

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

Councilors: Jason Barnes, Mitchell Butler, John Herold, Melissa Libby, Scott Smith
Staff: James Risner, Shawn Newell, Darren Hanson, Tim Goff

Citizens: Four including Media

- I. Roll Call – Chair Jason Barnes asked that the record reflect all councilors were present.
- II. Prayer – Mr. Goff offered the prayer.
- III. Pledge to the Flag – all in attendance pledged their allegiance to the American Flag.
- IV. Public Comment Period –

Mr. Risner asked that “item VII.B.” Maine Potato Blossom Festival Mark under New Business be added to the agenda.

- V. Correspondence and Reports

- A. Licenses and Permits – Ms. Sharpe

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

- B. Financial – Mr. Risner

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.

Mr. Risner met with Superintendent Doak on July 13 to discuss changes to MSAD #20’s funding requirement from the Town. Mr. Doak is meeting with the School Board on July 20, and will contact Mr. Risner after the School Board has made a decision. Mr. Risner will keep Council informed.

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.

C. Tri-Community Landfill Report – Mr. Risner

The Board meets next Friday, Mr. Draper met with this Council last month. He has met with Limestone Board and the Select People. He has met with Caribou City Council once and he will meet with them again. He has also been talking with Presque Isle. Mr. Rogeski and Mr. Risner will keep Council informed.

D. Update on Community Bandstand

Mr. Hanson updated Council saying that the bandstand was delivered Monday, July 17. Over the last couple days, KPEL has started the construction. The building seems to be of the best quality and watching KPEL over the last couple days, they are the Company of quality and safety. We have a very good structure and we have very good Company putting it up. It looks very good and is going well.

E. 70th Maine Potato Blossom Festival – Mr. Goff

Tim gave an overview of the Festival saying that the weather was great overall and there were only a couple minor changes that needed to be made due to the weather forecast and not having the Bandstand this year. There was an ongoing issue with the email system in the Town Office that resulted in some vendors not attending this year due to the email issue and not communicating properly.

Mr. Goff said his goal over the past few years, has been to bring more people from away to Fort Fairfield and Aroostook County to this event and he said that this year by far has been one of the most successful years we have had

Mr. Goff shared a very positive Facebook post he received from a mother of a visiting Queen commenting about a wonderful experience visiting our Community for the first time.

Mr. Goff addressed a rumor he had heard about this being the last year for the Festival in Town. Mr. Goff encouraged people who have asked him about this rumor to talk to Council and Mr. Risner and express their concerns with them. Mr. Goff did say that if the Festival is to continue and be successful, there needs to be more volunteers. More young people are needed to step up and get involved in the future.

Mr. Goff thanked all the volunteers and sponsors and Town staff for all their work this year. Mr. Goff expressed that he will continue to work with the next Director and will help with any events that he can in the future.

Mrs. Libby, Mr. Smith and Mr. Barnes thanked Tim and staff for all the hard work over the past three years as Festival Director.

VI. Old Business – Mr. Risner

A. Ordinance 17-08, Prohibiting Retail Marijuana Establishments and Retail Marijuana Social Clubs.

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.

Mr. Risner read Ordinance 17-08 as proposed.

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.

Mr. Butler made a motion to adopt Ordinance 17-08 as written.

Mr. Herold seconded.

Discussion:

Mr. Smith added that he has spoken to Mr. Risner and also attended the Public Hearing held on June 13, 2017, where he saw 50% for the Ordinance and 50% against the Ordinance. Mr. Smith stated that once State Law is enacted, we should come back and review this Ordinance and have an opportunity to maybe allow Businesses because marijuana is here and it's been here. Mr. Smith said he would hate to see a Business or other people interested in cultivating marijuana be turned away. We have an Economic Development Committee that is working to bring businesses in and to do this, you are pushing businesses away.

Mr. Risner responded that the Ordinance does say that it remains in effect until amended or repealed. Council at any time can either amend or repeal or replace the Ordinance. Mr. Smith is concerned it would be put by the wayside unless someone forcibly tried to bring it back.

Mr. Herold commented that the State Laws pertaining to Marijuana do not address the fact that Marijuana is not legal by Federal Law. This can affect a marijuana related

business when dealing with banks operating under Federal banking rules. This can also affect the person(s) who like to hunt or purchase and possess a firearm.

Mrs. Libby agrees that there may be some degree of risk and that a social club is probably not a fit for Fort Fairfield but the retail establish and a social club are two different things. If we are not willing to take a risk sometimes, then we are going to remain where we've always been and another Town is going to take a risk and that business is going to go there. I think we need to keep an open mind and to be at least considered on a case to case basis.

Mr. Butler commented that he voted along with how the residents of Fort Fairfield voted on legalizing Marijuana in Maine. If the residents voted for it, then he would support it 100% but they didn't. He doesn't think that Fort Fairfield will make a lot of money on marijuana.

Mr. Barnes is also concerned about the Federal issue and if a legitimate business can even exist because of that. Mr. Barnes agrees that the economic aspect of a lost opportunity is a concern. Once the State has finalized what it's going to do, this Ordinance may deserve another look at.

Vote: Mr. Herold, Mr. Butler, Mrs. Libby and Mr. Barnes voted in favor of Ordinance 17-08.

Mr. Smith voted against Ordinance 17-08

Motion passed 4-1

VII. New Business

A. Maine Municipal Association Vice President and Executive Committee Members Election.

Mr. Butler made a motion for council vote as directed on the ballot.

Mr. Smith seconded.

No discussion.

Vote: All Affirmative

B. Maine Potato Blossom Festival Mark – Mr. Risner

Background: A mark may be a series of words, symbols or design (or a combination of these elements) that uniquely identifies a business, trade, or product. The Maine Secretary of State, through the Bureau of Corporations, Elections and Commissions, serves as the registry for all marks filed in Maine. Filing a mark with the Maine Secretary of State protects the mark from use by others within the State of Maine.

The MPBF mark is currently held by the Fort Fairfield Chamber of Commerce. The Fort Fairfield Chamber of Commerce used to run the MPBF. Several years ago that transitioned to the Town, and the Town has been running the MPBF since then.

The Fort Fairfield Chamber of Commerce has agreed to assign the MPBF mark to the Town. The assignment of the MPBF mark to the Town of Fort Fairfield allows the Town to have sole use of the mark in the State of Maine.

Recommendation: That Town Council authorizes the Town Manager to accept the assignment of the Maine Potato Blossom Festival mark from the Fort Fairfield Chamber of Commerce.

Mr. Herold made a motion to authorize the Town Manager to accept the assignment of the Maine Potato Blossom Festival mark from the Fort Fairfield Chamber of Commerce.

Mr. Butler seconded No discussion. Vote: All Affirmative

VIII. Minutes of the June 21, 2017 Regular Council Meeting

Mr. Butler made a motion to approve the minutes of the June 21, 2017 regular Council Meeting

Mr. Smith seconded No discussion. Vote: All Affirmative

IX. Warrants: #26; \$292,778.50 #27; \$10,708.11 #1; \$215,210.11

Mr. Smith made a motion to approve Warrants #26, #27 and #1 for the amounts listed.

Mr. Herold seconded No discussion. Vote: All Affirmative

X. Other - none

XI. Manager’s Report – Mr. Risner submitted this to the Council for informational purposes only.

XII. Executive Session

A. MRS 405(6)(C)

Mr. Butler made a motion for Council to go in to Executive Session.

Mr. Herold seconded. Vote: All Affirmative

Council entered into Executive session at 6:25 p.m.

No action was taken by Council.

Mr. Smith made a motion to come out of Executive Session.

Mrs. Libby seconded. Vote: All Affirmative

Council came out of Executive Session at 6:43 p.m.

XIII. Adjournment -

Mr. Butler made a motion to adjourn.
Mr. Herold seconded.
Meeting adjourned at 6:46 p.m.

Respectfully submitted

Billie Jo Sharpe
Council Secretary