

Fort Fairfield Town Council Monthly Meeting
Council Chambers
Wednesday, July 19, 2017
6:00 P.M.

- I. Roll Call
- II. Prayer
- III. Pledge to the Flag
- IV. Public Comment Period
- V. Correspondence and Reports
 - A. Licenses and Permits – Ms. Sharpe
 - B. Financial Report
 - C. Tri-Community Landfill Report – Mr. Rogeski
 - D. Update on Community Bandstand
 - E. 70th Maine Potato Blossom Festival – Mr. Goff
- VI. Old Business
 - A. Ordinance 17-08, Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs
- VII. New Business
 - A. Maine Municipal Association Vice President and Executive Committee Members Election
- VIII. Minutes of the June 21, 2017 Regular Council Meeting
- IX. Warrants: #26; \$292,778.50 #27; \$10,708.11 #1; \$215,210.11
- X. Other
- XI. Manager's Report
- XII. Executive Session
 - A. MRSA 405(6)(C)
- XIII. Adjournment



MEMORANDUM

July 19, 2017

To: Town Manager and Town Council
From: Billie Jo Sharpe, Town Clerk
Subject: Licenses and Permits

As of July 19, 2017 we received three (4) one day Catering Permit applications for The V.F.W Post 6187 for the beer garden during the Maine Potato Blossom Festival.



MEMORANDUM

July 14, 2017

To: Town Council
From: James Risner, Town Manager
Subject: Financial Report

The audit of the Fiscal Year 2016/2017 budget is underway, and is expected to be finished no later than September 15.

As of June 30, our expenses are 5.06% below budget. On the revenue side, we are 3.77% under budget.

I met with Superintendent Doak on July 13 to discuss changes to MSAD # 20's funding requirement from the Town. He is meeting with the School Board on July 20, and will contact me after the School Board has made a decision.

Real Estate and Personal Property tax collections were \$3,322,427.70 on June 30.

Cash flow is in good shape. We have \$925,000 in our savings account and \$22,108.59 in our checking account after Warrant #1 on July 13.

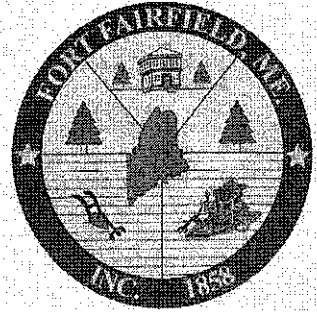


MEMORANDUM

July 13, 2017

To: Town Council
From: James Risner, Town Manager
Subject: Community Bandstand

I spoke with Mr. Pelletier of KPEL Industrial Services on July 13, and he informed me that the bandstand should be in Fort Fairfield the week of July 17, and KPEL will begin erecting the bandstand after it has been delivered.



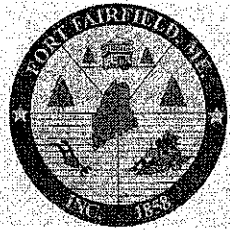
July 13, 2017

To: Town Council

From: James Risner, Town Manager

Subject: 70th Maine Potato Blossom Festival

Mr. Goff will update the Town Council on the 70th Maine Potato Blossom Festival, held July 8-16th.



MEMORANDUM

July 13, 2017

To: Town Council and Town Manager

From: Tony Levesque, Code Enforcement Officer

Subject: Ordinance 17-08, Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs

Background: Councilor Mitchell Butler introduced Ordinance 17-08, Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs (attachment 1), at the June 21, 2017 Town Council meeting. A public hearing was held on July 11 at 6:00 p.m. in the Town Council Chambers. The minutes of the public hearing are at attachment 2. No other comments have been received as of 2:00 p.m. on July 13.

Discussion: The proposed ordinance expressly prohibits retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, retail marijuana testing facilities, and retail marijuana social clubs in Fort Fairfield.

The voters of the Town of Fort Fairfield voted in opposition to the new law last November. The vote was 684 (41%) in favor and 989 (59%) in opposition.

The Maine Municipal Association continues to provide information on the new law. Below is a quote from a recent Maine Townsman Article (February 2018).

"Since the retail parts of the law have been delayed, local officials with doubts about the law have been asking whether local action - in the form of either a moratorium or an ordinance banning retail establishments - is still imperative. We continue to advise that if a municipality wishes to act, the sooner the better because, notwithstanding the delay in State licensing, there are still some potential legal risks if there are no safeguards in place in the meantime."

Recommendation: That Town Council adopts Ordinance 17-08, Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs.

1. PURPOSE

The purpose of this Ordinance is to prohibit retail Marijuana Establishments and Retail Marijuana Social Clubs in the corporate limits of the Town of Fort Fairfield.

2. AUTHORITY

This Ordinance is enacted pursuant to the Marijuana Legalization Act, M.R.S.A. c. 417 and Municipal Home Rule Authority, Me. Const., art. VII, pt. 2; and 30-A M.R.S.A. § 3001.

3. DEFINITIONS

For purposes of this Ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products marijuana facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

4. PROHIBITION ON RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA SOCIAL CLUBS

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, are expressly prohibited in this municipality.

No person or organization shall develop or operate a business that engages in retail or wholesale sales of a retail marijuana product, as defined by 7 M.R.S.A. § 2442.

Nothing in this Ordinance is intended to prohibit any lawful use, possession or conduct pursuant to the Maine Medical Use of Marijuana Act, 22 M.R.S.A. c. 558-C.

5. EFFECTIVE DATE; DURATION

This Ordinance shall take effect immediately upon enactment by the municipal legislative body unless otherwise provided and shall remain in effect until its amended or repealed.

6. PENALTIES

This Ordinance shall be enforced by the municipal officers or their designee. Violations of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A M.R.S.A. § 4452.

INTRODUCED: _____

**Public Hearing
Ordinance 17-08**

**To Prohibit Retail Marijuana Establishments and Retail Marijuana Social Clubs in the
corporate limits of the Town of Fort Fairfield.**

Tuesday, July 11, 2017

6:00 p.m.

Mr. Levesque began by reading the public notice that was posted on June 26, 2017 and advertised in the June 28, 2017 issue of the Star Herald.

Mr. Levesque noted that he has not received any written or oral comments regarding Ordinance 17-08 prior to this Public Hearing.

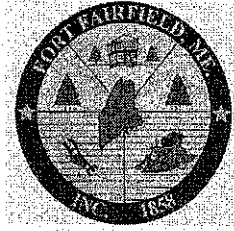
Mr. Levesque read proposed Ordinance 17-08 in its entirety. He then opened the floor up to any citizens who were opposed the adoption of Ordinance 17-08 as proposed.

Mr. Blair Adams – Mr. Adams stated that he attended the last Town Council meeting where there was discussion about the need to raise property taxes and at this meeting there is discussion about discouraging a legitimate business in Town that may be helpful with taxes. More businesses in Town would be beneficial to everyone. Discouraging a legitimate and lawful business would be ridiculous. Mr. Adams referenced Prohibition and when the Town of Easton was a “dry” Town, the people of Easton went to Presque Isle to purchase alcohol which was no tax benefit to the Town of Easton. Mr. Adams stated that this Ordinance will cause the same type situation by discouraging a legitimate business in Fort Fairfield.

Mr. Robert Novak – Mr. Novak stated that he was part of the 59 percent of Fort Fairfield voters that opposed the legalization of Marijuana in the State of Maine but that he is also in opposition of this Ordinance being approved by just the Town Council and thinks that it should go to a general vote by the residents of Fort Fairfield. Mr. Novak is concerned about the possible tax implications the Town could receive from a retail business.

Mr. Levesque asked if there were any more comments in opposition of the adoption of Ordinance 17-08 as read. Hearing none, he opened the floor to any citizen in support of Ordinance 17-08 as proposed.

Mrs. Pat Troicke – Mrs. Troicke stated that she is in support of Ordinance 17-08. Mrs. Troicke is not in favor of having marijuana in Town, that it brings too many problems and that their needs to be some morals and ethics in our Town regarding families wanting to raise their children in our Town and not having a drug social club. Mrs. Troicke said she is not familiar with the cost of marijuana or the tax benefits this type of business would bring to Fort Fairfield and would it really generate enough tax dollars to justify bringing this type of business to Town. This may add additional stressors to our infrastructure including our Police force.



MEMORANDUM

July 14, 2017

To: Town Council

From: James Risner, Town Manager

Subject: Maine Municipal Association (MMA) Vice President and Executive Committee Members Election

Background: The MMA is holding an election for vice president and three executive committee members. Attached is a copy of the voting ballot, biographical sketch of nominees and the cover memo from MMA.

Discussion: There is one candidate for vice president and three candidates for executive committee positions. The MMA does not provide for write in candidates, as MMA's process includes an opportunity to nominate a candidate by petition.

Recommendation: Town Council vote for one candidate for vice president and three candidates for executive committee positions and sign the voting ballot held by the Secretary to the Council.



July 14, 2017

To: Town Council
From: James Risner, Town Manager
Subject: Manager's Report

Public Safety

■ Police

- Fort Fairfield Police Department, in conjunction with Homeland Security Special Agent Chuck Ainsworth, hosted the summer program of Gear Up for Life-College Career Exploration students on July 6 at the police department. Ten students participated, and various career topics in law enforcement were discussed as well as some demonstrations of equipment. Attached are copies of notes Chief Newell received from some students that participated in the program.
- We received a Stonegarden Grant that will operate from July 9 through August 5, 2017. The total amount awarded is \$13,345.00. Stonegarden is a federal grant administered by the U.S. Border Patrol for the purpose of counterterrorism and international drug trafficking.
- A Fort Fairfield resident who wishes to remain anonymous donated two children's bicycles, one girls and one boys, to the police department to give to a child in need of a new bicycle.

■ Fire

- Fire Department Responses:

	Crown	EMS	Night Driver	--Fire Related Calls--	FD EMS Calls--	Meeting/Training
May	2			3	4	6
June	9			11	1	4
July (as of the 12 th)	4			1	0	2

Public Works

- Grading the Town's dirt and reclaimed roads. We are very pleased with how the Goodrich Cross Road held up over the past year.
- We will be paving over the new cross pipes on West Road on Thursday, July 13.
- We are supporting the Maine Potato Blossom Festival with set up and tear down of venues.

Administration

■ Mr. Goff

- Met with representatives from Northern Maine Community College, The Northern Border Commission and Economic Development Administration to discuss economic development opportunities for our community on June 20.
- Actively working all aspects of the Maine Potato Blossom Festival.

■ Mr. Levesque

- Conducted a Town wide inspection of property and roads with Darren Hanson on June 19 and 20.
- Randy Tarr began Quarterly Assessing Review on July 6.
- Scheduled to attend Federal Funding Action Plan Forum in Presque Isle on July 21.
- Scheduled to attend annual assessing school in Belfast from July 30 to August 4.

■ Mr. Risner

- Elected Chairman of the NMDC Executive Board of Directors at NMDC's annual meeting on June 22.