vote, 7-0.*

*Resolution 2018-130*

*Councilor Marble made a motion, seconded by Councilor Wright, to adopt the Town of Hampden, Maine Marijuana Ordinance. Unanimous, 7-0.*

*Resolution 2018-131*

- d. **Proposed Ordinance Authorizing Appropriation and Borrowing of Funds to Finance Road and Bridge Improvements – referral from Council, August 6<sup>th</sup>, 2018** – At 7:21, Councilor McAvoy made a motion, seconded by Councilor Wright, to open the public hearing. Unanimous, 7-0.

*Resolution 2018-132*

*Manager Chandler spoke to the proposed borrowing ordinance which will be for no more than \$1.4 million for repairs on Route 1-A, the traffic signal replacement on Rte. 1-A and Route 9, and bridge improvements on both Manning Mill and Sawyer Road bridges which were mandated by the State. Councilor Ryder stated for the public that this was discussed heavily in Finance Committee and that they added a cushion but not much of one, hoping that the State does not spring anymore price increases on the town. He stated that funds will only be borrowed for what is needed. At 7:23, Councilor McAvoy made a motion, seconded by Councilor Ryder, to close the public hearing. Unanimous, 7-0.*

*Resolution 2018-133*

*Councilor McAvoy made a motion, seconded by Councilor Ryder, to adopt the Ordinance Authorizing Appropriation and Borrowing of Funds to Finance Road and Bridge Improvements. Mayor McPike, Councilors McAvoy, Wilde, Marble, Wright and Ryder voted in favor. Councilor Cormier voted in opposition. Motion carries, 6-1.*

*Resolution 2018-134*

*Councilor Wright commended the Manager and staff for pulling all of this together. She acknowledged that this was the first thing that Manager Chandler was faced with on day one. Councilor Ryder also stated that three of these projects were mandated by the State and Federal government and we have no control over them.*

- e. **Consideration of a new Victualer's license application for Tradewinds Variety VI, located at 98 Coldbrook Road, owned by Eddington Market, Inc. and operated by Ben Hanson of Eddington**

– At 7:33, Councilor Ryder made a motion, seconded by Councilor Wright, to open the public hearing. Unanimous, 7-0.

*Resolution 2018-134*

*At the request of Councilor Marble, the clerk stated that because this is not completed yet and there is nothing for the building officials to inspect the recommendation is to approve the license conditional upon the occupancy permit being issued. At 7:35, Councilor Marble made a motion, seconded by Councilor Ryder to close the public hearing. Unanimous, 7-0.*

*Resolution 2018-135*

*Councilor Marble made a motion, seconded by Councilor Wilde, to approve the new victualer’s license for Tradewinds. Unanimous, 7-0.*

**3. NOMINATIONS – APPOINTMENTS – ELECTIONS - None**

**4. UNFINISHED BUSINESS - None**

**5. NEW BUSINESS**

- a. **Request for authorization for the expenditure of \$29,280 from Police Cruiser Reserve Account (3-753-00) for the purchase of a new cruiser – referral from Finance & Administration Committee – Councilor McAvoy made a motion, seconded by Councilor Wright, to authorize the expenditure of \$29,280 from the Police Cruiser Reserve account for the purchase of a new cruiser. Unanimous, 7-0.**

*Resolution 2018-136*

- b. **Council approval of an off-premise liquor license by a qualified catering organization, for an event to be held at the Historic Hampden Academy on September 12, 2018 – Councilor Marble made a motion, seconded by Councilor Wilde, to approve the off-premise liquor license by Jeff’s Catering. Unanimous, 7-0.**

*Resolution 2018-137*

- c. **Council approval to receive Snowmobile Club Trail Grant funds on behalf of Goodwill Riders Snowmobile Club – referral from Finance & Administration Committee** – Councilor Wright made a motion, seconded by Councilor Marble, to approve the acceptance of grant funds on behalf of the Goodwill Riders Snowmobile Club. Unanimous, 7-0.

*Resolution 2018-138*

*Mayor McPike stated that an item had come before the assembly not previously on the agenda, but which had been discussed in Finance Committee and asked for a motion to add to the agenda. Councilor McAvoy made a motion, seconded by Councilor Ryder, to add the item to the agenda.*

*Resolution 2018-139*

*Manager Chandler explained that the Fire Department applied for and was awarded a FEMA grant for the purchase of fitness equipment and that for a match by the town of \$1,863 the Town can receive \$39,135 in Federal grant funds. Councilor McAvoy made a motion, seconded by Councilor Ryder to authorize the expenditure of \$1,863 from Matching Grant reserve account for the Town's share of a grant for fitness equipment. Unanimous, 7-0. Councilor Ryder commended staff for applying for grants to obtain extra funding.*

*Resolution 2018-140*

- d. **Setting the 2018-2019 mil rate** – Councilor McAvoy made a motion, seconded by Councilor Marble to set the 2018-19 mil rate at 19.6. Manager Chandler explained that the Tax Assessor has finalized all calculations and changes in valuation and has submitted a recommendation of 19.6 based upon those calculations. This is on the low side of a range allowed by the State. Many factors contributed to the equation such as the RSU budget, County tax and our own budget. After discussion by Councilors, Mayor McPike asked for a roll call vote. Councilors Ryder, Wright, Marble and Mayor McPike voted in favor. Councilors Wilde, Cormier and McAvoy voted in opposition. Motion carries, 4-3.

*Resolution 2018-141*

**E. COMMITTEE REPORTS**

*Planning & Development – No report*

*Services – Councilor Marble reported that at the last meeting, committee members approved the draft RFQ for permitting for parking on the municipal site. Members discussed Vafiades landing and the bus service. Reviewing changes to the Harbor Ordinance has been postponed.*

*Infrastructure – Councilor Cormier reported that the next meeting is the 27<sup>th</sup>.*

*Finance & Administration – Councilor McAvoy reported that items dispensed with tonight were first discussed in committee.*

**F. MANAGER'S REPORT** – *Commended staff and Deputy Town Manager Joe Rogers for all the work done in his absence for both professional and personal reasons over the past two weeks.*

**G. COUNCILORS' COMMENTS**

*Councilor Ryder – No comment*

*Councilor Wright – Thanked all who attended Children's Day*

*Councilor Marble – No comment*

*Councilor Wilde – No comment*

*Councilor Cormier – No comment*

*Councilor McAvoy – Reminded everyone to shop local and buy American. He wished Hampden a goodnight.*

*Mayor McPike – No comment*

**H. ADJOURNMENT** – *With no further business, the meeting was adjourned at 7:55 p.m.*

*Respectfully Submitted,*



*Paula A. Scott, CCM  
Town Clerk*