

BRUNSWICK TOWN COUNCIL

Agenda

January 21, 2020

Regular Meeting 6:30 P.M.

Council Chambers

Town Hall

85 Union Street

Roll Call of Members

Acknowledgement of Meeting Notice

Pledge of Allegiance

Adjustments to Agenda

Public Comments (for items not on the agenda)

Correspondence

MANAGER'S REPORT

- a) Financial Update
- b) Dog Licenses
- c) Bond Issue – Elementary School
- d) Fire Station
- e) Mere Creek Golf Course
- f) Public Transportation – Explorer
- g) Public Transportation – Metro Breez
- h) Winter Operations

PUBLIC HEARING

3. The Town Council will hear public comments on applications for Special Amusement licenses, and will take any appropriate action. (Town Manager Eldridge)

Special Amusement

Brunswick Lodge of Elks #2043
D/B/A: Brunswick Lodge of Elks
179 Park Row

Angela Brackett

Odd Duck FSE, INC.
D/B/A: Odd Duck FSE
11 Pleasant Street

Rebecca Marcos

HEARING/ACTION

4. The Town Council will hear public comments regarding the recommended relocation of the Farmer's Market to Park Row, with accompanying fee increase and changes in the parking ordinance, and will take any appropriate action. (Town Manager Eldridge)

HEARING/ACTION

5. The Town Council will hear public comments regarding proposed changes to outdoor seating on public ways for the 2020 licensing year, and will take any appropriate action. (Town Manager Eldridge)

HEARING/ACTION

6. The Town Council will hear public comments regarding changes to mooring fees, and will take any appropriate action. (Town Manager Eldridge)

HEARING/ACTION

NEW BUSINESS

7. The Town Council will consider a request from the Brunswick Downtown Association for a waiver of fees for the 2020 Community Barbecue and the 2020 Brunswick Outdoor Arts Festival, and will take any appropriate action. (Town Manager Eldridge)

ACTION

8. The Town Council will consider forwarding a request from Sitelines to the Planning Board for a boundary change to the Shoreland Protection Overlay (SPO) to be consistent with the Town of Brunswick's GIS and Zoning Map, and will take any appropriate action. (Town Manager Eldridge)

ACTION

9. The Town Council will hear a proposal from Brunswick Housing Authority to convert its Section 9 Public Housing Program to Section 8 assistance, and will take any appropriate action. (Town Manager Eldridge)

DISCUSSION

10. The Town Council will consider giving its annual authority to the Brunswick Marine Resource Committee to open and close coastal waters within the Town's jurisdiction, and will take any appropriate action. (Town Manager Eldridge)

ACTION

11. The Town Council will consider ratifying a contract between the Town of Brunswick and the Teamsters Local Union #340 for the Brunswick Parks & Recreation Maintenance Workers, and will take any appropriate action. (Town Manager Eldridge)

ACTION

12. The Chair will make appointments of Council members to represent various boards and subcommittees, and will take any appropriate action. (Council Chair John Perreault)

ACTION

COMMITTEE REPORTS

CONSENT AGENDA

- a) Approval of the minutes of December 16, 2019
- b) Approval of the minutes of January 6, 2020

INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION SHOULD CONTACT THE TOWN MANAGER'S OFFICE AT 725-6659 (TDD 725-5521)

To email Town Council: towncouncil@brunswickme.org

**Brunswick Town
Council Agenda
January 21, 2020
Council Notes and Suggested Motions**

MANAGER’S REPORT

Please see the Manager’s Report memo for more information on the items below.

- a) Financial Update
- b) Dog Licenses
- c) Bond Issue – Elementary School
- d) Fire Station
- e) Mere Creek Golf Course
- f) Public Transportation – Explorer
- g) Public Transportation – Metro Breez
- h) Winter Operations

PUBLIC HEARING

3. **Notes:** This is the public hearing for Special Amusement licenses for the Brunswick Lodge of Elks, 179 Park Row, and Odd Duck FSE, 11 Pleasant Street. The Brunswick Lodge of Elks would like to have DJs and small bands in the lounge and banquet hall for catered events, from 7:00 pm to 11:00 pm, and a DJ on weekends from 7:00 pm to 11:00 pm or 8:00 pm to 12:00 pm. Odd Duck would like to have DJs and live entertainment, such as piano players and jazz, in the main bar/mezzanine area and ballroom, from 10:00 am to 12:00 pm. Copies of the applications are included in the packet.

Suggested Motion:

Motion to approve Special Amusement licenses for the Brunswick Lodge of Elks, 179 Park Row, and Odd Duck FSE, 11 Pleasant Street.

4. **Notes:** This is the public hearing regarding the relocation of the Farmer’s Market to Park Row. The Brunswick Farmers Market Site Location Workgroup reviewed 24 downtown locations where the Market could be relocated. Two locations met their criteria; Park Row, utilizing existing parking spaces, and the Lower Mall. After a public meeting, the committee concluded that Park Row was their preference, although there was no ideal location. To implement the Park Row option, the Town would need to amend several portions of the Municipal Code of Ordinances, Chapter 16 – Traffic and Vehicles, to add one-way and restricted on-street parking areas for the vendors, and to add a fee increase to the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The Council asked questions about sidewalks, curbs and fees at the December 16, 2019 meeting, and those questions are answered in Tom Farrell’s memo of January 16, 2020. Any change in fees should be done this evening in order to have them in effect for the 2020 licensing season. The amendments are detailed in a copy of a memo from Town Manager John Eldridge. The packet also includes a packet of Farmers Market information, a diagram illustrating the proposed traffic flow around the Mall area, and the public hearing notice for the ordinance amendments.

Suggested Motions:

Motion to relocate the Farmer’s Market to Park Row (or other).

Motion to amend portions of the Municipal Code of Ordinances, Chapter 16 – Traffic and Vehicles, to add one-way and restricted on-street parking areas on Park Row (if necessary).

Motion to increase the fee for the Farmers’ Market in the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B, from \$3,500.00 to \$13,500.00.

5. **Notes:** This is the public hearing regarding proposed changes to Chapter 10 – Licenses and Business Regulations, Chapter 14 – Streets, Sidewalks and Other Public Places, and the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The proposed changes include increasing the fee from \$150.00 to \$200.00 for vendors with more than nine (9) outdoor seats. In addition, Both Chapter 10 and Chapter 14 have proposed changes to set the time outdoor seating is allowed from April 15th to November 1st. This is a result of difficulty maintaining the sidewalks during icy weather events when outdoor seating is still present, and would apply to all sidewalk vendors. If approved, these fees would be in effect for the 2020 licensing year. A copy of a memo from Town Clerk Fran Smith and the proposed changes to Chapter 10, Chapter 14, and the Appendix B Master Schedule of Revenues, Charges, Fees and Fines are included in the packet.

Suggested Motion:

Motion to adopt changes to Chapter 10 – Licenses and Business Regulations, Chapter 14 – Streets, Sidewalks and Other Public Places, and the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B, to increase the fee from \$150.00 to \$200.00 for vendors with nine (9) or more outdoor seats, and to set the time outdoor seating is allowed to the period between April 15th and November 1st.

6. **Notes:** This is the public hearing regarding proposed increases in mooring fees, which are the result of the clerk’s office implementing a new online registration system that will be paid for by a per mooring charge. The \$10.00 administrative fee suggested will cover the \$6.00 charge and administrative costs related to approval, the reporting requirement, and applications mailed to the office. A copy of a memo from Town Clerk Fran Smith is included in the packet.

Suggested Motion:

Motion to adopt the proposed changes to mooring fees.

NEW BUSINESS

7. **Notes:** The Brunswick Downtown Association (BDA) is requesting that the Town Council waive the \$500.00 event fee on two (2) events scheduled for this summer. The first is their annual Community Barbeque, Saturday, June 20, 2020, which is a community event and a family-oriented destination featuring food, games, activities and music. The other event is their annual Outdoor Arts Festival on August 15, 2020, which

will include a juried art exhibit featuring artists' booths, live music and performances by local theater groups. Both of these events are sponsored by local businesses, and the amount raised is used to provide marketing for the event and portable toilets. Copies of the letters of request from BDA Executive Director Debora King are included in the packet.

Suggested Motion:

Motion to waive the \$500.00 event fees for the BDA events "Community Barbeque" and "Brunswick Outdoor Arts Festival", taking place in June and August of 2020 respectively.

8. **Notes:** The area mapped as being with the Shoreland Protection Overlay (SPO) boundaries encompasses almost the entirety of the parcels in Tax Map 43, Lot 20, Lot 21, Lot 28, Lot 30 and Lot 31. It is not understood why the Forested Wetlands are included in the boundaries when, according to the Town of Brunswick Ordinances, a 125 foot setback is only needed around Freshwater Wetlands. Staff has concurred that the wetlands and associated Shoreland Overlay area are not consistent with the ordinances. This has restricted growth in a Growth Area outside of Brunswick Landing. Sitelines is asking the Town Council to forward this request to the Town of Brunswick Planning Board for consideration. A copy of a letter from Sitelines, along with an evaluation and report done in 2018 by Atlantic Environmental, with maps, are included in the packet.

Suggested Motion:

Motion to forward a request to the Planning Board for consideration of amendments to the Shoreland Protection Overlay (SPO) to reflect the field verified conditions.

9. **Notes:** The Brunswick Housing Authority (BHA) is eligible to convert public housing to tenant-based assistance, due to The U.S. Department of Housing & Urban Development (HUD) using its waiver authority under the amendment of the U.S. Housing Act of 1937 to redefine a small PHA as those with 250 units or less of public housing. The opportunities for BHA include regaining local control and increased funding, while risks include that future revenue will be subject to congressional appropriations. The BHA Board has reviewed this option and determined it is in the best interest of the BHA to consider moving forward with an application, while still retaining the right to withdraw its application. The process of conversion includes consultation with local government, which is accomplished with this Council meeting. A copy of a memo from John Hodge, Executive Director of the Brunswick Housing Authority, is included in the packet, and Mr. Hodge will be at the meeting to answer any questions.
10. **Notes:** The Marine Resource Committee is asking for approval to open and close shellfishing grounds for conservation, based on evidence provided to them by staff or the public. The annual approval request will alleviate the Town Council from public hearings concerning the closure, but does not prohibit the Town Council from reviewing and/or reversing decisions made by the Marine Resource Committee. A copy of a letter from Dan Devereaux, Harbormaster, is included in the packet.

Suggested Motion:

Motion to allow the Marine Resource Committee the authority to open and close coastal waters within the Town of Brunswick’s jurisdiction for the year 2020.

11. **Notes:** The Town of Brunswick and Teamsters Local Union #340 representing the Brunswick Parks and Recreation maintenance workers have reached a tentative 3-year agreement for the period of July 1, 2019 through June 30, 2022, and are asking the Council to ratify this agreement. A copy of a memo from Assistant Town Manager Ryan Leighton that includes a summary of changes from the previous agreement, and the pay scales for the three (3) years of the contract are included in the packet.

Suggested Motion:

Motion to ratify the 3-year contract between the Town of Brunswick and the Teamsters Local Union #340 for the time period of July 1, 2019 through June 30, 2022.

12. **Notes:** The Town Council Chair will appoint Council Representatives to the following:

- Appointments Sub-committee
- Bicycle & Pedestrian Advisory Committee
- Brunswick Development Corporation
- Cable Television Committee
- Citizens Initiative Clarity Board
- Downtown and Outer Pleasant Street Master Plan Implementation Committee
- Finance Committee
- Fire Station Task Force
- Recycling and Sustainability Committee
- Rivers and Coastal Waters Commission
- Solid Waste Task Force
- Teen Center Advisory Board
- TIF – MRRA Districts Committee
- Tree Committee
- Trust Fund Advisory Committee

COMMITTEE REPORTS

Councilors will provide brief updates of recent committee meetings.

CONSENT AGENDA

- a) **Approval of the Minutes of December 16, 2019:** A copy of the minutes is included in your packet.
- b) **Approval of the Minutes of January 6, 2020:** A copy of the minutes is included in your packet.

The Council has the option to remove any item from the Consent Agenda to be considered separately.

Suggested motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.