

City Council Workshop
July 14, 2014
6:00 P.M.
South Portland City Hall Council Chambers

Councilors Present

Gerard Jalbert, Mayor
Linda Cohen
Thomas Blake
Patricia Smith
Michael Pock
Maxine Beecher
Melissa Linscott

Staff Present

Jim Gailey, City Manager

MINUTES

Mayor Jalbert opened the meeting and welcomed all in attendance. He reminded folks that members of the public are invited to comment on each item as it comes before the Council for a period of no more than two (2) minutes. All questions or concerns would be made through the Chair and if they wished to address the City Council they would be asked to please raise their hand and upon being recognized would state their name and address for the records.

- 1. General Assistance Change**
- 2. Knightville Parking**
- 3. Stan Cox Land Purchase**
- 4. Polling Location Consideration**
- 5. Review of Upcoming Workshops**

1.General Assistance Change: Jim Gailey, City Manager explained that on June 23, 2014, the City received a letter from Governor LePage's office following up to a directive handed down by DHHS day's earlier prohibiting towns and cities from continuing to serve people who are not U.S. citizens through the General Assistance Program (GA). Aiding undocumented individuals through the GA Program has been a long standing practice in Maine; however, the Governor's Office points to a 1996 federal law amendment pertaining to welfare reform making it illegal under federal law for states to provide GA to undocumented individuals (illegal aliens). The Maine Attorney General is on record opposing the Governor's directive and has stated such a directive can only be done through a rule-making process governed by the Administrative Procedures Act.

If a municipality elects to deny assistance under GA based on DHHS' and the Governor's directive, the municipality could be exposed to a legal challenge, probably in federal court, on the grounds the municipality violated certain rights of an applicant who is protected by both Maine and U.S. Constitutions.

The hammer in this debate is the Governor's directive to DHHS to suspend all reimbursements to towns and cities if a particular town or city opts to continue the assistance of these undocumented

individuals through the GA Program. This raises another legal question in whether DHHS has the ability under state or federal law to suspend all reimbursement back to a municipality, or do they have the rights only to suspend reimbursement of the aid given to an undocumented individual(s). For an understanding of the City's exposure, City staff has gone back to December of 2013 and has located 9 who are undocumented, meaning that they did not provide to the City an I 94, Passport or US Visa. This does not necessarily mean they are unlawful. They have Maine ID cards, some with SS #'s. We have flagged these cases and will continue to follow up to learn more of each individual case. Since December of 2013 the City has provided aid for the families in the amount of \$30,801.60. The distributed dollar amount reflects aid given to the entire family and does not reflect whether the individuals have I 94 documents as DHHS has not required this documentation in the past. The total distribution of funds would be reduced by approximately \$15,000 if the undocumented individual was removed from the equation on the City's existing caseload. Further reduction of aid could be experienced if the City had a better understanding of whether those individuals who sought aid in the past possessed an I 94, a document DHHS is now requiring. An example would be a previous family of 4 that received GA would now be a family of 3 because the mother is undocumented and the GA Program provides aid based on household size.

Maine towns and cities are stuck in a difficult position. On one hand, municipalities have been providing aid to these individuals for a number of years, aid in some cases that helps keep these individuals off the streets. If a municipality continues providing aid through GA, the municipality exposes itself to forfeiting its reimbursement from the State of Maine. If the municipality opts to suspend past practice and follow the directive of the Governor's Office, a directive unsupported by the Maine Attorney General, then a municipality exposes itself to a legal challenge from an individual or advocacy group asserting the municipality violated certain rights provided under the Maine and U.S. Constitution. Since the directive, the City of South Portland has opted to continue to provide aid to undocumented individuals. During the past three weeks the City's GA Office has provided no financial assistance to undocumented individuals; however, a meeting has been scheduled in the upcoming week with an undocumented family who is new to the City's program.

This past week a Petition for Review Under Rule 80C with Complaint for Declaratory Judgment and Injunctive Relief was filed by Portland, Westbrook and the Maine Municipal Association. The Petition is being handled by Peter DeTroy, Esq. of the firm Norman Hanson & DeTroy, LLC and legal costs are being covered by the Maine Municipal Association. The Petition asks Superior Court to review the various directives and opinions and rule on the question of whether DHHS and the Governor's directives were properly promulgated and are legally enforceable. The focus of this legal challenge will be whether the directive follows the State of Maine Administrative Procedures Act and whether the Act was required to be used to implement the changes handed down by DHHS and the Governor's Office.

It is anticipated that on Monday the City will receive from the Maine Municipal Association, a memo being prepared by Bernstein Shur Sawyer and Nelson providing a detailed analysis on the state and federal laws and where the law currently stands on the issue of providing state and local welfare benefits to certain undocumented citizens who reside in Maine. Once staff receives this document, staff will forward it on to the City Council and post online.

City staff is asking for direction from the City Council as this is a policy question that needs addressing. Does the City Council want to continue/discontinue the distribution of aid to undocumented individuals/families? Does the City Council want to join Portland, Westbrook and

the Maine Municipal Association's Petition for Review Under Rule 80C with the legal costs being covered by Maine Municipal Association.

Corporation Counsel Sally Daggett, Jamie Wagner, Esq and Asylum Coordinator Phil Mantis of the Immigrant Legal Advocacy Project were in attendance at the workshop to answer questions.

Kathleen Babeu General Assistance Director discussed the numbers of folks who have been into the office that would fall under this category, she added that she has had six or more that had been through her office with some not be documented with I-94 paperwork but there are a few who do have it. She explained that it is a very hard situation and how can they say no to some and not others she felt the need to have a plan to go by regarding this issue.

Jamie Wagner Esq. Assylum Law he has a background in immigration law and has helped people from other areas who needed to escape persecution and help to keep them safe. He added that once they are here in the US, they need to go to Immigration Court and follow the complete process in order to work and be able to remain here. He added that the paperwork is very hard and this is where they need help in filing this work. Some folks do receive an interview, some others do not and these are held in the New Jersey area. He discussed further a back-log of names with a long waiting list and added that sometimes folks will wait for 2 ½ years as the federal assistance is so back-logged and this as well effects the General Assistance Departments.

Further discussion on Assails being ok and the application being in process but the government saying no as well as the question of having a Visa and or a Passport and why this would not be ok for documented paperwork?

Jamie Wagner explained that if these are expired that is not ok but if they are not expired then that will work. He added that there is 150 day wait time and about 180 days in all.

Sally Daggett Corporation Counsel discussed the DHHS law and wording on this, she added that she represented Westbrook on this same issue as well and that the processes is gaining more knowledge.

Councilor Beecher discussed this being an issue back when Clinton was President and wondered why it has been so long and now being brought back up.

Phil Mantis Immigrant Legal Advocacy Project and runs the Asylum Project and discussed what his organization does, the guidelines, and how they can follow with such differences which is not clear to him. He added that folk's need the GA help until they can get on their feet to which many have been persecuted in their own country.

Public Comment Opened:

Claude Rwagange 1375 Forest Ave. Portland explained that it too him seven years to get asylum from 1996 to 2007 and further discussed the organization that has been working to help people.

Ralph Kerman Portland explained that he has worked on the asylum and immigration issues since the 1990's and hoped that it would become legally resolved.

Robin Merrill Maine Equal Justice discussed working with people on gaining their status quo, living here and getting their basic needs.

Alan Ah Asylum seeker looking for democracy and is following this to do what they need to do, becoming more open and creating a transparent process here as well.

Public Comment Closed:

Mayor Jalbert discussed the loss of General Assistance funds being a great concern here and felt that there are two issues that they are looking at whether the City Council wants to continue/discontinue the distribution of aid to undocumented individuals/families and whether the City council wants to join Portland, Westbrook and the Maine Municipal Association's Petition for Review Under Rule 80c with the legal costs being covered by Maine Municipal Association.

Jim Gailey discussed being policy makers and how they would like staff to proceed here as it is a concern with the risk of losing funds. He added that he was not sure if they would need to follow the law suit and adding our name to the list as the intent is there with the other communities taking a stand.

Councilor Beecher asked for clarification on the law suit being filed here.

Sally Daggett discussed the towns and cities that are involved in the lawsuit filed against the State of Maine. She discussed looking for guidance and what is happening at the DHHS is not working for all. She further discussed the two parts to the suit and the timeline that it would require as well as how fast it may proceed.

Councilor Smith agreed on the law suit recommendation and not adding our name to the list and wondered if it was too late to do so as it was happening earlier but was not yet discussed yet. She asked about the timing and if we have seen this before in other areas, she was not aware of any others but would support the continuation of GA services.

Phil Mantis added that there was one in Montana once and further discussed defining state statues.

Councilor Cohen disclosed to the Council that she is an MMA Board Member who voted on this law suit being brought forward. She discussed this hard situation and added that when she was the City Clerk in Portland there was many issues regarding immigrants and being able to vote, etc. which did not pass. She added that she learned a lot from the process and heard some great stories from many people in hard times. She has read some cruel e-mails on this issue regarding folks being uninformed on the process and added that the system is back logged and that there needs to be discussion on helping folks or not, it comes down to humanity and continuing to serve the GA department and not becoming a name on this law suit.

Councilor Linscott discussed not denying benefits to these people and asked what the worst thing is that could happen? She asked what the actual meanings and differences are between refugee, asylum, and immigrants. She asked about being prepared if we do loose funding and we would need to meet on this.

Kathleen Babeu explained that GA provides \$22,000 or 50% reimbursement up to \$30,000. She added that some months are less then others and further discussed showing or providing the documentation for non US citizens. She added that keeping good communication, documentation, etc. is key.

Sally Daggett explained that there could be a \$500.00 fine per day if audited.

Councilor Pock asked why they would not just deny benefits to people who are not providing the correct documentation. He agreed to not go along with the lawsuit and also asked about staff being qualified to carry out the legal documentation information.

Mayor Jalbert agreed that the law suit is not necessary to join at this time and that the staff would have the backing of the City Council to move ahead.

2. Knightville Parking: Jim Gailey explained that Councilor Linscott has requested the opportunity to discuss the parking and circulation of the Knightville neighborhood. City Councilors and staff have received correspondence from the neighborhood residents, in particular D Street. The primary issue is the amount of traffic using D Street as a result of the one-way block between E and D Street to allow for the angled parking in from the businesses. D Street has seen an increase in

traffic and extended periods of parking (6+ hours) along D Street. Reports are that employees of the businesses along Ocean Street are parking on the side streets and walking to their place of employment for the workday. This has impacted the residents on the street through having partially blocked driveways, trash/recycling bins moved to make a parking space and the inability for the resident to park in front of their own property. This past winter the street parking and travel aisles became very tight due to the large snow banks. Although many of the voiced concerns have come from D Street residents, C Street and B Street are also experiencing the same issues. Enclosed were a few pictures showing what the streets look like during a mid-day visit to the area. One project that is under design now is the creation of additional parking spaces along Waterman Drive adjacent to Legere Park. An old bus loop still exists at this location and staff, through the use of CDBG funding, is proposing to redesign this area into additional parking for the district (approximately 14 spaces). He added that they hope to hear from the residents and report back and work with staff to determine alternatives for Council consideration. Chief Googins and Tex Haeuser were both out of the office and not be available to attend the meeting. Included was a memo by Sebago Technics that was developed during the time of the Council taking up the one-way/two-way traffic circulation for Knightville. Also included are submitted comment cards from the neighborhood expressing their concerns?

Public Comment Opened:

Melanie Wicker D Street explained that she has a new home and parking is crazy in this area and felt that businesses needed to provide parking for their customers. She felt that there are too many trucks, trailers and too much traffic, it is not what we had before and she would like it back or figure out something that will work better.

Linda Slater 72 Ocean agreed with Melanie and supports business in this area but felt he need for parking permits or having the staff of the businesses park elsewhere, 2 hour parking or some type of solution here.

Joe Walker 68 D Street asked where employees use to park and wondered if this could be right behind the businesses.

Renee Karicauf D Street discussed having the large trucks going down other streets and looking at the whole traffic pattern and felt that there is space to work on this.

Russell Lunt Brigham Street liked the permit idea, a buss loop turn around and many of the other ideas as well. He discussed the flagger idea as well as what the laws are regarding this.

Margaret Stenberg Ocean Street felt hat this area is too busy with the current traffic patterns and that D Street is very narrow at the end to be able to park there.

Alan Cardinal Legion Square Market felt that busy areas mean success, that there is a reason for traffic and businesses and people and he urges them to keep going, do not stop things, pull together and resolve issues have meetings, tec.

Mitch Sturgeon 15 E Street added that he can see Legion Square Market from his home and he would be happy to gather a group of people to meet and work on this.

Phil Notis 71 Ocean Street felt that the best plans are to work together and urged the formation of a committee to address the situation, also discussed walking more.

Annette Holmes 48 D Street asked that the homeowners in this area not be forgotten and did agree that a committee would be a good idea.

Paul Trusardie Ocean Street agreed that a committee makes sense and suggested meeting during the daytime to be able to go down and see what goes on with the traffic first hand.

Jeff Peterson 72 Ocean Street felt the need to look at the problems here and the employees of the businesses and where they are parking as an issue.

Public Comment Closed:

Mayor Jalbert thanked all who have come out to speak on this topic and agreed that they need to look at possible solutions to these issues.

Councilor Cohen discussed the history of this area and how it was busy in the 1970's then it slowed down after the change in the bridge flow and now it is busy again. She added that they do need to look into ways of dealing with traffic, parking, etc.

Jim Gailey added that the City does not own anything down in this area that could be used for parking except for parks. He further discussed a few lots in the area that could be for sale and developers looking at these first.

Councilor Linscott added that she heard from neighbors regarding this situation last winter with the snow removal issue, etc. She added that this needs to be addressed and working with all of the businesses and residents would work best.

Councilor Pock agreed that a committee would be a good idea, discussed gathering old pictures as well.

Councilor Beecher felt that this was good timing and further discussed the Comprehensive Plan and looking at this as well and is willing to work on this committee.

Councilor Smith was pleased with collaboration, forming a committee and holding a public forum as well. She further discussed food trucks, increasing bus use, walking, etc. and felt that this is a vibrant downtown area that is busy and this is a good thing.

Mayor Jalbert discussed changing things; municipal parking being hard to come by as well as expensive but agreed that they needed to move forward with working on this issue.

Jim Gailey discussed having check-ins, public forums, gathering information for this to be able to move forward in working on it.

3. Stan Cox Land Purchase Request: Jim Gailey, City Manager explained that *Mr. Stan Cox* of 460 Highland Avenue has requested to purchase two tax-acquired parcels of land that abut his property. One is 68 Hillcrest Avenue and the other one is 21 Dresser Road.

68 Hillcrest Avenue is vacant land shown on the Assessor's tax maps as Map 38, Lot 19. It is 1,525 square feet, a buildable lot of record, and zoned A Residential.

21 Dresser Road is vacant land shown on the Assessor's tax maps as Map 38, Lot 20. It is 3,752 square feet, a buildable lot of record, and zoned A Residential. Mr. Cox would like the property to remain as open space and would be agreeable to a deed restriction against building a house on either of the properties, but reserves the right to build either a city road or driveway through the parcel.

Mr. Cox has offered \$18,000 for both parcels.

The Planning Board held a public hearing on July 24, 2012 and reviewed forty-six parcels. The Board recommended that both these parcels be sold. This request was discussed at the May 12, 2014 workshop. At that workshop the Council asked staff to look at whether there would be a difference of value for the Dresser Road property if a city accepted road serving multiple house lots was built versus a driveway serving a single house lot. The City Council questioned whether \$18,000 for both City owned properties was an acceptable offer price.

Elizabeth Sawyer, City Assessor, has provided the following:

I spoke with Steve Puleo this morning in attempting to determine the likelihood of the Planning Board allowing for a house to be built on the Dresser Road lot. That is key to determining what the market value of that lot is. The standard definition of market value is: "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;*
- Both parties are well informed or well advised, and acting in what they consider their best interests;*
- A reasonable time is allowed for exposure in the open market;*
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."*

Market value isn't what the value is to an abutter and what the abutter can do with it – in other words, I don't believe the City should be basing market value on what Stan Cox can do with the parcel if he acquires it – that value would be a value to one person only, and that wouldn't be market value. As stated above, market value would be what typical buyers would pay, and if in fact a house could be put on the Dresser lot, it would have appeal to multiple buyers. The other lot would probably only be attractive to an abutter so would only have a nominal value. The value on the Dresser lot carried for assessment purposes (\$6,900) (since its tax exempt it isn't actually "assessed") was created before the City allowed anything to be built on anything under 5,000 square feet. Steve tells me that the sewer/stormwater system in that area is combined one and that the Water Resource Department would probably request that anything built on that lot be constructed with a slab on grade. That said, though, with the lot configuration as it is, I suppose that there is a possibility that it is possible that a house could be put on this lot. If that is the case, it would have more value than just excess land. Most of these have been sold with adjoining houses, so we don't have sales of these undersized lots alone for comparison. Small lots of around 5,000 square feet that don't require Planning Board approval sell between \$50,000 and \$70,000 depending on the neighborhood (obviously there are exceptions). Because of the uncertainty and the requirements of the Planning Board and Water Resource, this lot would be something less than that range. Steve tells me that the smallest lot that the Planning Board has approved was around 4,200 square feet, so it is conjecture to assume that this 3,752 square foot lot would receive approval, but because of the way that it's laid out and that it is adjacent to a paper street, I suppose it might pass muster. Please let me know if you want me to do more research on this.

Thanks, Elizabeth

Other Notes between Elizabeth Sawyer and me:

Jim: Question around stated use of the property as a driveway serving one house up on the Cox back 7 acres or a road serving several houses up on the back 7 acres. Would there be a valuation difference between the Dresser Road property being used for a driveway or a road?

Elizabeth: If you are looking for "market value", I don't think it matters. I think it is only relevant what the market would pay - and that would be the typical buyer - not a single abutter.

Jim: So there is no value increase from a driveway that serves a single lot versus a roadway that provides an opportunity for an owner to sell 8 lots at 100K apiece?

Elizabeth: There may be additional value to ONE buyer - the abutter, but that is not "market value." Think of it this way: if the City were to put it on the open market for sale, what would it sell for? Market value is the value to multiple buyers, not a single buyer. This is why banks get appraisals. They already know that there's one person willing to pay a contract price on a property - they want to make sure that there are multiple others that would be willing to pay the same should the borrower default.

Potential Build-out

The Cox's has stated that they would like to preserve the front 5 acres of land in an attempt to preserving the Cox Farm. By doing so this would leave upwards of 7 acres remaining on the parcel. If all access was cut-off from Highland like Stan Cox has stated, the rear 7 acres would be accessed by frontage along Juniper Circle within the Grandview Estates Subdivision and possibly, if sold by the City, the parcel on Dresser Road. Over the past two years many ideas have been shared and one of those ideas was for Mr. Cox's daughter, Linda Ruterbories, to build her house on top of the hill. Her house would not be the only one planned as a handful of homes were talked about (see attached bullet points from the Cox's) in an attempt by the Cox's to raise enough money to maintain the farm and its buildings. The access to these homes (subdivision) would be through the City parcel on Dresser Road. The Planning Department has provided sketches of what type of residential configuration could be achieved through the development of the 7 acres (see attached maps). Stan Cox and Linda Ruterbories will be at Monday's meeting to answer any City Council questions. The two immediate abutting property owners have again been invited to attend the meeting.

Public Comment Opened:

Linda Ruterbories 876 Highland Ave. she is Stan Cox's daughter explained that she is representing her Dad on this matter as his health is not well. She felt that people assumed too much here on what their intentions would be and that was not ok. She explained that there is a farm here and 75 years of work that has been done with the community gardens, offering of farm stands, education, etc. and it is not fair to assume that they would purchase and build.

John Ruterbories 876 Highland Ave. he is Stan's grandson and is a 4th generation family farmer and felt that there is need for access to the farm and he plans to return after completing college to keep this farm working in the future. He discussed their work with "Cultivating Communities".

Craig Lepine Roberts Street Portland "Cultivating Communities" discussed the program further and confirmed the need for farmers to have access, the use of agricultural rather than development and restoration of the parcel.

Public Comment Closed:

Councilor Beecher would like to see the farm kept in the family and was in support of this proposal and felt that they could move ahead.

Jim Gailey, City Manager discussed buildable lots, whether it's a driveway or not something to build on.

Councilor Linscott had concern for the owners to be able to build later on, increased traffic and if the neighbors were notified and or had any concerns, not being of fair value but determination and concern that they would be able to build condos or homes.

Councilor Cohen was ok with this process and being notified as well as if they build. She felt ok to move forward now and was ok with the price as well.

Councilor Pock felt that this was a free enterprise system, that they can do what they want with the property and was ok with the process here, moving ahead and in support.

Councilor Smith discussed an evolution in our city, creating open space and was ok with this proposal to move ahead.

Mayor Jalbert discussed the market being driven by able, willing buyers and sellers. He discussed the price and concern regarding this and felt the need to have a realtor look at this to be listed without a discount on the price. He was not in support of the price and felt that the Councilors all have a fiduciary responsibility with the price not so much as to selling it.

Councilor Linscott added that there is value with the front open space here and encouraged an open bid and negotiations with Cox on this process.

Councilor Smith asked about having an open bid or a more formal process and wondered how this would work? She asked about preserving one lot as open space and wondered if this would be possible. She was also ok with negotiating with the Cox family and felt that a vacant lot means open space.

Jim Gailey added that they could go out to bid on it and the Cox family could also bid on it but did not suggest using a realtor but going into negotiations directly with the family.

Councilor Pock asked about an open bid price, and felt that open space was not a factor here as we have not heard back from 25,000 people on this lot issue.

Councilor Beecher was ok with negotiations and felt that it might be better for the city to have it done this way.

Councilor Cohen was ok having negotiations with the Cox family but did not have a great desire to sell if it falls through and had no desire to go with an open bid process. She discussed the two lots in further detail, access to the property, preservation, open space and deed restrictions with the front five acres.

Linda Ruterborries 876 Highland Ave. added that should would discuss this deed restriction with staff to look further into this.

4. Polling Location Consideration: Susan Mooney, City Clerk explained that now that the redistricting is in place and she has the figures of how it impacted the five districts, it appears that there needs to be some consideration to polling locations, as shifting has created some issues that will cause stress, in particular, at District Two, the American Legion Hall, Steward P. Morrill Post, on Broadway.

As you may or may not recall, ten years ago she redistricted the five city districts based on voter population so that we would evenly distribute the turnout at each polling location. Because all voters elect Councilors city wide rather than by District, former Corporation Counsel, Mary Kahl, had no issues with that distribution and it worked great for ten years. A year or two ago a gentleman stopped by my office voicing concerns about our population count variations in each City District. After discussing that issue with our current Corporation Counsel, Sally Daggett, she said we need to follow Title 30-A; §2503 which says;

- A. Each district must be formed of compact, contiguous territory. Its boundary lines may follow the center lines of streets.
- B. Each district must contain as nearly as possible the same number of inhabitants as determined according to the latest Federal Decennial Census, but districts may not differ in number of inhabitants by more than 10% of the inhabitants in the smallest district created.

She had a big concern with a 41% increase at the American Legion Hall. That location was pretty stressed before the redistricting. She has spent some time looking around District Two for an alternative location. Mahoney Middle School gym is not handicapped accessible and neither is Holy Cross School. The Congregational Church on Meeting House Hill does not have a large open

space. The Wright Pavilion looks rather large from the picture on the website, however you can see from the information that I've attached that it isn't much different in size than the Pulpit of the Church. I spoke with Captain Gilda at the Coast Guard Base. He would have sincerely liked to help the city out, but said they do not have a spot on the base any larger than the room at the American Legion Hall. Additionally, they would have to check ID's for anyone entering the complex. Councilor Cohen suggested that I contact Yankee Ford because she knew of a polling location in Lewiston where a car dealership showroom was used several years ago. She spoke with Mary Arnold, the owner of Yankee Ford on Waterman Drive. They have the Yankee Luxury Showroom that she would be happy to let us utilize but she would only commit to one election to see how things went. After researching the space she found that it was actually slightly smaller than the American Legion Hall (see attached information).

There is no easy solution that comes to mind. She has three recommendations; split District Two and have Legislative District 31 (3176 voters) vote at the American Legion Hall and Legislative District 32 (1241 voters) vote in the Library Meeting Room. She spoke with Kevin Davis about this suggestion and he would be amenable to considering this option. There would be additional costs for staffing and equipment if we go this route. It does not relieve the stress at the American Legion Hall that exists for a high turnout election. It also compounds on library parking issues, especially if there happened to be a funeral at the church across the street. Additionally I'm always very apprehensive about bringing more traffic around an elementary school. Brown School has a large number of children that walk to that school.

Another thought would be to combine District Two and Three at the Community Center and Four and Five at Redbank Community Center. This would actually be my preference for several reasons; reduced costs, we would go from four polling locations to three. The Charter amendments that we are seeking approval of this fall will enable us to have one Warden and one Ward Clerk per polling location. Currently the Charter requires us to have one Warden and one Ward Clerk for each city district. Parks Department would have one less setup to complete. We would need less equipment.

If we went with that scenario this is what the change would be;

District 5 was 3,815 after redistricting combining **District 5 and District 4**
6,650

District 3 and District 4 was 8,391 after redistricting combining **District 2 and District 3**
8,282

The Community Center has 138 parking spaces available. Redbank Community Center has 51 spaces with two curb cuts. The Community Center continues to hold programs throughout the day on Election Day, but Redbank Community would have no other events on Election Day.

The downside to this proposal would be that all the voters in the outer Highland Avenue area would have to travel to the Redbank Community Center, driving past the Community Center where they have voted for the last several years. It is about three miles from the Community Center to Redbank Community Center. They do have the option of absentee voting however, she felt that most of these people will not be happy with this shift. Whatever decision is made she would recommend that for at least the next two elections post card reminders get mailed to every voter impacted by whatever changes take place.

A public hearing must be held at least 90 days before an election if there is a decision to change or consolidate any voting places. A public hearing would have to be held either at the July 21st Council meeting or the August 4th Council meeting.

A final consideration would be to leave things as they are for this election and send a notice to all District Two voters explaining the impact from redistricting and advising them that they have the option of considering absentee voting or to plan accordingly; dress warm in case they find themselves waiting outside in line and anticipate that they will probably have up to a half hour wait time. If this is the decision that is made, she will spend some time looking to see if we can redesign the layout to see if voting stations rather than voting booths would be more efficient and putting one or two more voting machines at that location to keep things moving faster. She would then recommend that we discuss moving the district lines after this election as described on the last attachment, and then combining Four and Five for future elections at Redbank and Two and Three at the Community Center.

Public Comment Opened:

Russ Lunt Brigham Street was ok with this idea and added that Sue Mooney does a wonderful job, great work with this.

Public Comment Closed:

Councilor Beecher added that in Scarborough they went to one polling place and wondered about the Community Center for 2,3,4,5 and wondered if this could be done? And asked about Hamlin School as well.

Councilor Smith asked about using a school and why they could not do that and understands that it has to do with the traffic and kids. Discussion ensued on the new Public Works Facility and getting through this year and addressing a possible new location such as that facility. She asked about having the Community Center for one polling place for all.

Councilor Pock suggested having two places for District 2.

Councilor Linscott discussed consolidation as much as possible if they can as it would cost less and agreed about getting through this year and then looking at a change.

Councilor Cohen agreed that this is a hard job, added that consolidation is great with having one place for the City Clerk to get to and being safe for all. She felt that the absentee voting is great but the process can be stressful. She agreed to no change right now as it is too close, see how it goes this year and change during an off year for voting.

5. Review of Upcoming Workshops: Jim Gailey, City Manager explained that this item is brought forward to discuss upcoming City Council Workshops. This discussion is done on a monthly basis.

Mayor Jalbert discussed the upcoming workshops and added that he hopes they can work out the schedule to have July 28 and August 25 off. He further discussed upcoming topics being:

- Solid Waste Ordinance
- Review of Upcoming Workshops
- 56 Washington Ave.

- 111 Wescott Road, LLC Zoning Map Change

The City Council Workshop Adjourned at 9:15 p.m.