IN COUNCIL REGULAR MEETING JULY 7, 1997 VOL. 59 PAGE 1

ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. Councilor Johnson was absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Avery to accept the minutes of the 6/16/97 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan read a petition from Pine Street residents regarding sewer conditions there.

Mayor Baxter said, if there was no objection from the Council, he would take Item 16 out of order and hear it after the first Citizens’ Discussion.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #1-97/98 - SPCTV Advisory Committee (Mayor). Term to expire 7/15/00.

Motion was made by Mayor Baxter and seconded by Councilor Glynn to postpone this item to 7/21/97. Passage 6-0.

2. ORDER #2-97/98 - Board of Appeals, District One (Boudreau). Term to expire 7/23/00.

Thomas Coward, 17 Woodbury Street, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to appoint Thomas Coward to this position. Passage 6-0.

3. ORDER #3-97/98 - Board of Appeals, District Two (Avery). Term to expire 7/23/00.

Motion was made by Councilor Avery and seconded by Councilor Larsen to postpone this item to 7/21/97. Passage 6-0.

4. ORDER #4-97/98 - Conservation Commission, At-Large (Glynn). To fill an unexpired term which expires 11/20/98.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to postpone this item to 7/21/97. Passage 6-0.
E. CONSENT CALENDAR

5. NYNEX - installation of a pole in Mast Lane.

6. 5K Sports Road Runners Club, off premise caution signs at eight (8) locations along race route on 8/31/97.

7. Stephanie M. Koukos and Aaron Bourassa, 62 Sawyer Street, request closing of a portion of Simmons Road on 7/12/97 from dawn until 8:00 p.m. to hold a wedding reception.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the Consent Calendar in its entirety. Passage 6-0.

F. CITIZEN DISCUSSION (FIRST PART)

Stanley Cox, 460 Highland Avenue, said the City should follow the State intended guidelines for TIFs and leave the money in the TIF Fund, not the General Fund.

Marilyn Gimbert, landowner on Rosewood Avenue, said she will be homeless as of tomorrow when her New Hampshire home sells. She said she was never told about paper streets or landlocked parcels, and she needs the Council's help.

Jean Dunn, Billerica, MA, said she hopes an agreement can be reached with the Council on Rosewood.

*****

16. ORDER #13-97/98 - accepting a portion of Rosewood Avenue as a city street.

The following people addressed this item:

Jean Dunn, Billerica, MA, representing Marilyn Gimbert
Clarence Beckwith, Bonnybriar Road
Stanley Cox, 460 Highland Avenue
Patricia Doucette, Code Enforcement Officer
Ed Reidman, City Engineer

Motion was made by Councilor Glynn and seconded by Councilor Larsen for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by stating that the City will absorb the burden of extending public utilities and necessary street improvements on the accepted portion of Rosewood Avenue and permit the applicant to extend utilities and a dirt road to the boundary of Lot 197. Motion was made by Councilor Glynn and seconded by Councilor Larsen to postpone this item to a Special Meeting on 7/14/97. Passage 6-0.
IN COUNCIL REGULAR MEETING JULY 7, 1997 VOL. 59 PAGE 3

G. PUBLIC HEARINGS AND ACTION

8. ORDER #5-97/98 - amending the existing TIF I and TIF II agreements with National Semiconductor and the associated Development Program.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Stanley Cox, 460 Highland Avenue

Motion was made by Councilor Glynn and seconded by Councilor Avery for passage. Motion was made by Councilor Glynn and seconded by Councilor Avery to amend the order by adding language that had been left out in Section 3. Passage 6-0. Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend the TIF by adding two tables proposed by Councilor Glynn that would shelter $470,000 in revenue over a five year period by placing it in The Development Fund and not the General Fund. Passage 5-1 (Avery). Passage, as amended, 5-1 (Avery).

H. ACTION ON OLD AND NEW BUSINESS

9. ORDER #6-97/98 - award of bid to Forest City Chevrolet, of Portland, ME for the purchase of two (2) pick-up trucks for the School Department.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 4-0 (Boudreau, Glynn out).

10. ORDER #7-97/98 - award of bid to Coast of Maine, Inc., of Portland, ME, and Commercial Paving Co., Inc., of Scarborough, ME, for the sale of used compost facility equipment.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 6-0.

11. ORDER #8-97/98 - accepting miscellaneous donations.

There was no public discussion. 

Motion was made by Councilor Boudreau and seconded by Councilor Glynn for passage. Passage 6-0.
12. ORDER #9-97/98 - authorizing the City Manager to sign a lease agreement with Greater Portland Christian School.

Kevin Frye, Chairman of the Greater Portland Christian School Association, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Fickett for passage. Passage 5-1 (Boudreau).

*****

13. ORDER #10-97/98 - amending Traffic Schedule #3, “No Parking,” on Margaret Street from Broadway to Third Street.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 6-0.

*****

14. ORDER #11-97/98 - authorizing the City Manager to submit a 1997 Local Law Enforcement Block Grant Program Application to the U.S. Department of Justice.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn for passage. Passage 6-0.

*****

15. ORDER #12-97/98 - authorizing the acceptance of a $20,000 grant from the Bureau of Highway Safety.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 6-0.

*****

17. ORDINANCE #1-97/98 - amending Ch. 27, “Zoning,” for a map change from Limited Business District (LB) to Commercial District (C) at Broadway/Main Street (Cash Corner). First reading.

The following people addressed this item:

Vincent Maietta, 132 Walnut Street
Clarence Beckwith, Bonnybrier Road
Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading. Passage 6-0.

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, told the Mayor he should drive through the new roundabout at the intersection of Routes 202 and 237. He said it is a bottleneck. He noted that the prosperity that seems to be prevalent is only on paper.

J. COUNCILORS’ ROUND ROBIN

Councilor Fickett said that everything is wonderful.

Councilor Glynn noted that Councilor Fickett had voted in favor of every item tonight.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to go into executive session to discuss with Legal Counsel, pursuant to 1 M.R.S.A. §405 (6)(E), pending litigation regarding City of South Portland v BEP and DEP. Passage 6-0, 10:29 P.M.

Motion was made by Councilor Avery and seconded by Councilor Larsen to come out of executive session. Passage 6-0, 10:40 P.M. Motion was made by Councilor Glynn and seconded by Mayor Baxter to adjourn. Passage 6-0, 10:41 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL SPECIAL MEETING JULY 14, 1997 VOL. 59 PAGE 6

ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. Councilor Johnson was absent.

H. ACTION ON OLD AND NEW BUSINESS

1. ORDER #13-96/97 - accepting a portion of Rosewood Avenue as a City street. Postponed on 7/7/97.

The following people addressed this item:

Arvin Erskine, Public Works Director
Jean Dunn, 2 Casco Street, Billerica, MA
Mary Walker, 307 Highland Avenue
Clarence Beckwith, Bonnybriar Road
Durwood Graffam, 21 Maplewood Avenue
Charles Kahill, 236 Highland Avenue, attorney for Mrs. Gimbert
Ed Reidman, City Engineer

Motion was made by Councilor Glynn and seconded by Councilor Larsen for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order to accept Rosewood from Lot 202A to the end of Lot 197. Motion was withdrawn. Failed 3-3 (Baxter, Boudreau, Avery).

Motion was made by Councilor Boudreau and seconded by Councilor Avery to go into executive session, pursuant to 1 M.R.S.A. §405(a), for discussion of a public employee's employment status. Passage 4-2 (Fickett, Glynn), 8:24 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Avery to come out of executive session. Passage 5-0 (Fickett absent), 9:25 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Avery to adjourn. Passage 5-0, 9:25 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. Councilor Johnson was absent.

Motion was made by Councilor Glynn and seconded by Councilor Avery to waive Council Rule # 4 for items 13 and 14. Passage 6-0.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Glynn to accept the minutes of the regular meeting of 7/7/97 and the special meeting of 7/14/97. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan cited letters in the Council packets. The first was from Loveitt’s Field residents. The second was from Harbor Commission Chairman Richard Ingalls to Senator Olympia Snowe. The third letter was from John Duncan of PACTS, and the final letter was from Planning Director Tex Haeuser commending the Public Works Department. Mayor Baxter presented a plaque to Joe Youker, of 168 Settler Road, recognizing his stock division championship at the Soap Box Derby held on June 21. Mayor Baxter also presented a plaque to retiring Purchasing Agent Henry York.

C. PETITIONS AND COMMUNICATIONS

1. Department Reports for the Month of June.
2. Attendance Reports for the Month of June.
3. Tax Abatements.

D. APPOINTMENT CALENDAR

4. ORDER #1-97/98 - SPCTV Advisory Committee (Mayor). Term to expire 7/15/00. Postponed on 7/7/97.

   Motion was made by Mayor Baxter and seconded by Councilor Boudreau to postpone this item to 8/4/97. Passage 6-0.

   *****

5. ORDER #3-97/98 - Board of Appeals, District Two (Avery). Term to expire 7/23/00. Postponed on 7/7/97.

   There was no public discussion.

   Motion was made by Councilor Avery and seconded by Councilor Boudreau to appoint Vincent Maietta to this position. Passage 6-0.

   *****
6. ORDER #4-97/98 - Conservation Commission, At-Large (Glynn). To fill an unexpired term which expires 11/20/98. Postponed on 7/7/97.

Motion was made by Councilor Glynn and seconded by Councilor Avery to postpone this item to 8/4/97. Passage 6-0.

E. CONSENT CALENDAR

7. Tappan Fitzgerald, 10 Elderberry Drive, requesting to close Elderberry Drive from 4 P.M. to 11:30 P.M. on 8/16/97 for a neighborhood party.


There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the consent calendar in its entirety. Passage 6-0.

F. CITIZEN DISCUSSION (FIRST PART)

None.

G. PUBLIC HEARINGS AND ACTION

10. ORDINANCE #1-97/98 - amending Ch. 27, “Zoning,” for a map change from Limited Business District LB to Commercial District C for Lots 145, 148, 149 and 150 on Map 41 at Broadway/Main Street (Cash Corner). Given first reading on 7/7/97.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 6-0.

H. ACTION ON OLD AND NEW BUSINESS

11. ORDER #14-97/98 - award of bid to LHS Associates, of Methuen, MA, for the purchase of vote tabulation machines for the City Clerk Department.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 6-0.

* * * *

12. ORDINANCE #2-97/98 - amending Ch. 27, “Zoning,” for a map change from Limited Business District LB to Commercial District C for Lots 142, 143A, 144, 146, 147, 151, and 151A on Map 41 at Broadway/Main Street (Cash Corner). First reading.
There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Passage 6-0.

13. RESOLVE #1-97/98 - pursuant to §611 of the City Charter authorizing bond anticipation notes in the amount of $775,000.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 5-1 (Fickett).


The following people addressed this item:

John Switzer, Parks Superintendent
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Failed 3-3 (Fickett, Glynn, Larsen).

1. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he drove through the roundabout in Gorham, and most people are driving over it. He said trucks can’t get around it. He said he is disturbed about the Saturday Press Herald article which said the City will deny Councilor Fickett papers to run again for Council. He said the City is always opposing him. He said he has been around for a long time, and he has been a loyal servant.

J. COUNCILORS’ ROUND ROBIN

Mayor Baxter announced that Councilor Larsen will be a grandmother any minute.

Councilor Glynn cited a notice the Council received in their mail this weekend regarding enforcement action against Gerald Bennett in reference to the massage ordinance. He said he is concerned that enforcement action was taken without a Council vote and also that the police officer and someone at To Your Health were nude. He said that asking a police officer or anyone else in the City to be nude is not appropriate.

Councilor Avery suggested the City place trash containers more conspicuously and conveniently along the Greenbelt Walkway. She also expressed concern about children darting across the street where the Walkway comes out and cautioned drivers to be careful.
K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Avery to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty and, pursuant to 1 M.R.S.A. §405 (6)(e), for discussion with Legal Counsel regarding legal rights and duties in reference to Madison Street. Passage 6-0, 8:05 P.M.

Motion was made by Councilor Glynn and seconded by Mayor Baxter to return to open session. Passage 4-0 (Boudreau, Larsen absent), 9:17 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to grant Abatement #97/98-01 in the amount of $1,687.39 plus interest and costs. Passage 4-0.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to adjourn. Passage 4-0, 9:19 P.M.

A TRUE COPY.

ATTEST

[Signature]

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING AUG. 4, 1997 VOL. 59 PAGE 11

ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Johnson to accept the minutes of the 7/21/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Jack Hammer, the Portland Public Works Mascot, presented the Mayor and Councilors with commemorative T-shirts, an agenda of events and a scroll announcing the Casco Bay Bridge Celebration on August 30 and 31st.

City Manager Jeffrey Jordan referenced several communications in the Council packets. He presented the first Spring Point Light Innovation Leadership Award to former City Manager Jerre Bryant. Mr. Bryant also received an award from National Semiconductor.

Mr. Elwell stated that the annual Civil War Reenactment is this weekend.

Mr. Jordan gave an update on the recycling facility and announced that the Police Call-in show is Tuesday evening at 7 P.M.

C. PETITIONS AND COMMUNICATIONS

City Clerk Linda Cohen announced that nomination papers to run for City Council and School Board will be available on August 11 in the Clerk’s office.

D. APPOINTMENT CALENDAR

1. ORDER #1-97/98 - SPCTV Advisory Committee, (Mayor). Term to expire 7/15/00. Postponed since 7/7/97.

   Motion was made by Mayor Baxter and seconded by Councilor Boudreau to postpone this item to 8/18/97. Passage 7-0.

   *****

2. ORDER #4-97/98 - Conservation Commission, At-Large (Glynn). To fill an unexpired term which expires 11/20/98. Postponed since 7/7/97.

   Motion was made by Councilor Glynn and seconded by Councilor Boudreau to postpone this item to 8/18/97. Passage 7-0.

E. CONSENT CALENDAR
IN COUNCIL REGULAR MEETING AUG. 4, 1997 VOL. 59 PAGE 12

F. CITIZEN DISCUSSION (FIRST PART)

Jim Joys, 6 Kenneth Road, passed around pictures of the standing water at his home from the rain the City received this weekend. He said he has lived there for ten years and been flooded about twenty times. His insurance company will no longer pay claims for water damage. He said he was told that the street has a 24" main when it needs a 36" one.

Rick Alonzo, 4 Kenneth Road, said he lives in fear for his basement every time it rains. He said he only gets static from the Public Works Department when he calls about cleaning out the sewer by Jamestown Condominiums.

G. PUBLIC HEARINGS AND ACTION

3. ORDINANCE #2-97/98 - amending Ch. 27, “Zoning,” for a map change from Limited Business District LB to Commercial District C for Lots 142, 143A, 144, 146, 147, 151, and 151A on Map 41 at Broadway/Main Street (Cash Corner). Given first reading on 7/21/97.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 7-0.

H. ACTION ON OLD AND NEW BUSINESS

4. ORDER #16-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 6-0 (Larsen out).

* * * * *

5. ORDER #17-97/98 - award of bid of Portland North Truck Center, of Falmouth, ME, for the purchase of a school bus for the School Department.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 7-0.

* * * * *

6. ORDER #18-97/98 - award of bid to Gorham Micro, of Saco, ME, and Higgins Office Products, of South Portland, ME, for the purchase of computers and printers for the
School Department.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to withdraw this item. Passage 7-0.

* * * * *

7. ORDER #19-97/98 - award of bid to Rainmaker Irrigation, of Portland, ME, for an irrigation system in the athletic field at South Portland High School.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Dana Anderson, Parks and Recreation Director

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

* * * * *

8. ORDER #20-97/98 - award of bid to DesLauriers and Associates of New England Inc., of Scarborough, ME, for field survey work for the sewer separation project in the Ferry Village and Cash Corner areas.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

* * * * *

9. ORDER #21-97/98 - award of bid to Aceto's Construction, of Gorham, ME, for brush and tree removal at the Highland Avenue Landfill.

Edward Reidman, City Engineer, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

* * * * *

10. ORDER #22-97/98 - award of bid to Kelley Mechanical, of Westbrook, ME, for pool ventilation system repairs at the South Portland Municipal Pool.
IN COUNCIL REGULAR MEETING AUG. 4, 1997 VOL. 59 PAGE 14

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ralph St. Pierre, Finance Director
Dana Anderson, Parks and Recreation Director

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage.
Passage 6-1 (Glynn).

******

11. ORDER #23-97/98 - award of bid to Ocean Properties, Ltd, of Portsmouth, NH, and authorizing the City Manager to execute a purchase and sale agreement and a municipal quit claim deed for the sale of City owned property on Running Hill Road.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage.
Passage 7-0.

******

12. ORDER #24-97/98 - award of bid to R. J. Grondin, of Gorham, ME, for Knightville/Mill Creek traffic improvements.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Betsy Nygren, Waterfront Market Association
Phil Notis, 71 Ocean Street
Debra Swan, C Street

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage.
Passage 6-1 (Glynn).

******

13. ORDER #25-97/98 - authorizing the City Manager to notify the Maine Department of Transportation requesting the name of the Knightville/Mill Creek area be changed to Waterfront Market.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage.
Passage 6-1 (Glynn).
I. CITIZENS DISCUSSION (SECOND PART)

Betsy Nygren thanked the Council for its support.

Tex Haeuser, Planning Director, thanked Councilors Avery and Boudreau for all of their work on the Knightville/Mill Creek committee. He said he learned a lot about working with a committee, and he thanked the Council for supporting the area.

Clarence Beckwith, Bonnybriar Road, said he hopes the City will be more careful in the future about job estimates. He asked if the surplus from last year's budget could be given back to the taxpayers. He said he is pleased to see Redbank students doing so well.

J. COUNCILORS' ROUND ROBIN

Councilor Johnson spoke about the towns he visited in Scandinavia on his recent vacation and how welcoming their waterfront areas were. He said he is delighted about the Waterfront Market and hopes South Portland can become more accessible for boaters.

Councilor Larsen asked Mr. Jordan if he had learned anything about the trees in Knightville that are blocking the traffic signs.

Councilor Boudreau referenced a letter in the Councilors packets regarding the refrigerator cards sent out by the Fire Department. She said all families should have emergency information on their refrigerators. She thanked Acting Corporation Counsel Paul Driscoll for his help. She also noted the hard work of the new County Commissioner Peter Feeney.

Councilor Avery said she attended the Celebration of Bob Elliot's life today at Merrill Auditorium. She said he did a lot for South Portland, including videos. She noted that he was in the first car to go down Broadway when it became two-way, and she announced that a scholarship has been set up in his name at South Portland High School.

Mayor Baxter said he is often concerned with how people walk and ride bicycles in traffic. He said that Scarborough has signs telling joggers and bikers which side of the road to be on. He suggested the South Portland businesses might be interested in taking that on.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Avery to go into Executive Session, pursuant to 1 M.R.S.A. §405 (6)(e), for discussion with Legal Counsel regarding legal rights and duties in reference to Madison Street. Passage 7-0, 10:00 P.M. Motion was made by Councilor Glynn and seconded by Councilor Larsen to return to open session. Passage 6-0 (Fickett gone), 10:53 P.M.
Motion was made by Councilor Glynn and seconded by Councilor Larsen to adjourn. Passage 6-0, 10:55 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. All Councilors were present.

H. ACTION ON OLD AND NEW BUSINESS

1. ORDER #26-97/98 - authorizing the City Manager to accept an assignment of development rights at Breakwater Condominium in the area of Madison Street.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to adjourn. Passage 7-0, 7:20 P.M.

A TRUE COPY.

ATTEST Linda C. Cohen, City Clerk
ROLL CALL: Mayor Baxter called the meeting to order at 7 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Boudreau to accept the minutes of the regular meeting of 8/4/97 and the special meeting of 8/11/97. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan displayed a certificate of appreciation to the City from the Spring Point Festival Committee.

He referenced a memo from Parks and Recreation Director Dana Anderson regarding Nick Macklin, a South Portland youth who placed 5th in the 200 meter run at the National Hershey Track & Field event.

Mr. Jordan read his CIP message.

C. PETITIONS AND COMMUNICATIONS

Department reports for the month of July.

Attendance reports for the month of July.

Planning Board report regarding passageways.

D. APPOINTMENT CALENDAR

1. ORDER #1-97/98 - SPCTV Advisory Committee, (Mayor). Term to expire 7/15/00. Postponed since 7/7/97.

Motion was made by Mayor Baxter and seconded by Councilor Glynn to postpone this item to 9/3/97. Passage 7-0.

2. ORDER #4-97/98 - Conservation Commission, At-Large (Glynn). To fill an unexpired term which expires 11/20/98. Postponed since 7/7/97.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to postpone this item to 9/3/97. Passage 7-0.
3. ORDER #27-97/98 - Ward Clerk, District One, to fill an unexpired term which expires 11/98.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery to appoint Sally Maxwell to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

4. ORDER #28-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

*****

5. ORDER #29-97/98 - authorizing a three percent cost of living adjustment for non-union employees.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Johnson for passage. Passage 6-1 (Glynn).

*****

6. ORDER #30-97/98 - award of bid to Gorham Micro, of Saco, ME, and Higgins Office Products, of South Portland, ME, for the purchase of computers and printers for the School Department.

The following people addressed this item:

A representative from Decade Computer Services
Clarence Beckwith, Bonnybriar Road
Roland LaBelle, School Department
IN COUNCIL REGULAR MEETING AUG. 18, 1997 VOL. 59 PAGE 20

Motion was made by Councilor Glynn and seconded by Councilor Avery for passage. Passage 7-0.

********

7. ORDINANCE #3-97/98 - authorizing the appropriation of $790,000 for capital projects for the fiscal year ending June 30, 1998. First reading.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Boudreau to postpone this item to 9/3/97. Motion was withdrawn. Passage of first reading 7-0.

********

8. ORDINANCE #4-97/98 - amending Ch. 27, “Zoning,” Sec. 27-55 Definitions, regarding passageways. First reading.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Passage 6-0 (Larsen out).

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he is glad to see paving and sewer separation progressing. He said he was disturbed to learn the City had purchased Bug Light Park without having access. He said the City got lucky and asked if the City owns the sewer and water in those streets.

J. COUNCILORS’ ROUND ROBIN

Councilor Boudreau said she is eager to see the Council meet with the City’s three State Representatives and Senator Amero, adding that she hopes the School Board will be invited. She said there are valuable issues to be discussed before things get hectic.

Mayor Baxter said he had his first opportunity to pass out awards at Art in the Park this year, and he never realized how many businesses contribute to its success. He commended Chairman Bill Alexander, committee member Linda Cohen and all the others who work on the committee. Mayor Baxter thanked Councilor Larsen for standing in for him at the Toys R Us opening.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Avery to go into
Executive Session, pursuant to 1 M.R.S.A. Sec. 405(6)(C), for discussion of the acquisition of the South Portland Armory. Passage 7-0, 8:37 P.M.

Motion was made by Councilor Avery and seconded by Councilor Larsen to come out of executive session. Passage 4-0, 10:04 P.M. (Boudreau, Johnson, Fickett absent).

Motion was made by Councilor Avery and seconded by Councilor Larsen to adjourn. Passage 4-0, 10:05 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING SEPT. 3, 1997 VOL. 59 PAGE 22

ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Boudreau to accept the minutes of the 8/16/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan noted that Maine Property Tax Relief forms are now available in City Hall. He read a letter from Kathy Randall praising Public Works Director Erskine. Mr. Jordan explained the information that is requested on the new refrigerator cards sent out by the Fire Department.

C. PETITIONS AND COMMUNICATIONS

Betsy Nygren, Vice President of the Waterfront Market Association, presented the City with a Don Patterson print of the old bridge.

Mayor Baxter presented Keith Sherrard, who is leaving the post of Sealer of Weights and Measures, with a plaque.

D. APPOINTMENT CALENDAR

1. ORDER #1-97/98 - SPCTV Advisory Committee (Mayor). Term to expire 7/15/00. Postponed since 7/7/97.

Motion was made by Mayor Baxter and seconded by Councilor Avery to postpone this item to 9/15/97. Passage 7-0.

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2. ORDER #4-97/98 - Conservation Commission, At-Large (Glynn). To fill an unexpired term which expires 11/20/98. Postponed since 7/7/97.

Motion was made by Councilor Glynn and seconded by Councilor Avery to postpone this item to 9/15/97. Passage 7-0.

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3. ORDER #31-97/98 - nomination to the Governor for appointments to the Greater Portland Public Development Commission.

There was no public discussion.
Motion was made by Councilor Boudreau and seconded by Councilor Johnson for passage. Passage 7-0.

* * * *

4. ORDER #32-97/98 - RWS Board of Directors - Alternate Member.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to withdraw this item. Motion was then withdrawn. Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by taking out the paragraph appointing Ralph St. Pierre as Alternate and only appointing him for the meeting of 9/25/97. Passage 6-1 (Fickett). Passage, as amended, 6-1 (Fickett).

E. CONSENT CALENDAR

5. NYNEX - installation of a pole on Oak Street.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 7-0.

F. CITIZEN DISCUSSION (FIRST PART)

Gloria Harrison, Surfsite Road, questioned the City's intent regarding James Street. She said it is repugnant to give a citizen property and then tax it.

Grace Allen, 81 Clifford Street, asked how much damage would be done to her property if Files Street is extended.

G. PUBLIC HEARINGS AND ACTION

6. ORDINANCE #3-97/98 - authorizing the appropriation of $790,000 for capital projects for the fiscal year ending June 30, 1998. Given first reading on 8/18/97.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Bob Blackwood, 16 Bluff Road
Ge Erskine, Public Works Director

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Motion
was made by Councilor Boudreau and seconded by Councilor Avery to amend the ordinance by including $65,000 for a new water truck. Motion was made by Councilor Glynn and seconded by Councilor Avery to amend the amendment by requiring the truck language to be spelled out separately in the ordinance, thereby making it a separate ballot question. Passage 5-2 (Fickett, Larsen). Passage of amendment, as amended, 5-2 (Fickett, Larsen). Passage of ordinance, as amended, 5-2 (Fickett, Larsen).

7. ORDINANCE #4-97/98 - amending Ch. 27, “Zoning,” Sec. 27-55 Definitions, regarding passageways. Given first reading on 8/18/97.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

H. ACTION ON OLD AND NEW BUSINESS

8. ORDER #33-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 5-0 (Johnson, Larsen out).

9. ORDER #34-97/98 - award of bid to Bill’s Wholesale Auto, of Hudson, NH, for the sale of a 1977 GMC pick-up truck.

Bob Blackwood, 16 Bluff Road, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.


There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 7-0.

The following people addressed this item:

Joanne Devine, 33 Carignan Avenue
Joan Leeman, 33 Thirlmere Avenue
Bob Blackwood, 16 Bluff Road

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the ordinance by increasing the fines in §14-625 to $1,000 to $2,500. Passage 7-0. Passage, as amended, 7-0.

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12. ORDINANCE #6-97/98 - amending Ch. 27, "Zoning," for a zone change from Residential District A to Conditional Residential District A-2 at 362 Cottage Road. First reading.

The following people addressed this item:

Gloria Harrison, Surfsite Road
Phil Place, 374 Cottage Road
Peter Kelley, abutter
Carl Pearson, 362 Cottage Road
Carl Laws, 15 Vincent Street
John Mitchell, Mitchell & Associates

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Passage 6-1 (Glynn).

*****

13. ORDINANCE #7-97/98 - amending Ch. 27, "Zoning," for a map change from Residential District A to Conditional Residential District A-2 at 362 Cottage Road. First reading.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading. Passage 6-1 (Glynn).

*****

14. ORDER #36-97/98 - accepting Madison Street and Pickett Street as City streets.

Clarence Beckwith, Bonnybriar Road, addressed this item.
Motion was made by Councilor Boudreau and seconded by Councilor Glynn for passage. Passage 7-0.

15. ORDER #37-97/98 - accepting portions of Curtis Lane, Exton Avenue, Fessenden Avenue, Lee Avenue, Evergreen Road, Files Street, and Skillings Street as City streets.

The following people addressed this item:

George Kyle, 10 Curtis Lane
Mark Martin, 165 Skillings Street

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 7-0.

16. ORDER #38-97/98 - extending the deadline of automatic vacation of certain paper streets for twenty years pursuant to 23 M. R. S. A. Sec. 3032.

The following people addressed this item:

Gloria Harrison, Surfsite Road
Tex Haeuser, Planning Director
Ralph Sama, owner of property on Mussey and Marriner Streets

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the order by removing Day Street from the list and postponing its consideration to the 9/15/97 meeting. Passage 7-0. Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend the order by adding James Street to the list. Passage 7-0. Passage, as amended, 7-0.

17. ORDER #39-97/98 - authorizing the City Manager to implement the 1998 Capital Improvement Program.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Bob Blackwood, 16 Bluff Road

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Passage 7-0.
I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he attended the first day of the bridge celebration, and it was well organized. He said the Committee deserves credit for doing a good job. He said that Scarborough is funding a field lighting project all with donations. He said people are not interested in saving money on the water truck. He said he lost his nest egg because of Council action. He said the Council can really destroy people’s property rights.

Bob Blackwood, 16 Bluff Road, said a large portion of people in this city think that Skillin School is great. He said Riverton School is big, but the students have excellent test scores.

J. COUNCILORS’ ROUND ROBIN

Councilor Glynn said the City should be funding neighborhood schools. He noted that Redbank School has some of the best test scores. He said he attended the bridge opening ceremony, and the Mayor did a great job.

Councilor Larsen said she attended the Bureau of Justice Assistance meeting in the Mayor’s place. She said Police Chief Ed Googins did a wonderful job. She expressed the Council’s appreciation for the block grants.

Councilor Avery noted that the bridge celebration was well organized and well attended. She said the City Clerk did an excellent job on the Committee, putting in lots of long hours. She said the public doesn’t know about some of the long hours City employees put in, often attending 6:30 A.M. meetings, and she knows how that can affect parental duties. She said a key piece of the new bridge will be the dredging, and it’s important that that happens.

Councilor Fickett noted that Gandhi attended a college not controlled by the government.

Councilor Johnson asked if Bug Light Park is officially opened and if the City put old couches and mattresses there so people would be comfortable. He noted that there are no waste receptacles there.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel regarding rights and duties in reference to a tax acquired property and, pursuant to 1 M.R.S.A. §405(6)(c), for discussion of the acquisition of the South Portland Armory. Passage 7-0, 10:47 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to come out of executive session. Passage 5-0 (Avery, Boudreau out), 11:55 P.M.
Motion was made by Councilor Glynn and seconded by Councilor Larsen to adjourn. Passage 5-0, 11:55 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING SEPT. 15, 1997 VOL. 59 PAGE 29

ROLL CALL: Mayor Baxter called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Larsen to accept the minutes of the 9/3/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Mr. Jordan cited letters from Gene & Jeanine Swanson and Mrs. Conley. He noted that the streets in Knightville/Mill Creek are all going to two way.

C. PETITIONS AND COMMUNICATIONS

Department reports for the month of August.

Attendance reports for the month of August.

Mayor Baxter presented a plaque to Norman Spear who is retiring after 25 years as a mechanic in the Public Works Department.

D. APPOINTMENT CALENDAR

1. ORDER #1-97/98 - SPCTV Advisory Committee (Mayor). Term to expire 7/15/00. Postponed since 7/7/97.

There was no public discussion.

Motion was made by Mayor Baxter and seconded by Councilor Larsen to appoint Angie Pelletier to this position. Passage 7-0.

2. ORDER #4-97/98 - Conservation Commission, At-Large (Glynn). To fill an unexpired term which expires 11/20/98. Postponed since 7/7/97.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to appoint Ray Lee to this position. Passage 4-3 (Boudreau, Avery, Johnson).

3. ORDER #40-97/98 - Ward Clerk Pro Tempore (District 2) for the 11/4/97 election only.
IN COUNCIL REGULAR MEETING SEPT. 15, 1997 VOL. 59 PAGE 30

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau to appoint Paula Jane Howard to this position. Passage 7-0.

* * * * *

4. ORDER #41-97/98 - People’s Regional Opportunity Program Board of Trustees for a term which expires 06/30/00.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery to appoint Jill Crouch to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION


Joanne Devine, 33 Carignan Avenue, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Glynn for passage. Passage 7-0.

* * * * *


There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 6-1 (Glynn).

* * * * *

IN COUNCIL REGULAR MEETING SEPT. 15, 1997 VOL. 59 PAGE 31

There was no public discussion.

Motion was made by Councillor Boudreau and seconded by Councillor Larsen for passage. Passage 6-1 (Glynn).

H. ACTION ON OLD AND NEW BUSINESS

8. ORDER #38-97/98 - reconsideration to remove Spaulding Street and a portion of Hunnewell Street from the list of streets for which the deadline was extended.

There was no public discussion.

Motion was made by Councillor Glynn and seconded by Councillor Boudreau to reconsider Order #38-97/98. Passage 7-0. Motion was made by Councillor Glynn and seconded by Councillor Avery to amend the order by removing Spaulding Street and a portion of Hunnewell Street. Passage 7-0. Passage, as amended, 7-0.

* * * * *

9. ORDER #42-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councillor Boudreau and seconded by Councillor Avery for passage. Passage 7-0.

* * * * *

10. ORDER #43-97/98 - award of bid to Mainland Structures, of Gorham, ME, for the construction of the Redbank Community Facility.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Dana Anderson, Parks and Recreation Director

Motion was made by Councillor Glynn and seconded by Councillor Fickett for passage. Passage 7-0.

* * * * *

11. ORDER #44-97/98 - reserving limited interest in certain paper streets.

Tom Coward, 17 Woodbury Street, addressed this item.

Motion was made by Councillor Avery and seconded by Councillor Boudreau for passage.
12. ORDINANCE #8-97/98 - amending Ch. 27, "Zoning," regarding aviation facilities and services in the Light Industrial IL District. First reading.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ken Lamoreaux, Director of Engineering at Sheriden Corp.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading. Passage 7-0.

13. ORDINANCE #9-97/98 - amending Ch. 27, "Zoning," for a map change from Rural Residential RF to Light Industrial IL in the Jetport area. First reading.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading. Passage 7-0.

14. ORDER #45-97/98 - authorizing the City Manager to submit a Community Development Block Grant (CDBG) for the Center for Environmental Enterprise.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Tex Haeuser, Planning Director
Phil Helgerson, Center for Environmental Enterprise Director

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 7-0.

15. ORDER #46-97/98 - authorizing the submission of a bid for the purchase of the Armory.

The following people addressed this item:

Bob Schwartz, Scamman Street
IN COUNCIL REGULAR MEETING SEPT. 15, 1997 VOL. 59 PAGE 33

Tim O'Neil, 81 Adelbert Street
Dennis Gilbert, Hudson Road
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Motion was made by Councilor Avery and seconded by Councilor Fickett to amend the order by removing the first two sentences of the fiscal note. Passage 7-0. Passage, as amended, 4-3 (Fickett, Glynn, Larsen).

16. ORDER #47-97/98 - designating the City Manager as the Licensing Authority for Utility Location Permits.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Avery for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the order in the second paragraph after “2502” by adding “or at the request of a City Council member for a hearing made during the objection period” and adding a third paragraph which states “be it further ordered that the City Council shall be notified during the objection period of each proposed license.” Failed 3-4 (Baxter, Boudreau, Avery, Johnson). Passage 4-3 (Avery, Glynn, Fickett).

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, asked if the City will have Spring Point Light inspected before taking it over. He commented on recent statements he had heard regarding the number of poor children receiving two meals a day from the schools. He said it bothers him to have a police officer at Council meetings, adding that it is a waste of taxpayers dollars.

Tim O'Neil, 81 Adelbert Street, said it's important that the Council not “rubber stamp” appointments to boards and committees. He said he wants to serve with people who will be respectful when they disagree, and it's not fair to have volunteers subjected to what the Council has been through.

J. COUNCILORS' ROUND ROBIN

Councilor Johnson said he is glad to have a police officer present, because things have changed publicly. He said they had frightening elements in the audience when he was in the House, adding that there is a certain element of anger.

K. EXECUTIVE SESSION

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to go into executive
session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 7-0, 9:57 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to come out of executive session. Passage 6-0 (Boudreau out), 10:50 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Abatement #2-97/98 in the amount of $2,275.15 plus interest and costs for the year 96/97. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Abatement #3-97/98 in the amount of $5,813.55 plus interests and costs for the years 92/93 - 97/98. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Mayor Baxter to adjourn. Passage 6-0, 10:52 P.M.

A TRUE COPY.

ATTEST: Linda C. Cohen, City Clerk

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING OCT. 6, 1997 VOL. 59 PAGE 35

ROLL CALL: Mayor Baxter called the meeting to order at 7 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Avery to accept the minutes of the 9/15/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeff Jordan cited various communications in the Council packet.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #48-97/98 - delegate to the Maine Municipal Association's 1997 convention.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen to appoint Jack Roberts to this position. Passage 7-0.

E. CONSENT CALENDAR

Coin Operated Device

2. Joan Cellia/William O'Rourke, d/b/a O'Rourke's Landing, 175 Benjamin W. Pickett Street. One coin operated device. 10/6/97 - 6/30/98. New City License.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery to grant the license. Passage 7-0.

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

3. ORDINANCE #8-97/98 - amending Ch. 27, "Zoning," regarding aviation facilities and services in the Light Industrial IL District. Given first reading on 9/15/97.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
IN COUNCIL REGULAR MEETING OCT. 6, 1997 VOL. 59 PAGE 36

Tex Haeuser, Planning Director

Motion was made by Councilor Larsen and seconded by Councilor Avery for passage. Motions were withdrawn. Motion was made by Councilor Boudreau and seconded by Councilor Avery to withdraw this item from the agenda. Passage 5-2 (Johnson, Fickett).

* * * * *


The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ted Lamoreaux, Sheridan Corporation Engineer

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to withdraw this item from the agenda. Passage 6-1 (Johnson).

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #49-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 6-0 (Johnson out).

* * * * *

6. ORDER #50-97/98 - setting the time for opening the polls on November 4, 1997.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

* * * * *

7. ORDER #51-97/98 - award of bid to J.J.M. Memphis L.L.C., of Seabrook, NH, for the sale of City-owned property at 333 Western Avenue.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.
8. ORDER #52-97/98 - award of bid to Wenger Corporation, of Owatonna, MN, for the purchase of furniture for the School Department.

Glen Cummings, Supervisor of School Maintenance, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 7-0.

* * * * *

9. ORDER #53-97/98 - authorizing the purchase of additional computers from Gorham Micro for the School Department under Bid #398.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Roland LaBelle, School Department

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

* * * * *

10. ORDER #54-97/98 - authorizing the City Manager to sign a City/State Agreement regarding the relocation of Johnson Road/Western Avenue.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

* * * * *

11. ORDER #55-97/98 - authorizing the City Manager to request the State of Maine Sealer to appoint an individual to serve as Sealer of Weights and Measures.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Glynn for passage. Passage 7-0.

1. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, noted that there is no police officer present this evening, and he hasn't seen a crime committed yet. He said the only crime he knows of that occurred in City Hall was embezzlement.
COUNCILORS’ ROUND ROBIN

Councilor Avery said that City Staff and the DOT are working on the traffic situation with the new bridge and urged residents to call both with their concerns or complaints.

Mayor Baxter said the concerns expressed to him had to do with pedestrian crossings on Cottage Road and Ocean Street at their intersection with Broadway.

Councilor Fickett said there is no way to straighten the mess out without removing the armory and fire station. He said a roundabout is needed on Broadway, adding that the poor engineering in this project will cause the problem to get worse every year. He said he likes having the police officer at Council meetings.

Councilor Glynn said he wants the next budget to become front burner now, so that the Council can try for either a no tax increase or a tax decrease. He said he is afraid of a substantial increase in spending.

Councilor Larsen said the Friends of Casco Bay notified the Council on Friday that there would be a shoreline cleanup last weekend. She said that only 12 people showed up, and she asked for better notice next time.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to adjourn. Passage 7-0, 8:30 P.M.

A TRUE COPY.

ATTEST ____________________________
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING OCT. 20, 1997 VOL. 59 PAGE 39

ROLL CALL: Mayor Baxter called the meeting to order at 7 P.M. Councilor Larsen was absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Glynn to accept the minutes of the 10/6/97 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan thanked Susan Mooney for her help on the final budget document and Delcia Hutchinson for her help on the 95/96 Annual Report.

C. PETITIONS AND COMMUNICATIONS

Department reports for the month of September.

Attendance reports for the month of September.

City Clerk Linda Cohen stated that the Centennial Committee is putting together a 1998 Centennial Calendar and is seeking a photograph of Mill Creek Park with the holiday lights on the trees.

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Ray Lee, Henry Street, said he understood some Councilors made some negative remarks about him on the night he was appointed to the Conservation Commission. He said Councilors should hold themselves to a higher standard. He said he'll try to live up to their expectations.

G. PUBLIC HEARINGS AND ACTION

FSE/HOTEL WITH LIQUOR

1. Western Host, Inc., d/b/a Sheraton Tara Hotel, 363 Maine Mall Road. FSE/Hotel with Liquor license. 10/20/97 - 10/20/98. New owner of existing business. State and City license.

Lee Lowry, representing the applicant, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau to grant the license. Passage 6-0.
H. ACTION ON OLD AND NEW BUSINESS

2. ORDER #56-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 6-0.

* * * * *

3. ORDER #57-97/98 - award a bid to Sawtelle Brothers, of Lawrence, MA, for the purchase of a turf sweeper for the Parks Department.

John Switzer, Parks Department, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 6-0.

* * * * *

4. ORDER #58-97/98 - authorizing the City Manager to sign an indenture agreement with Andrew Cloutier for the installation of a private sewer line in Hill Street.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 6-0.

* * * * *

5. ORDER #59-97/98 - authorizing the City Manager to submit a Phase I I application for a Community Development Block Grant for the Ferry Village Sewer Project.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 6-0.

* * * * *

6. ORDER #60-97/98 - accepting a Problem-Solving Partnership Grant from the U.S. Department of Justice COPS Office.
Ed Googins, Police Chief, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn for passage. Passage 6-0.

*****

7. ORDER #61-97/98 - authorizing the City Manager to submit an application to the Island Institute for the acquisition of Spring Point Ledge Lighthouse.

The following people addressed this item:

Stanley Cox, Highland Avenue
Clarence Beckwith, Bonnybriar Road
Roxanna Gray, 26 Beach Street
Ray Lee, Henry Street
Edward Wright, Cottage Road
Jack Roberts, Welfare Director

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Motion was made by Councilor Boudreau and seconded by Councilor Avery to withdraw the item. Passage 4-2 (Fickett, Glynn).

*****

Motion was made by Councilor Boudreau and seconded by Councilor Avery to waive the reading of the ordinance because of its length. Passage 6-0.


There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Passage 3-2 (Fickett, Glynn) (Johnson out).

*****

Motion was made by Councilor Avery and seconded by Councilor Glynn to waive the reading of the ordinance because of its length. Passage 5-0 (Johnson out).


The following people addressed this item:
IN COUNCIL REGULAR MEETING OCT. 20, 1997 VOL. 59 PAGE 42

Ed Googins, Police Chief
Ray Lee, Henry Street
Joan Leeman, Thirlmere Avenue
Stanley Cox, Highland Avenue
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading. Motion was made by Councilor Johnson and seconded by Councilor Glynn to amend the ordinance in §14-710B by deleting #1 and #2 regarding cameras. Passage 4-2 (Baxter, Avery). Motion was made by Councilor Fickett and seconded by Councilor Glynn to amend the ordinance in §14-701a and e by deleting bookstores. Passage 4-2 (Baxter, Avery). Motion was made by Councilor Johnson and seconded by Councilor Glynn to withdraw the item. Failed 3-3 (Baxter, Boudreau, Avery). Motion was made by Councilor Boudreau and seconded by Councilor Johnson to amend the ordinance by changing the license fee to $500. Passage 4-2 (Baxter, Avery). Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the ordinance by changing the license fee to $100. Failed 2-4 (Baxter, Johnson, Avery, Boudreau). Passage of first reading, as amended, 6-0.

* * * *

10. ORDER #62-97/98 - authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Patrolmen's Association.

The following people addressed this item:

Roger Kelley, Labor Relations Consultant
Officer Steve Webster read a letter from Officer Jim Fahey
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Passage 6-0.

I. CITIZENS DISCUSSION (SECOND PART)

Stanley Cox, Highland Avenue, questioned the Council's voting procedures.

Clarence Beckwith, Bonnybriar Road, questioned a letter the Council had received from Conservation Commission Chairman Chris Bowring regarding a vote by the Commission on the lighthouse issue. He also said Mr. Fickett was railroaded off the Council.

J. COUNCILORS' ROUND ROBIN

Mayor Baxter said he had received a few calls from people wanting to know why the drive-up mail boxes had disappeared.
Councilor Fickett said he is looking forward to Friday because it is St. Crispin’s Day.

Councilor Glynn said he would like an update on Taylor Lane. He again asked the Council to consider starting the budget process now and setting some guidelines.

Councilor Boudreau noted that it’s 11:25 P.M., and the Council is going into executive session. She said the Council worked hard tonight but also wasted time, and she warned would-be Councilors to think hard about the job.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 6-0, 11:26 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Avery to come out of executive session. Passage 6-0, 12:20 A.M.

Motion was made by Councilor Glynn and seconded by Councilor Avery to postpone Abatement #4-97/98 to 11/3/97. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Councilor Avery to adjourn. Passage 6-0, 12:21 A.M. (10/21/97).

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
ROLL CALL: Mayor Baxter called the meeting to order at 7 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Boudreau to accept the minutes of the 10/20/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan expressed condolences to Councilor Fickett on the loss of his son Frank and to Tom Phillips on the loss of his wife Dorris.

City Clerk Linda Cohen explained how to vote using the new Accuvote voting equipment. She also thanked the staff of the Eagles and SMTC for all of their help in setting up for tomorrow's election.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Female, 428 Topaz (Scarborough), urged the Council to get rid of the business on Main Street that has the Open sign in the window.

G. PUBLIC HEARINGS AND ACTION

SPECIAL AMUSEMENT LICENSE

1. Western Host, Inc., d/b/a Sheraton Tara Hotel, 363 Maine Mall Road. Special Amusement License. 10/20/97 - 10/20/98. New owner of existing business.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

* * * * *


There was no public discussion.
Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 6-1 (Glynn).

* * * * *


The following people addressed this item:

Ray Lee, Henry Street
Chris Muse, 35 Mildred Street
Christina Pelletier, 869 Broadway
Joanne Devine, 33 Carrignan Avenue
Brian and Nancy Plourde, 106 Grandview (by letter)
Penny Regan, Sunset Avenue
Joan Leeman, Thirlmere Avenue
Ed Googins, Police Chief

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Motion was made by Councilor Boudreau and seconded by Councilor Avery to amend the ordinance by adding adult amusement store and sexual device and adding, in definitions, adult amusement store. Passage 7-0. Passage, as amended, 6-1 (Fickett).

H. ACTION ON OLD AND NEW BUSINESS

4. ORDER #63-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 7-0.

* * * * *

5. ORDER #64-97/98 - accepting a Section 404 Hazard Mitigation Grant in the amount of $35,000.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Motion was made by Councilor Avery and seconded by Councilor Larsen to amend the order by changing the grant to $26,250 and adding the expense of $8,750 in the fiscal note. Passage 7-0. Passage, as amended, 7-0.

* * * * *

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Passage 7-0.

7. ORDER #66-97/98 - authorizing the City Manager to sign a lease extension with Congregation Bet Ha’am for the lease of Sawyer School.

The following people addressed this item:
Ray Lee, 28 Henry Street
Bob Blackwood, 16 Bluff Road

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Passage 7-0.

8. ORDER #67-97/98 - accepting a portion of Marriner Street.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

9. ORDER #68-97/98 - accepting a deed from Portland Water District for a lot at the end of Scott Road.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

Motion was made by Councilor Boudreau and seconded by Councilor Avery to waive reading the ordinance because of its length. Passage 7-0.

The following people addressed this item:

Stanley Cox, 460 Highland Avenue
Bob Blackwood, 16 Bluff Road
Ray Lee, Henry Street

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the ordinance by deleting §3-11. Passage 7-0. Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the ordinance by adding in §3-24 that the South Portland Police will transport the carcass. Passage 7-0. Passage of first reading, as amended, 6-1 (Glynn).

* * * * *

Motion was made by Councilor Avery and seconded by Councilor Boudreau to waive reading the ordinance because of its length. Passage 7-0.

11. ORDINANCE #13-97/98 - amending Ch. 9, "Garbage and Refuse," regarding transfer facility fees. First reading.

The following people addressed this item:

Ray Lee, Henry Street
Stanley Cox, Highland Avenue

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Passage 6-1 (Glynn).

* * * * *


The following people addressed this item:

Ken Lamoreaux, Sheriden Corporation
Richard Lee, 163 Westbrook Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage of the first reading with public hearing postponed to 12/1/97. Passage 7-0.

* * * * *

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Larsen for passage of the first reading with public hearing postponed to 12/1/97. Passage 7-0.

*****

14. ORDER #69-97/98 - authorizing Pierce Atwood to provide legal services to file a “friend of the court” brief in Delogu v. State of Maine.

The following people addressed this item:

Ray Lee, Henry Street
Bob Blackwood, 16 Bluff Road
Clarence Beckwith, Bonnybriar Road
Stanley Cox, Highland Avenue

Motion was made by Councilor Boudreau and seconded by Councilor Johnson for passage. Passage 6-0 (Glynn out).

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said the bridge is a nightmare. He said that Knightville isn’t even mentioned on the signage, and it’s going to die. He said low income elderly housing should go into Knightville.

Clarence Beckwith, Bonnybriar Road, said that no one ever mentions the fact that the swimming pool loses money every year. He said tomorrow’s election is momentous, and the city is heading into huge budget increases. He said he hopes people vote against the water truck.

Bob Blackwood, 16 Bluff Road, said tomorrow’s election is about a sense of community.

J. COUNCILORS’ ROUND ROBIN

Mayor Baxter said he hopes everyone votes.

Councilor Larsen said she attended the Water convention in Chicago and brought back a lot of information about sludge removal and odor control.
K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty and, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel of the legal rights and duties of the City Council. Passage 7-0, 10:55 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to return to open session. Passage 7-0, 11:32 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to grant abatement request #4-97/98 in the amount of $5,753.99 plus interest and costs to date. Passage 5-2 (Avery, Boudreau).

Motion was made by Councilor Glynn and seconded by Councilor Larsen to go into executive session, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel of the legal rights and duties of the City Council. Passage 7-0, 11:33 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to return to open session. Passage 7-0, 11:45 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to adjourn. Passage 7-0, 11:46 P.M.

A TRUE COPY.

ATTEST: Linda C. Cohen
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING NOV. 17, 1997 VOL. 59 PAGE 50

ROLL CALL: Mayor Baxter called the meeting to order at 7 P.M. Councilors Boudreau, Glynn and Johnson were absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Larsen to accept the minutes of the 11/3/97 meeting. Passage 4-0.

B. COMMUNICATIONS FROM CITY MANAGER

Mayor Baxter noted that South Portland was the only community around that started clearing the snow on the streets in the afternoon; all other communities started later. He told Public Works Director Ge Erskine that the Department did a good job.

Mayor Baxter congratulated Councilor Fickett for his 17 years on the Council and wished him luck, adding that he will miss him at meetings.

C. PETITIONS AND COMMUNICATIONS

Department reports for the month of October.

Attendance reports for the month of October.

Report from the Finance Director regarding tax abatements.

D. APPOINTMENT CALENDAR

1. ORDER #70-97/98 - Conservation Commission, District 3 (Baxter). Term to expire 11/20/00.

Motion was made by Mayor Baxter and seconded by Councilor Larsen to postpone this item to 12/1/97. Passage 4-0.

2. ORDER #71-97/98 - Conservation Commission, District 4 (Fickett). Term to expire 11/20/00.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 12/1/97. Passage 4-0.

E. CONSENT CALENDAR
F. CITIZEN DISCUSSION (FIRST PART)

Diana Riesold, 50 Scott Road, expressed her concern about the distance to her polling place. She said she was told she could vote absentee if she cannot physically get to her polling place.

Ge Erskine, Public Works Director, thanked Mayor Baxter for his comments on the roads and thanked his employees for doing a good job.

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Ray Lee, Henry Street
Stanley Cox, Highland Avenue

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Motion was made by Councilor Avery and seconded by Councilor Larsen to amend the ordinance by expanding the definition of "at large." Passage 4-0. Passage, as amended, 4-0.

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The following people addressed this item:

Bob Hodges, Human Resources Director
Ray Lee, Henry Street
Ge Erskine, Public Works Director
Clarence Beckwith, Bonnybriar Road
Lewis Beckford, Romano Road

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Failed, 1-3 (Fickett, Avery, Larsen).

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #72-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 4-0.
IN COUNCIL REGULAR MEETING NOV. 17, 1997 VOL. 59 PAGE 52

6. ORDER #73-97/98 - authorizing the City Manager to sign an indenture agreement with Marilyn Gimbert for the installation of a private sewer line in Rosewood Avenue.

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 4-0.

*****

7. ORDER #74-97/98 - award of bid to Portland North Truck Center, of Falmouth, ME, for the purchase of three (3) dump trucks for the Public Works Department.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 4-0.

I. CITIZENS DISCUSSION (SECOND PART)

Stanley Cox, 460 Highland Avenue, advised the Council that the microphone on the lectern is very sensitive, and it is annoying to listeners when a speaker knocks or bumps into the lectern. He suggested a soft mounted or independent microphone be used.

Clarence Beckwith, 51 Bonnybriar Road, thanked Councilor Fickett for all the years he has given to the Council, adding that he has saved thousands of dollars for the City. He said the City will have a hard time holding spending down without him. He noted the overtime spent by Public Works clearing the football field for the game. He said he didn't feel that taxpayers money was well spent.

Ray Lee, 28 Henry Street, said he would miss Councilor Fickett because he headed the City in the right direction. He said the people elected a big spending liberal to the Council.

J. COUNCILORS’ ROUND ROBIN

Councilor Fickett read an item from his old school book regarding democracy. He said the citizens of South Portland should be on their guard regarding the School Board and City Council’s fiscal policy. He said he doesn’t want the City to embark on excessive spending.

Councilor Larsen said it was a pleasure working with Councilor Fickett, and she appreciates what he has brought to the Council. She said she will listen to his message regarding fiscal policy.

Councilor Baxter thanked Attorney Paul Driscoll for sitting in for Corporation Counsel Mary Kahl and Cindy Iezzi for sitting in for the City Clerk. He reminded Councilor Fickett that he still doesn’t have a John Deere cap.
Motion was made by Mayor Baxter and seconded by Councilor Fickett to adjourn. Passage 4-0, 8:28 P.M.

A TRUE COPY.

ATTEST ____________________________
Cynthia Iezzi, Deputy Clerk
Mayor Baxter called the meeting to order at 4:00 P.M. All Councilors were present.

Mayor Baxter invited the Reverend McCall to offer the invocation.

City Clerk Cohen administered the Oath of office to Councilors-elect Baxter and Bowring.

City Clerk Cohen declared Councilors Baxter and Bowring duly qualified Councilors.

Councilor Boudreau nominated Councilor Avery for Mayor for year 1997/99. Councilor Johnson seconded the motion.

Councilor Bowring moved that nominations cease. Councilor Johnson seconded the motion. Passage 7-0.

City Clerk Cohen called the Roll.

Mayor Baxter announced Councilor Avery as Mayor for 1997/98 with five votes.

Mayor Avery presented the Official Portrait and Gavel to out-going Mayor Baxter.

Mayor Avery then presented the Inaugural Address.

Councilor Bowring moved that the Inaugural Address be spread on the records. Councilor Baxter seconded the motion. Mayor Avery took the vote and ordered the Inaugural Address be spread on the records.

Councilor Boudreau read and moved for passage of RESOLUTION # 2 -97/98 establishing time and place of meetings. Councilor Johnson seconded the motion. Mayor Avery took the vote and declared the Resolution duly passed.

Councilor Baxter moved that Council recess until 7:00 p.m. Councilor Boudreau seconded the motion. Mayor Avery took the vote and declared the Council recessed until 7:00 p.m. this evening.
IN COUNCIL INAUGURAL MEETING DEC. 1, 1997 VOL. 59 PAGE 55

Mayor Avery reconvened the meeting at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Larsen and seconded by Councilor Boudreau to accept the minutes of the 11/17/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan cited a letter and a memo in the Council packets regarding the Irving property in the shipyard area. He noted that the tree lighting in Mill Creek Park will take place Friday evening. Mayor Avery presented outgoing Councilor Robert Fickett with a plaque recognizing his 17 years of service to the City.

C. PETITIONS AND COMMUNICATIONS

City Clerk Linda Cohen announced that the 1998 Centennial Calendars will be mailed to every resident on Friday or Saturday of this week. She explained that the calendars feature the photography of Welfare Director Jack Roberts, and the pictures, all showing various locations in the City, will be worth framing. She added that the Centennial events, as they are now known, appear on the calendar.

D. APPOINTMENT CALENDAR

1. ORDER #70-97/98 - Conservation Commission, District 3 (Baxter). Term to expire 11/20/00. Postponed on 11/17/97.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to appoint Warren Morgan to this position. Passage 7-0.


Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 12/15/97. Passage 7-0.

3. ORDER #75-97/98 - Conservation Commission, Associate Member. Term to expire 11/20/00.

There was no public discussion.
IN COUNCIL INAUGURAL MEETING DEC. 1, 1997 VOL. 59 PAGE 56

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to appoint Christopher Hoffman to this position. Passage 7-0.

* * * * *

4. ORDER #76-97/98 - Registrar of Voters. Term to expire 12/99.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to appoint Elizabeth Willwerth to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION


Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Johnson for passage. Passage 6-1 (Boudreau).

* * * * *


There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Baxter for passage. Passage 6-1 (Boudreau).

H. ACTION ON OLD AND NEW BUSINESS

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to table item # 7 until after the recipients arrive. Passage 7-0.

8. PROCLAMATION #2-97/98 - recognizing Dorothy Gonyea, of 62 Lovell Street, for her contributions to Camp Sunshine and the School Department.
The following people addressed this item:

Ray Lee, Henry Street  
Dorothy Gonyea, 62 Lovell Street

Motion was made by Councilor Glynn and seconded by Councilor Baxter for passage. Passage 7-0.

*****

9. ORDER #77-97/98 - authorizing the City Manager to submit a second proposal for the purchase of the South Portland Armory.

The following people addressed this item:

Bob Schwartz, Scamman Street  
Bob Libby, Scamman Street  
Lori Bowring Michaud, 10 Hudson Road  
Chris Soule, 32 Churchill Road  
Mr. Hart, 42 Churchill Road  
Stanley Cox, 460 Highland Avenue  
Katherine Flemming, 624 Broadway  
Dennis Gilbert, 15 Hudson Road  
Virginia and Russell Clason, 11 Hudson Road (by letter)  
Arthur Kierstead, 40 Derby Road  
Tim O'Neil, 81 Adelbert Street  
Stephanie Gilbert, 15 Hudson Road  
Ray Lee, Henry Street

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

*****

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for a five minute recess. Passage 6-0 (Larsen out), 8:34 P.M.

10. ORDER #78-97/98 - award of bid to O'Connor GMC, of Augusta, ME, for the purchase of a service vehicle for the Code Enforcement Department.

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 6-0 (Larsen out).

*****
11. ORDER #79-97/98 - award of bid to Oest Associates, Inc., of South Portland, ME, for the Cape Elizabeth/South Portland Boundary Survey Project.

The following people addressed this item:

Oest Associate Representatives
Ed Reidman, City Engineer
Harvey Oest, President of Oest Associates

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage.
Passage 6-1 (Glynn).

* * * * *

7. PROCLAMATION #1-97/98 - recognizing Ralph & Kathy Cabana for their contributions to the library.

Kathy Cabana, Providence Avenue, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage.
Passage 7-0.

* * * * *

12. ORDER #80-97/98 - award of bid to R. J. Grondin, of Gorham, ME, for the Landfill Closure Project.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ge Erskine, Public Works Director
Ed Reidman, City Engineer

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage.
Passage 7-0.

* * * * *

13. ORDER #81-97/98 - award of bid to Searway Ford Sales of Springvale, ME, for the purchase of eight police cruisers for the Police Department.

Ed Googins, Police Chief, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage.
Passage 7-0.

*****
14. ORDER #82-97/98 - accepting a Local Law Enforcement Block Grant from the Bureau of Justice Assistance for the Police Department.

Ed Googins, Police Chief, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage. Passage 7-0.

*****

15. ORDER #83-97/98 - appealing the Public Works Director's denial of a curb cut on Rumery Road.

The following people addressed this item:

Bob Marvin, appellant
Ed Googins, Police Chief

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

*****


There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage of the first reading. Passage 6-0 (Johnson out).

*****


Motion was made by Mayor Avery and seconded by Councilor Bowring to reconsider this item. Passage 5-2 (Larsen, Glynn).

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to amend §9-33(a) by changing "council" to "city clerk." Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend the ordinance by deleting roofing shingles from prohibited materials and adding them as permitted items. Passage 5-2, (Boudreau, Johnson).
Passage of ordinance, as amended, 5 - 2 (Glynn, Larsen).

****

18. ORDER #84-97/98 - setting the fee schedule for the Transfer Facility.

The following people addressed this item:

Stanley Cox, 460 Highland Avenue
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Ge Erskine, Public Works Director
Bob Hodges, Human Resources Director

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the fee schedule by eliminating the reference to two weeks in #4. Failed, 2-5 (Avery, Johnson, Baxter, Boudreau, Bowring).

Motion was made by Councilor Glynn and seconded by Councilor Bowring to amend the fee schedule in #4 by changing the two weeks to four weeks. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to amend the fee schedule by adding “attendant is authorized to reduce the fee for partial loads” at the bottom of the page. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to amend the fee schedule in #5 by adding roofing shingles after vinyl siding. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Bowring to amend the fee schedule by adding “the Public Works Director may suspend charges on a city wide basis following major storm events.” Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the fee schedule by deleting the fee for passenger vehicles in #4 and #5. Failed 2-5 (Avery, Boudreau, Baxter, Bowring, Johnson).

Passage, as amended, 5 - 2 (Glynn, Larsen).

I. CITIZENS DISCUSSION (SECOND PART)

Stanley Cox, 460 Highland Avenue, asked about items appearing on agendas when they haven’t been to workshop. He asked how the Council came up with cost figures for the landfill. He said the City should be consistent and use fees across the board and not on just one or two things. He said there is a big variance between a truckload and one branch.
IN COUNCIL INAUGURAL MEETING DEC. 1, 1997 VOL. 59 PAGE 61

Clarence Beckwith, Bonnybriar Road, said the Council is jeopardizing the safety of the people on the street by having a police officer at the meeting. He asked if two additional men are being hired for the dump. He said it is unfortunate that the fee schedule passed.

Ray Lee, Henry Street, said he will stockpile trash on his property before he'll pay the fees, and he said there will be a lot of items discarded on Highland Avenue. He said a police officer in Chambers will not keep a citizen from blowing your head off. He said the right decisions will keep that from happening. He said the reason the Council uses sleazeball methods to pass the mayorship is because everyone is afraid of Councilor Glynn and the fact that he is so much wiser than everyone. He challenged the Democratic City Committee to meet the Republican City Committee’s donation to Camp Sunshine.

J. COUNCILORS' ROUND ROBIN

Councilor Glynn said he received a lot of calls from people concerned about a possible moratorium in the shipyard area. He said businesses are disturbed that the mere mention of something would prompt talk of a city wide moratorium. He said that scares business out of South Portland.

Councilor Larsen noted that it is World Aids Day and a quilt will be displayed at Westbrook College tomorrow.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to adjourn. Passage 7-0, 11:35 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk

[City Seal]
IN COUNCIL SPECIAL MEETING DEC. 8, 1997 VOL. 59 PAGE 62

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

G. PUBLIC HEARINGS AND ACTION

1. ORDER#85-97/98 - setting the district lines and polling place for the Special State Election on February 10, 1997.

The following people addressed this item:

Ray Lee, 28 Henry Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 4-3 (Johnson, Glynn, Larsen).

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to adjourn. Passage 7-0, 7:20 P.M.

A TRUE COPY.

[Signature]
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING DEC. 15, 1997 VOL. 59 PAGE 63

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to accept the minutes of the regular meeting of 12/1/97 and the special meeting of 12/8/97. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan referenced a notice abutters of the Cape Elizabeth boundary will receive regarding the boundary study. He read a memo about a possible conflict of interest because his wife is working for a law firm with which the City does business. He read a letter the Council had just received from Attorney David Lourie regarding polling places for the special election scheduled for 2/10/98.

City Clerk Linda Cohen announced that dog licenses will expire on 12/31/97 and advised dog owners to relicense before late fees are added on 2/1/98.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of November.

Attendance Reports for the Month of November.

D. APPOINTMENT CALENDAR

1. ORDER #71-97/98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00.

   Motion was made by Councilor Bowring and seconded by Councilor Glynn to postpone this item to 1/5/98. Passage 7-0.

   *****

2. ORDER #86-97/98 - Library Advisory Board, District One (Boudreau). Term to expire 12/31/00.

   Motion was made by Councilor Boudreau and seconded by Councilor Johnson to appoint Joan Laidley to this position. Passage 7-0.

   *****

3. ORDER #87-97/98 - Library Advisory Board, District Five (Johnson). Term to expire 12/31/00.
Motion was made by Councilor Johnson and seconded by Councilor Boudreau to appoint Loren Lathrop to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Timothy Carr, 17 Edgewood Road, said Turner’s Island is overdeveloped, and the City should acquire the land by the rail line for open space.

Lynda Lee, 28 Henry Street, asked what the Council was up to by going to one polling place and where City Clerk Linda Cohen got off thinking about using one polling place for the special election in February. She told the Council not to think about going to one polling place.

Geraldine Bissonnette, 15 Bellaire Road, said she is outraged that 18,000 voters are only being given the opportunity to vote at the library. She said that the four Councilors who supported it should be recalled, because they have violated her democracy. She went on to describe the Bill of Rights.

Caroline Ewing, 8 MacArthur Circle North, said she is irate that one person can take it upon himself to decide what is and isn’t an issue for full electoral rights. She said she is tired of the bipartisan actions here, and the City Clerk’s goal of one polling place is not hers.

Lorelle Curtois, 16 Ballard Street, asked the City to try to keep the Turner’s Island land part of the Greenbelt.

Bev Dow, 21 Grand Street, said she goes from Willard Square to the turnpike every day, and she can’t imagine one more thing getting in her way or having to stop for a train. She noted there is only one road in and out of Turner’s Island.

Mr. Scola, Portland, said the lobstermen need to be able to keep their boats at Turner’s Island, because the dock in Portland is 80% full of South Portland residents, and there is no other place for them to go.

Roger Hale, Sr., Fore River Properties, said every rail car eliminates four trucks. He said the State has lots of open space, and we need other means of transportation. He said he believes that responsible corporations will switch to rails in the future.

John Manning, 75 Elm Street, said he is concerned about kids jumping on the trains after getting the idea from movies. He warned of environmental damage and traffic. He said, in 1960, the fire department couldn’t get to the rollerdrome because of a train, and it was a waste. He said the pilings are a fire hazard, and asked the Council to wait for more information.

Kelly Moran, Moran Shipping, said the rail would take a third of the traffic from her ship, and the City won’t have the truck congestion. She said that piece of land is ideal for commercial work.
Phin Sprague, Jr., President of Portland Yacht Services, said he is a member of the Waterfront Alliance, and he hopes the Council will act to promote the economic well being of the area. He said that trains go slowly, and short lines are very safe.

Ray Lee, Henry Street, said he thought the crowd in the room tonight was people who called him about the polling place. He said a lot of people called him because he is the Chairman of the Republican City Committee. He said the Council and Clerk think more of garbage than voting rights, because they put big advertisements in the paper for trash pick-up changes. He accused the Council of illegally holding a meeting. He said there should be more irate people here, and he is more interested in his democracy than Turner's Island. He said he received several calls about recalling Councilors.

Jeff Morton, Manager, Fore River Properties, encouraged the Council to make use of the existing rail resource. He said the potential use will add to property values and the vitality of the area.

Clarence Beckwith, Bonnybriar Road, advised preserving the industry that is there. He said the rail will cut down on trucks and noise in the neighborhood. He said the railroad was there before the residents were, and there is plenty of room on either side of the rail line for a walkway. He pointed out that there is a walkway all around the 2 Foot Railroad in Portland. He suggested the Council back off and let Mr. Hale do his work, because studies encourage alternate modes of transportation.

Melissa Moran, Barberry Creek Road, said she was considering buying a house in Turner's Island. She said everyone knows there are trucks there, but trains haven't been there for a long time. She said it's a great facility, but there's a neighborhood there.

Warren Morgan, 103 Chapel Street, said he first became involved in this area as a member of the Greenbelt Walkway Committee. He said the Conservation Commission ordinances say that body will promote the walkway. He said the best possible use is for the City to purchase the land for public use. He said that neighborhood hasn't really been looked at by the City, and the taxes from the area approximate one million dollars a year. He said that Irving Oil and Star Enterprise are not going to shift from trucks to trains.

Edward Benchman, Main Street, said enough is enough. He said the City needs schools and tax money. He said, instead of the big bridge, why not fill in the harbor and make a big park.

John Ewing, President, Megquier and Jones, said his company won't get serviced if the rail becomes a walkway, and it will add another 200 trucks to Broadway.

Jim Buxton, Elm Street, said he has a mooring off Turner's Island. He said the area loses either way either by denying access to moorings or affecting the property values. He listed a number of questions that need to be answered before the Council makes a decision.

John Noone, 25 Ballard Street, said he pays $2,200 in taxes to live on Ballard Street, and the proposal is to run trains through a residential neighborhood. He urged the Council to buy...
the property, adding that the highest and best use is not what is being proposed.

Kevin Glynn, 109 Huntress Avenue, said people are complaining to him that they can’t walk to their polling places on February 10th. He said the Maine Civil Liberties Union is considering a suit. He said people will be discouraged from voting, and the Council should reconsider.

G.  PUBLIC HEARINGS AND ACTION


John True, Fire Chief, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

5. Jerrerd and Edward Benjamin, d/b/a Benjamin Building and Wrecking Co., Jackson Street, Automobile Graveyard and/or Junkyard Permit. 12/31/97 to 12/31/98. Renewal.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to grant the license. Passage 7-0.

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There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to grant the license. Passage 6-0 (Johnson out).

*****

7. Ocean Street Auto Repair, 72 Ocean Street, Used Car Lot. 12/31/97 to 12/31/98. New City License.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to grant the license. Passage 5-0 (Johnson, Bowring out).
IN COUNCIL REGULAR MEETING DEC. 15, 1997 VOL. 59 PAGE 67

H. ACTION ON OLD AND NEW BUSINESS

8. ORDER #88-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage.
Passage 7-0.

9. ORDER #89-97/98 - authorizing the acceptance of $15,190.24 under the Asset Forfeiture Program.

The following people addressed this item:
Ray Lee, Henry Street
Ed Googins, Police Chief

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage.
Passage 7-0.

10. ORDER #90-97/98 - authorizing the City Manager to execute an administrative agreement regarding a setback issue at 4 Deake Street.

The following people addressed this item:
Chris Nagel, Verrill & Dana, representing abutter Ed Rowe
Clarence Beckwith, Bonnybriar Road
Charles Hamlin, South Portland
Ray Lee, Henry Street
Louis Buck, 4 Deake Street
Patricia Doucette, Code Enforcement Officer

Motion was made by Councilor Glynn and seconded by Councilor Bowring for passage. Failed 2-5 (Avery, Boudreau, Baxter, Bowring, Larsen).

11. ORDER #91-97/98 - establishing a policy for accepting City Streets.

The following people addressed this item:
Ralph Sama, Builder
Marla LaBlanc, Candlebrook Lane
Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer
IN COUNCIL REGULAR MEETING DEC. 15, 1997 VOL. 59 PAGE 68

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Motion was made by Councilor Bowring and seconded by Councilor Boudreau to amend the order by adding #7 on Mr. Sama's list as #9 on the policy. Passage 7-0. Council then took a five minute recess. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by giving the City Engineer discretion on width of the street between the minimum of 20' and the maximum in the ordinance. Passage 7-0. Passage, as amended, 7-0.

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12. ORDER #92-97/98 - releasing the City's interest in Turner's Island Rail Line.

The following people addressed this item:

Tex Haeuser, Planning Director
Philip Cheney, 162 Walnut Street
Leonard Langer, representing Turner's Island LLC
Charles Hamlin, South Portland
Wayne Duffett, Hale Engineer
Susan Odencrantz, 61 Atlantic Avenue
Sherry Hutchinson, Ballard Street
Clarence Beckwith, Bonnybriar Road
Marla LaBlanc, Candlebrook Lane
Jim Buxton, 15 Elm Street
Kelly Moran, Moran Shipping
Roger Hale, Sr., Fore River Properties
Warren Morgan, 103 Chapel Street
Roger Hale, Jr., Fore River Dock and Dredge
Jeff Morton, Manager, Fore River Properties
William Thurston, Lombard Street
Stanley Cox, 460 Highland Avenue
Ray Lee, 28 Henry Street
Scott Stevens, 22 Mechanic Street
Alan Bartlett, Maine Department of Transportation
Richard Ingalls, Pine Street, by letter

Motion was made by Councilor Baxter and seconded by Councilor Bowring to postpone this item until after a neighborhood meeting is held. Passage 7-0.

*****

13. ORDER #93-97/98 - award of bid to A & Silver Auto Sales, of South Boston, MA, Chicago Motors Inc., of Chicago, IL, and Winners Motor Corp., of Woodside, NY, for the sale of used police cruisers.

There was no public discussion.
IN COUNCIL REGULAR MEETING DEC. 15, 1997 VOL. 59 PAGE 69

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage. Passage 7-0.

* * * * *

14. ORDER #94-97/98 - award of bid to Gorham Micro, of Saco, ME, for computers and Boise Technology, of Billerica, MA, for the purchase of printers for the School Department.

Roland LaBelle, School Department, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 6-0 (Johnson out).

* * * * *

15. ORDER #95-97/98 - award of bid to Higgins Office Products, Inc., of South Portland, ME, for the purchase of a file server upgrade for the School Department.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

* * * * *

16. ORDER #96-97/98 - award of bid to American Business Systems, of Portland, ME, for the purchase of photocopiers for the School Department.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

* * * * *

17. ORDER #97-97/98 - award of bid to Fire Research Corporation, of Nesconset, NY, for the purchase of thermal imaging cameras for the Fire Department, and accepting a corporate match from Portland Pipeline Corporation and the Portland Tugboat and Ship Docking Company.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.
IN COUNCIL REGULAR MEETING DEC. 15, 1997 VOL. 59 PAGE 70

18. ORDER #98-97/98 - award of bid to Survivalink of Kennebunk, Maine for the purchase of defibrillators for the Fire Department.

The following people addressed this item:

John True, Fire Chief
Ed Googins, Police Chief

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

19. ORDER #99-97/98 - accepting a Section 404 Hazard Mitigation Grant in the amount of $127,500.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

20. ORDER #100-97/98 - amending the Personnel Policy.

Stanley Cox, Highland Avenue, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 7-0.

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There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

None.

J. COUNCILORS' ROUND ROBIN

Councilor Glynn appealed to the Council to reconsider the use of one polling place for the
February 10, 1998 Special Election.

Councilor Boudreau wished everyone Happy Holidays and thanked the Lions Clubs and Waterfront Market Association for their gifts of holiday light funds and seasonal banners.

Mayor Avery said her gift to the Council is no more meetings until January.

Councilor Baxter said he accepts that gift.

Councilor Johnson said “something Scandinavian” regarding the holidays.

K. EXECUTIVE SESSION

Motion was made by Councilor Baxter and seconded by Councilor Larsen to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 7-0, 11:53 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to come out of executive session. Passage 7-0, 12:27 A.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement #5-97/98 in the amount of $3,744.78. Failed 3-4 (Avery, Baxter, Bowring, Boudreau).

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to grant abatement #6-97/98 in the amount of $1,453.08 plus interest and costs. Passage 7-0.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to adjourn. Passage 7-0, 12:29 A.M. (12/16/97).

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING JAN. 5, 1998 VOL. 59 PAGE 72

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Glynn to accept the minutes of the 12/15/97 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan thanked Lillian Bates and Annette Park for their work behind the cameras at Council meetings. He noted that there will be a meeting on 1/14/98 of the Turner's Island neighborhood to discuss the rail line issue.

Corporation Counsel Mary Kahl addressed the recent decision of Judge Cole regarding the number of polling places for the 2/10/98 special State election.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #71-97 /98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00. Postponed since 11/17/97.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to postpone this item to 1/21/98. Passage 7-0.

***

2. ORDER #102-97 /98 - Board of Appeals, District Two (Avery). To fill an unexpired term which expires 7/23/00.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to appoint John Gailey to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

None.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS
3. ORDER #103-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

*****

4. ORDER #104-97/98 - accepting a donation from the Nathaniel P. Thompson Revocable Trust.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

5. ORDER #105-97/98 - accepting a Community Development Block Grant for the Ferry Village Sewer Project.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

6. ORDER #106-97/98 - accepting a COPS Universal Hiring Grant for the Police Department.

The following people addressed this item:

Ed Googins, Police Chief
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Andrew Berin, Margaret Street
Ron Allanach, Assistant High School Principal

Motion was made by Councilor Johnson and seconded by Councilor Boudreau for passage. Passage 5-2 (Larsen, Glynn).

*****

7. ORDER #107-97/98 - award of bid to Pine State Plumbing and Heating, of Scarborough, ME, for the installation of the back water valves.
IN COUNCIL REGULAR MEETING JAN. 5, 1998 VOL. 59 PAGE 74

Dave Thomes, Collection Systems Manager, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he was pleased with the judge’s decision. He said he is glad to see department heads trying to save money, but not by disenfranchising the voters. He said the Council spends a lot of money on other items that shouldn’t be bought.

Ray Lee, 28 Henry Street, thanked Nancy Crowell for coming forward. He said a lot of people were upset by the idea of one polling place, adding that some people feel it’s a malfeasance of office.

Larry Albert, Margaret Street, said that police officers in the schools has been proven worthwhile nationwide. He said if Councilor Glynn doesn’t think that one kid in a thousand isn’t carrying a weapon at South Portland High School, he is mistaken. He said the vote should have been unanimous, and he hopes the school is lucky enough to get someone like Mr. Agger.

J. COUNCILORS’ ROUND ROBIN

Mayor Avery noted that a waterfront summit is being held on 1/19/98, and she will get an agenda to Councilors.

Councilor Johnson noted the sad event of Bri’s Variety closing its doors forever. He said it has been a real neighborhood place, and business plays a humanitarian role in the life of a city. He wished them well and thanked the family for the many years of service to the community.

Councilor Glynn said he was displeased with the Council’s meeting, because no one reconsidered the polling place issue. He said he wanted the polling places designated this evening, noting that the library has been advertised as the polling place.

K. EXECUTIVE SESSION

Motion was made by Councilor Glynn and seconded by Councilor Baxter to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 7-0, 8:42 P.M.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to come out of executive session. Passage 7-0, 9:02 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Johnson to deny abatement #97/98-07. Passage 7-0.
Motion was made by Councilor Glynn and seconded by Councilor Baxter to adjourn. Passage 7-0, 9:03 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Larsen was absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to accept the minutes of the 1/5/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

Retiring Fire Department Lieutenant Paul Coulombe was presented with a plaque by Mayor Avery. Fire Chief John True and Lt. Coulombe gave brief remarks, with the latter thanking the Council and employees for their support.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of December.

Attendance Reports for the Month of December.

Planning Report regarding a Conditional Shipyard S-1 Zone.

D. APPOINTMENT CALENDAR

1. ORDER #71-97/98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00. Postponed since 11/17/97.

   Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 2/2/98. Passage 6-0.

   *****

2. ORDER #108-97/98 - Warden and Ward Clerk (District 1). To fill unexpired terms which expire after the 11/98 election.

   There was no public discussion.

   Motion was made by Councilor Baxter and seconded by Councilor Johnson to appoint Sally Maxwell and Lois Reckitt, respectively, to these positions. Passage 6-0.

   *****

3. ORDER #109-97/98 - Ward Clerk Pro Tempore (District 2), Warden and Ward Clerk Pro Tempore (District 3), Warden and Ward Clerk Pro Tempore (District 4) for the 2/10/98 election only.
IN COUNCIL REGULAR MEETING JAN. 21, 1998 VOL. 59 PAGE 77

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Ray Lee, Henry Street, said he hopes the City relinquishes Turner's Island and lets industry in. He thanked the Civil Liberties Union and David Lourie, and said the shipyard area should be left industrial.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

4. ORDER #92-97/98 - releasing the City's interest in Turner's Island Rail Line.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Johnson for passage. Passage 6-0.

*****

5. PROCLAMATION #3-97/98 - recognizing students and staff from Kaler School for their donation to the South Portland Fire Department.

The following people addressed this item:

Rick Urban
Mrs. Smart, Kaler School Kindergarten Teacher
Mrs. Munson, Kaler School 4th & 5th Grade Teacher

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Passage 6-0.

*****

6. RESOLVE #2-97/98 - recognizing the American Red Cross for its outstanding efforts and services provided during the recent ice storm.

The following people addressed this item:

Ginger Lingenfelder, Red Cross Executive Director
IN COUNCIL REGULAR MEETING JAN. 21, 1998 VOL. 59 PAGE 78

Jack Roberts, Welfare Director
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 6-0.

*****

7. ORDER #110-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 6-0.

*****

8. ORDER #111-97/98 - setting the opening time for the polls and providing public notice of the polling places for the Special State Election on 2/10/98.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Passage 6-0.

*****

9. ORDER #112-97/98 - award of bid to Abatement Professionals, of Portland, ME, for asbestos abatement at the main library.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 5-0 (Baxter out).

*****

10. ORDER #113-97/98 - award of bid to CB International of Bangor, ME, for a dumpster truck for the Pollution Abatement Department.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Passage 5-0 (Baxter out).

*****
11. ORDER #114-97/98 - accepting a 1997 Urban and Community Forestry Assistance Grant and a donation from the Osewantha Garden Club.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 4-1 (Glynn opposed, Baxter out).

12. ORDER #115-97/98 - authorizing the City Manager to sign a Landscape Maintenance Agreement with the Maine Department of Transportation.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Dana Anderson, Parks & Recreation Director

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 5-1 (Glynn).

13. ORDINANCE #15-97/98 - amending Ch. 27, “Zoning,” for a zone change from Industrial I to Conditional Shipyard S-1 at 7 Preble Street Extension. First reading.

Motion was made by Councilor Baxter and seconded by Councilor Glynn to waive the reading of the ordinance in its entirety. Passage 5-0 (Bowring out).

The following people addressed this item:

William Willett, South Portland Housing Authority Director
Wayne Ross, SMTC President
Gary Vogel, SPHA and SPHDC Attorney
Clarence Beckwith, Bonnybriar Road
Floyd Jameson, Broadway East
Jimmie Posey, 1700 Broadway

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend the ordinance in §27-338a(i) by changing the requirement for parking to one space for every two units. Failed 1-5 (Avery, Boudreau, Baxter, Johnson, Bowring). Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the ordinance in §27-334(i) by extending the trial period to 2 years. Motions were both withdrawn. Passage of first reading 6-0.
14. ORDINANCE #16-97/98 - amending Ch. 27, “Zoning,” for a map change from Industrial I to Conditional Shipyard S-1 at 7 Preble Street Extension: First reading.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage of the first reading. Passage 5-0 (Bowring out).

*****

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to recess for five minutes. Passage 5-0, 10:20 P.M.

15. ORDER #116-97/98 - accepting a portion of Katana Drive.

The following people addressed this item:

Valerie Killinger, 67 Cash Street
Casimara McIntire, 72 Skillings Street
Bob Thayer, 40 Fickett Street
Ed Reidman, City Engineer

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 6-0.

I. CITIZENS DISCUSSION (SECOND PART)

None.

J. COUNCILORS’ ROUND ROBIN

Councilor Boudreau said she likes the new Centennial banners.

Councilor Avery noted that the waterfront summit will be on 1/22/98, and all Councilors should have received invitations. It runs from 8 A.M. to 5:30 P.M.

Councilor Baxter said he spent some time at the transfer facility, and it’s a rousing success. He complained about trash at Bug Light Park and suggested “no littering” signs.

Councilor Johnson noted the death of Lew Beckford who fell asleep driving, adding that he was a supporter of the community and a wonderful person. He said he talked with a person who just moved into the community who gave rave reviews to all the employees with whom he has come into contact. He said people have bent over backwards, and he is extremely pleased with the employees. Councilor Johnson said he would like to see about getting the silver bullet back in the west end of the city.
Councilor Glynn said the City really needs to do something about the heavy truck traffic going through South Portland. He said they're damaging the streets, and the Council should look ahead to see how they can be rerouted.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to adjourn. Passage 6-0, 10:54 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING FEB. 2, 1998 VOL. 59 PAGE 82

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to accept the minutes of the 1/21/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeff Jordan referenced several items in the Council packets regarding the recent ice storm. He also referenced a memo from City Clerk Linda Cohen regarding total donations received by the City in 1997.

Ms. Cohen announced that Centennial information is available on the Press Herald’s Phone Me system at 772-3333 Category 1898.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #71-97/98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00. Postponed since 11/17/97.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 2/18/98. Passage 7-0.

2. ORDER #117-97/98 - Civil Service Commission, District Two (Avery). To fill an unexpired term which expires 3/1/00.

Motion was made by Mayor Avery and seconded by Councilor Baxter to postpone this item to 2/18/98. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Ralph Kilgore, 70 Coach Road, said the City Manager shouldn’t compare current and past employees. He said there are a lot more grants available for law enforcement now than there were in the past.

Peter Larsen, 406 Ocean Street, asked questions about the District One polling place for the Special State Referendum election on 2/10/98.
IN COUNCIL REGULAR MEETING FEB. 2, 1998 VOL. 59 PAGE 83

G. PUBLIC HEARINGS AND ACTION

3. ORDINANCE #15-97/98 - amending Ch. 27, "Zoning," for a zone change from Industrial I to Conditional Shipyard S-1 at 7 Preble Street Extension. Passed first reading on 1/21/98.

The following people addressed this item:

Joseph Greeley, 10 Soule Street
Gary Vogel, South Portland Housing Authority attorney
Wayne Ross, SMTC President
Clarence Beckwith, Bonnybriar Road, SPHA Board member

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

* * * * *

4. ORDINANCE #16-97/98 - amending Ch. 27, "Zoning," for a map change from Industrial I to Conditional Shipyard S-1 at 7 Preble Street Extension. Passed first reading on 1/21/98.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passage 7-0.

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #118-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 7-0.

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Ralph St. Pierre, Finance Director, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order to award the contract to Barry Strock in the amount of $59,950. Failed 1-6 (Avery, Boudreau, Baxter, Bowring, Johnson, Larsen). Passage 6-1 (Glynn).
IN COUNCIL REGULAR MEETING FEB. 2, 1998 VOL. 59 PAGE 84

7. ORDER #120-97/98 - award of bid to Penta Corporation, of Moultonboro, NH, for sludge dewatering and plant process water systems for the Treatment Plant.

The following people addressed this item:

Pat Cloutier, Director of Pollution Abatement
Paul Birkel, Project Manager, Wright Pierce

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 6-1 (Glynn).

* * * * *

8. ORDER #121-97/98 - award of bid to Maietta Construction, of South Portland, ME, for the Redbank sewer improvements.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 7-0.

* * * * *

9. ORDER #122-97/98 - waiving the bid process and authorizing the sale of City-owned property on Sprague and Harriet Streets to Joseph and Mary Walsh.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Passage 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, thanked the Council for passing the zone change for the Housing Authority.

J. COUNCILORS’ ROUND ROBIN

Mayor Avery said the Waterfront Summit last Thursday was a success with 131 participants. She thanked Annette Park, from SPCTV, for taping the whole day and noted that the Waterfront Alliance will review the recommendations at its February meeting.
Councilor Johnson read the question from the sample ballot for the February 10, 1998 Special State Referendum Election. He pointed out that many people have gay friends who have been discriminated against, and it makes friends angry to see that happen. He said he would be voting “No.”

Councilor Glynn said he is upset that the Council is not backing down from its decision to have one polling place. He said he wants an executive session next Monday evening to step away from the lawsuit. He said he believes the Council is wrong.

Councilor Boudreau said it is very tempting to overreact to Councilor Glynn’s statements, but she would refrain and said only that the judge only issued a restraining order, and the issue is not over.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to go into executive session to discuss, pursuant to 1 M.R.S.A. §405 (6) (D), labor negotiations with the South Portland Police Command Local #340. Passage 7-0, 9:07 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to come out of executive session. Passage 7-0, 10:41 P.M. Motion was made by Councilor Glynn and seconded by Councilor Baxter to adjourn. Passage 7-0, 10:43 P.M.

A TRUE COPY.
IN COUNCIL REGULAR MEETING FEB. 18, 1998 VOL. 59 PAGE 86

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to accept the minutes of the 2/2/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan referenced items in the Council packet and read a memo from Bus Service Director Leroy Beaver about Knightville bus service. He read a letter from Yves Bissonnette, Republican City Committee Secretary, regarding the special election held on 2/10/98.

Mayor Avery presented retiring Police Department custodian Herb Dennison with a plaque.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of January.

Attendance Reports for the Month of January.

D. APPOINTMENT CALENDAR

1. ORDER #71-97/98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00. Postponed since 11/17/97.

Motion was made by Councilor Bowring and seconded by Councilor Glynn to postpone this item to 3/2/98. Passage 7-0.

* * * * *

2. ORDER #117-97/98 - Civil Service Commission, District Two (Avery). To fill an unexpired term which expires 3/1/00. Postponed on 2/2/98.

Motion was made by Mayor Avery and seconded by Councilor Bowring to postpone this item to 3/2/98. Passage 7-0.

* * * * *

3. ORDER #123-97/98 - Civil Service Commission, District One (Boudreau). Term to expire 3/1/03.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to postpone this item to 3/2/98. Passage 7-0.
E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

John Zappe, 38 A Street, read a letter from the Knightville Neighborhood Association regarding bus service in that area.

Peter Larsen, 406 Ocean Street, one of South Portland’s Water District Trustees, presented the City with a check for $15,000 for abatement of overassessment. He said the new budget is 3.5% less than 1997’s, and the Board is hoping to reduce water rates next year.

Ray Lee, Henry Street, said he had spoken with City Clerk Linda Cohen today about requesting a pay increase for election workers. He said it would be money well spent. He noted that the curve in front of the armory is very dangerous.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

4. PROCLAMATION #4-97/98 - proclaiming Patrolman Mark Carlton as Police Officer of the Year for 1997.

The following people addressed this item:

Ed Googins, Police Chief, presenting a proclamation from the Legislature.
Mark Carlton, recipient.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

5. ORDER #124-97/98 - award of bid to Shaw Brothers, of Gorham, ME, for storm water related improvements on Darling Avenue.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage. Passage 7-0.

6. ORDER #125-97/98 - award of bid to Summit Environmental, of Auburn, ME, for ground water monitoring at the landfill.

There was no public discussion.
IN COUNCIL REGULAR MEETING FEB. 18, 1998 VOL. 59 PAGE 88

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

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7. ORDER #126-97/98 - accepting a portion of Harriet Street.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 7-0.

* * * * *

8. ORDER #127-97/98 - award of bid to Michael Martin and Wayne Barton, of Portland, ME, for the purchase of City-owned property on Lincoln Street.

Wayne Barton, Portland, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to reject all bids. Passage 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, asked how street lights are paid for and noted that there are always some out. He said he was glad all five polling places were open on 2/10/98 since there was an exceptional turnout. He noted that there is a huge pile of snow at the intersection of Hill Street and Broadway, and it impairs one’s ability to see oncoming cars. He advised the Council to have RWS at a meeting for an update of its operation

J. COUNCILORS’ ROUND ROBIN

Councilor Bowring said he saw the high school musical and was impressed with the talents of the students and the facility. He questioned the reason for the $15,000 check presented earlier by Peter Larsen.

Councilor Johnson announced that there is a new recycling bin on the west side of the city by the Big Apple. He said he also saw The Music Man and was pleased by the hard work and the new auditorium. He said he attended the meeting on Monday with Attorney General Janet Reno, and South Portland Police already have a first time juvenile offender program and screening for mentors. He thanked the adults involved and Officer Scarpelli.
IN COUNCIL REGULAR MEETING FEB. 18, 1998 VOL. 59 PAGE 89

Councilor Larsen said she has concerns about the Knightville bus service, as well as other areas in the City. She said she spoke for over three hours with Bus Service Director Leroy Beaver, and they looked at the way service used to be as opposed to how it is now. She said he is collecting data, and she would like to have him at a Council meeting to explain his findings. She said there are a lot of people in different areas who don’t have a bus running down their street.

Councilor Boudreau said she is receiving a lot of calls about dogs on Willard Beach being out of control and not being cleaned up after. She asked dog owners to please clean up after their dogs. She said the work of the Shipyard Committee is complete, and the results will be coming to Council at the next workshop and the two meetings after that. She said it would be a good idea to have RWS here.

Councilor Avery said she attended the Spring Point Museum Open House on Sunday, and there was an excellent turnout. She encouraged people to visit, adding that there is a great gift shop. She said she was asked to join with Portland in a meeting with Transportation Director John Melrose regarding the new bridge. She said there will be some short term and long term recommendations coming back, and encouraged people to remember that the bridge is still under construction, and there is a lot of demolition debris in the harbor still. She noted that the national budget only included a small amount for harbor dredging.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to adjourn. Passage 7-0, 8:26 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk

City of South Portland MAINE 1898
IN COUNCIL REGULAR MEETING MARCH 2, 1998 VOL. 59 PAGE 90

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Bowring to accept the minutes of the 2/18/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

None.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #71-97/98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00. Postponed since 11/17/97.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 3/16/98. Passage 7-0.

* * * *

2. ORDER #117-97/98 - Civil Service Commission, District Two (Avery). To fill an unexpired term which expires 3/1/00. Postponed on 2/2/98.

There was no public discussion.

Motion was made by Mayor Avery and seconded by Councilor Johnson to appoint Judith Ann Hills to this position. Passage 7-0.

* * * *

3. ORDER #123-97/98 - Civil Service Commission, District One (Boudreau). Term to expire 3/1/03. Postponed on 2/18/98.

Motion was made by Councilor Boudreau and seconded by Councilor Johnson to postpone this item to 3/16/98. Passage 7-0.

* * * *

4. ORDER #124-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01.

Motion was made by Mayor Avery and seconded by Councilor Bowring to postpone this item to
5. ORDER #125-97/98 - South Portland Housing Authority, (Avery). Term to expire 3/15/03.

Motion was made by Mayor Avery and seconded by Councilor Baxter to postpone this item to 3/16/98. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

6. Jerald Bennett d/b/a To Your Health, 566 Main Street. Adult Use Establishment License. 3/2/98 - 12/31/98. New City License.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Johnson to grant the license. Passage 6-1 (Glynn).

H. ACTION ON OLD AND NEW BUSINESS

7. ORDER #126-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 7-0.

* * * * *

8. ORDER #127-97/98 - award of bid to Sweeprite Mfg., of Regina, Saskatchewan, for the purchase of a street sweeper for the Public Works Department.

The following people addressed this item:

Ray Lee, Henry Street
Ge Erskine, Public Works Director

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.
9. ORDER #128-97/98 - authorizing the City Manager to enter into an agreement with and accept a deed from Hannaford Bros. Co. for the purchase of land adjoining the former South Portland landfill.

The following people addressed this item:

Ray Lee, Henry Street
Elizabeth Sawyer, Assessor

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage. Passage 7-0.

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10. RESOLVE #3-97/98 - supporting the PACTS Policy Committee and the MDOT for studies involving the construction of new ramps on and off I 295.

The following people addressed this item:

Linnea Stofchick, 809 Main Street
Robert Ferrante, 815 Main Street

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage. Motion was made by Councilor Glynn and seconded by Councilor Bowring to amend the resolve regarding the date of completion. Motion was withdrawn. Passage 7-0.

*****

11. RESOLVE #4-97/98 - supporting the PACTS Policy Committee and the MDOT for studies involving the construction of an on-ramp to the Scarborough Connector from Route 1.

Robert Ferrante, 815 Main Street, addressed this item.

Motion was made by Councilor Johnson and seconded by Councilor Glynn for passage. Passage 7-0.

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12. ORDER #129-97/98 - amending the 1992 Comprehensive Plan relative to the shipyard area.

The following people addressed this item:

Jim Puckett, Breakwater
Chris Kean, Breakwater Drive
Ray Lee, Henry Street
13. **ORDINANCE #17-97/98 - amending Ch. 27, “Zoning,” creating Spring Point SP and Shipyard S zoning districts in the shipyard area. First reading.**

The following people addressed this item:

Jim Puckett, Breakwater
Stanley Cox, 460 Highland Avenue
Chris Kean, Breakwater Drive
Valerie Swiger, School Street
Carol Thorne, 96 Sandy Hill Road

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage of the first reading and for public hearing to be held on 4/6/98. Passage 6-1 (Glynn).

14. **ORDINANCE #18-97/98 - amending Ch. 27, “Zoning,” for a map change creating Spring Point SP and Shipyard S zoning districts in the shipyard area. First reading.**

The following people addressed this item:

Chris Kean, Breakwater Drive
Stanley Cox, 460 Highland Avenue
Katherine Latendresse, 199 High Street
Ray Lee, Henry Street

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage of the first reading and for public hearing to be held on 4/6/98. Passage 6-1 (Glynn).

1. **CITIZENS DISCUSSION (SECOND PART)**

Ray Lee, Henry Street, said a new bridge should be designed because the current one is a nightmare. He asked the City Manager about a job in the Engineering Department which had not been advertised and had been filled by the relative of someone in the Manager’s office.

Clarence Beckwith, Bonnybriar Road, said the State sales tax should be cut back so people can decide how to spend their own money. He said he doesn’t support the proposal to give Maine students free tuition the first year to attend a Maine college because his whole family worked to put his daughter through college.

Katherine Latendresse, 199 High Street, asked the Council to think about changing the Code to
that requires a Master Electrician do any wiring in a home. She said a Master should only have to check the work. She also noted the use of contaminants sprayed on the City’s grass.

J. COUNCILORS’ ROUND ROBIN

Councilor Johnson said he is pleased with the Correctional Plan and the way the State is planning to work with young people.

Councilor Glynn said he was contacted by two residents about the number of City employees who take City vehicles home at night, and he asked for an update. He noted that Wright Brothers is being used to remove the trees and limbs, and he wondered why it wasn’t decided by a vote of the Council or, at least, why the Council didn’t receive an update.

Councilor Larsen said she received an unsigned letter about City owned vehicles, and the Manager was looking into it for her.

Councilor Boudreau announced that members of RWS will be at the March 23rd workshop. She, again, asked dog owners to pick up after their dogs on Willard Beach.

Mayor Avery said she attended an award ceremony for police officers and private citizens prior to the Council meeting. She noted that she had attended the Global Connection Project at National Semiconductor on Friday, and it is a project where teachers become educated on Internet use in the classroom. She said she is pleased to see National step up to the plate.

Councilor Baxter said the City Manager Jeff Jordan’s newsletter was excellent. He announced that the Council is approaching budget time, and it would be helpful if people would call in advance rather than waiting until after the process is over. He noted that the School Department would be holding workshops tomorrow and Wednesday evening at 7 P.M. at Memorial Middle School. The discussion will be staffing and personnel on Tuesday and Special Needs on Wednesday.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to go into executive session to discuss, pursuant to 1M.R.S.A. § 405(6)(C), discussion of the acquisition of real property at Map 38 Lot 56B. Passage 7-0, 9:40 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Bowring to come out of executive session. Passage 7-0, 10:16 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Bowring to adjourn. Passage 7-0, 10:17 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING MAR. 16, 1998 VOL. 59 PAGE 95

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilors Baxter and Bowring were absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Larsen and seconded by Councilor Boudreau to accept the minutes of the 3/2/98 meeting. Passage 5-0.

B. COMMUNICATIONS FROM CITY MANAGER


City Manager Jeff Jordan referenced a letter from School Superintendent Reg MacDonald regarding school facilities and adjustments to the Medicaid reimbursement. He read his response to a recent Conservation Commission letter regarding the Greenbelt Walkway. Mr. Jordan read a letter written to Parks and Recreation Director Dana Anderson from SPHS Biology teacher Polly Sheenan and a letter, also to Dana, from the Waterfront Market Association.

City Clerk Linda Cohen announced the kick-off of the Centennial Celebration on March 30 at the new South Portland Performing Arts Center. A week of music will follow every night at 7 P.M.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of February.

Attendance Reports for the Month of February.

D. APPOINTMENT CALENDAR

1. ORDER #71-97/98 - Conservation Commission, District Four (Bowring). Term to expire 11/20/00.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to appoint Jeffrey Tarling to this position. Passage 5-0.

* * * * *

2. ORDER #123-97/98 - Civil Service Commission, District One (Boudreau). Term to expire 3/1/03.

There was no public discussion.
IN COUNCIL REGULAR MEETING MAR. 16, 1998 VOL. 59 PAGE 96

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to appoint Maureen Hasson to this position. Passage 5-0.

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3. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to postpone this item to 4/6/98. Passage 5-0.

*****

4. ORDER #129-97/98 - South Portland Housing Authority, (Avery). Term to expire 3/15/03.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to appoint Christine Dearborn to this position. Passage 5-0.

*****

5. ORDER #134-97/98 - Planning Board, District One (Boudreau). Term to expire 4/1/01.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to appoint John Chapin to this position. Passage 5-0.

*****

6. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to postpone this item to 4/6/98. Passage 5-0.

*****

7. ORDER #136-97/98 - Planning Board, At-Large (Larsen). Term to expire 4/1/01.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Johnson to appoint Lawrence Albert to this position. Passage 5-0.
8. ORDER #137-97/98 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/01.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Mayor Avery to appoint Paul Jensen to this position. Passage 5-0.

*****

9. ORDER #138-97/98 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/01.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to postpone this item to 4/6/98. Passage 5-0.

*****

10. ORDER #139-97/98 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/01.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to appoint Thomas Hardison to this position. Passage 5-0.

*****

11. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to postpone this item to 4/6/98. Passage 5-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Ray Lee, Henry Street, asked how much the City is going to pay Mr. Lucarelli for his court costs regarding the tower issue.

Larry Albert, Margaret Street, thanked Councilor Larsen for re-appointing him to the Planning Board. He said it is very interesting, and the Board is working very hard to come together to send items to the Council.
IN COUNCIL REGULAR MEETING MAR. 16, 1998 VOL. 59 PAGE 98

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 5-0.

*****

13. ORDER #141-97/98 - purchase of Police Department equipment under the Justice Department Block Grant Program.

The following people addressed this item:

Ed Googins, Police Chief
Clarence Beckwith, Bonnybrier Road

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 4-1 (Glynn).

H. ACTION ON OLD AND NEW BUSINESS

14. ORDER #142-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Mayor Avery for passage. Passage 5-0.

*****

15. ORDER #143-97/98 - accepting The State of Maine Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 4-1 (Glynn).

*****

16. ORDER #144-97/98 - setting April 1, 1998 as the date for public hearing in City Council
Chambers for the proposed 1998/99 budget.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 5-0.

* * * * *

17. ORDER #145-97/98 - award of bid to Government Technology Services, of Chantilly, VA, for the purchase of five (5) notebook computers for the Police Department.

Ed Googins, Police Chief, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Johnson for passage. Passage 5-0.

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18. ORDER #146-97/98 - authorizing Mayor Avery to sign a Letter of Intent designating the South Portland Police Department as a Public Safety Answering Point (PSAP).

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
John True, Fire Chief
Ed Googins, Police Chief

Motion was made by Councilor Boudreau and seconded by Councilor Johnson for passage. Passage 5-0.

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19. ORDER #147-97/98 - award of bid to Maietta Construction, of South Portland, ME, for foundation work at the Recycling Facility.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Craig Worth, Engineering Department

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 5-0.
I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he was gratified to see Mr. Lucarelli given back his property rights, but it cost him too much. He said he also lost the use of his property because of the City and it will bother him until the day he dies. He said he worked all summer to buy the land, and the City zoned it out of use. He said he expected a $1.00 decrease in the tax rate, but the City never cuts the budget when it has more money; it spends more. He said the School Department is adding a lot of people.

J. COUNCILORS’ ROUND ROBIN

Councilor Boudreau again asked dog owners to clean up after them on Willard Beach and make sure they are under voice command. She also noted that holes dug by dogs can be dangerous to people, and asked owners to keep their dogs off the dune grass.

K. EXECUTIVE SESSION

Motion was made by Councilor Glynn and seconded by Councilor Larsen to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 5-0, 9:13 P.M.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to come out of executive session. Passage 5-0, 9:28 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement #97/98-08 in the amount of $1,109.54 plus interest and costs. Passage 5-0.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to adjourn. Passage 5-0, 9:29 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk

[City Seal]
IN COUNCIL REGULAR MEETING APR. 6, 1998 VOL. 59 PAGE 101

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Larsen was absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to accept the minutes of the 3/18/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

C. PETITIONS AND COMMUNICATIONS

Joint Resolution recognizing the 100th Anniversary of the City of South Portland.

D. APPOINTMENT CALENDAR

1. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01. Postponed since 3/2/98.

   Motion was made by Mayor Avery and seconded by Councilor Baxter to postpone this item to 4/22/98. Passage 6-0.

   ***

2. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01. Postponed on 3/16/98.

   Motion was made by Mayor Avery and seconded by Councilor Baxter to postpone this item to 4/22/98. Passage 6-0.

   ***


   Motion was made by Mayor Avery and seconded by Councilor Baxter to postpone this item to 4/22/98. Passage 6-0.

   ***

4. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98. Postponed on 3/16/98.

   Motion was made by Councilor Boudreau and seconded by Councilor Bowring to postpone this item to 4/22/98. Passage 6-0.
IN COUNCIL REGULAR MEETING APR. 6, 1998 VOL. 59 PAGE 102

5. ORDER #148-97/98 - Conservation Commission, District Five (Johnson). To fill an unexpired term which expires 11/20/98.

Motion was made by Councilor Johnson and seconded by Councilor Glynn to appoint Allen Ridley to this position. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Ray Lee, Henry Street, questioned whether or not employees of the City can bid on jobs like mowing lawns. He said it seems like double dipping.

Stanley Cox, 460 Highland Avenue, congratulated the Shipyard Committee on its work, but said it would be a big mistake to leave seafood processing in as an acceptable use. He said it would also be a mistake to create the new zone then start deviating from it from the beginning.

Christine Marshall, 59 Sawyer Street, said it is difficult to tell people on the coast that fish don't smell.

Jeff Holden, Portland Shellfish, said he has been in the shellfish business since 1975. He asked the Council to please allow the processing of lobster and crab in the new zone, adding that he has state of the art equipment, and his business is being unfairly compared to Pine State By-Products.

Katherine Latendresse, 199 High Street, presented the Council with a petition which asked the Council to take seafood processing out of the new zone and make some changes regarding lot coverage and maximum building height.

Larry Albert, Margaret Street, said he doesn't think anyone discriminates in South Portland, and the gay rights issue is not a city issue. He said Councilors should remain neutral on the subject.

G. PUBLIC HEARINGS AND ACTION

Motion was made by Councilor Glynn and seconded by Councilor Bowring to take Item 8 out of order. Passage 6-0.


There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for approval. Passage 6-0.

The following people addressed this item:

Tex Haeuser, Planning Director
Carol Thorne, 96 Sandy Hill Road, Planning Board Member
Ray Lee, Henry Street
Janice Doctor, High Street
Larry Albert, Margaret Street, Planning Board Member
George Drivas, Maine Shipyard and Marine Railway
Nanni Couture, 20 Myrtle Avenue
Jim Puckett, Breakwater Drive
Jeff Holden, Portland Shellfish
Hans Hackett, 77 Grand Street
Rick McKinnon, Breakwater Drive
Dave Cyr, Portland Pipeline
Dave MacDonald, President, Portland Welding Supply
Clarence Beckwith, Bonnybriar Road
Maureen Rickett, Breakwater Drive
Steve Hasson, Breakwater Drive
Lawrence Pierce, 79 Granby Road
John Driscoll, 186 McKinley Street
Chris Simms, 21 Free Street
Stanley Cox, 460 Highland Avenue
Katherine Latendresse, High Street

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to amend the ordinance by deleting seafood processing as a permitted use and adding “or shellfish, fish or other animal rendering operations” in Section 27-55 under Marine Uses. Motion was made by Councilor Glynn and seconded by Councilor Johnson to amend the amendment by adding shellfish processing where seafood processing was proposed to be eliminated in Section 27-55. Failed 2-4 (Avery, Boudreau, Baxter, Bowring). Amendment passed 4-2 (Glynn, Johnson). Passed, as amended, 5-1 (Glynn).

Council took a 5 minute recess at 10:08 P.M.

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7. ORDINANCE #18-97/98 - amending Ch. 27, “Zoning,” for a map change creating Spring Point SP and Shipyard S zoning districts in the shipyard area. Passed first reading on 3/2/98.

The following people addressed this item:
IN COUNCIL REGULAR MEETING APR. 6, 1998 VOL. 59 PAGE 104

Ray Lee, Henry Street
George Drivas, Maine Shipyard and Marine Railway
Tex Haeuser, Planning Director

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 5-1 (Glynn).

H. ACTION ON OLD AND NEW BUSINESS

9. ORDER #149-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passage 6-0.

* * * * *

10. ORDER #150-97/98 - accepting Colony Lane as a City Street.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 6-0.

* * * * *

11. ORDER #151-97/98 - award of bid to Bancroft Contracting, of South Paris, ME, for B Street and John Roberts Road Pump Station Upgrades.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage. Passage 6-0.

* * * * *

12. ORDER #152-97/98 - authorizing the City Manager to sign a lease agreement with John and Sylvia Gordon, of Gorham, ME, for the lease of the Willard Beach Concession.

The following people addressed this item:

Ray Lee, Henry Street
Dana Anderson, Director of Parks and Recreation
Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 6-0.

13. ORDER #153-97/98 - authorizing the City Manager to sign a lease agreement with Sheri Stanley, of South Portland, ME, for the lease of Portland Street Pier.

Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 6-0.

14. ORDER #154-97/98 - accepting a Library Services and Construction Act (LSCA) grant for the South Portland Library.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 6-0.

15. ORDER #155-97/98 - participating in the E-Rate Universal Service Discount Program for technology purchases by the South Portland Library.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 6-0.

16. ORDER #156-97/98 - award of bid for the construction of the Public Safety Communications Facility.

The following people addressed this item:

Harvey Oest, Oest Associates
Joe Hennessy, Director of Architecture, Oest Associates
Clarence Beckwith, Bonnybriar Road
Ray Lee, 28 Henry Street
Jim Puckett, Breakwater Drive
Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 5-1 (Glynn).

* * * *

17. ORDER #157-97/98 - authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Command Teamsters Local 340.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Johnson for passage. Passage 6-0.

* * * *


Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Johnson for passage of the first reading. Passage 5-1 (Boudreau).

* * * *


The following people addressed this item:

Boyce Sanborn, Deputy Police Chief
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Bowring and seconded by Councilor Glynn for passage of the first reading. Passage 5-1 (Boudreau).

* * * *

20. ORDINANCE #21-97/98 - authorizing the appropriation of $1,040,000 for the Public Safety Communication Center. First Reading.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to postpone this item indefinitely. Passage 5-1 (Glynn).
I. CITIZENS DISCUSSION (SECOND PART)

Harvey Oest, Oest Associates, 343 Gorham Road, said tonight is the first time he has been accused of being too professional and too responsible. He said the City is not following what the State does when it comes to construction. He said the State doesn’t bid professional services; it’s quality based like the Federal government. He volunteered to help the City look at how it puts out services.

Janice Doctor, High Street, thanked Councilor Bowring for his amendment removing seafood from the ordinance, and she thanked the Councilors who voted for it.

Boyce Sanborn, Deputy Police Chief, Thompson Street, thanked the Council for passing the appropriation for the dispatch facility. He said it was a shame that Harvey Oest had to defend his company. He also said that City Manager Jeff Jordan should not take responsibility for the things that went wrong, because there was no way anyone could have predicted the overrun or the problems encountered. He thanked Mr. Jordan for his support.

Clarence Beckwith, Bonnybriar Road, asked if the surplus that was used to pay for the dispatch facility could have been used to reduce taxes.

Ed Googins, Police Chief, thanked the Council for supporting the dispatch facility.

J. COUNCILORS’ ROUND ROBIN

Councilor Glynn said he is displeased that the Council funded more than an $800,000 cost overrun on the dispatch facility. He said it should have gone to the voters.

Councilor Bowring recognized the work that went into the dedication of the new auditorium at the high school. He noted that Patriots Alumni are playing the South Portland Police Department in a basketball game on Friday evening at the high school gym and encouraged everyone to attend.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to adjourn. Passage 6-0, 1:01 A.M. (4/7/98).

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING APR. 22, 1998 VOL. 59 PAGE 108

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Larsen to accept the minutes of the 4/6/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeff Jordan referenced items in the Councilors' packets.

C. PETITIONS AND COMMUNICATIONS

A Resolution from Cumberland County Commission recognizing South Portland's 100th Anniversary was presented by County Commission Chairman Esther Clenott and read by Commissioner Peter Feeney.

Department Reports for the Month of March.

Attendance Reports for the Month of March.

D. APPOINTMENT CALENDAR

1. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01. Postponed since 3/2/98.

   Motion was made by Councilor Glynn and seconded by Councilor Baxter to postpone this item to 5/4/98. Passage 7-0.

   * * * * *

2. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01. Postponed since 3/16/98.

   Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 5/4/98. Passage 7-0.

   * * * * *

3. ORDER #138-97/98 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/01. Postponed since 3/16/98.

   Motion was made by Councilor Larsen and seconded by Councilor Bowring to postpone this item to 5/4/98. Passage 7-0.
IN COUNCIL REGULAR MEETING APR. 22, 1998 VOL. 59 PAGE 109

4. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98. Postponed since 3/16/98.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to postpone this item to 5/4/98. Passage 7-0.

*****

5. ORDER #158-97/98 - appointment of Democratic Election Clerks. Term to expire 5/1/00.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

6. ORDER #159-97/98 - appointment of Republican Election Clerks. Term to expire 5/1/00.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

E. CONSENT CALENDAR

7. Southern Maine Soap Box Derby Association requests closing of Surfsite Road, from Benjamin W. Pickett Street to Adams Street and from Benjamin W. Pickett Street to Fort Road, on June 19, 1998 from 1:00 P.M. to 7:00 P.M. and on June 20, 1998 from 7:00 A.M. to approximately 5:00 P.M. Renewal.

8. Home Builders Association Trade Show requests approval to locate nine (9) off-premise signs, on City property, to direct the public to the annual trade show to be held from 5/1/98 to 5/3/98 at Southern Maine Technical College. New.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage of the Consent Calendar. Passage 7-0.

F. CITIZEN DISCUSSION (FIRST PART)

Larry Albert, 98 Margaret Street, addressed Item 18 regarding a discrimination ballot question.
Julian Tracy, 19 Roger Road, addressed Item 18.
Deborah Shields, 88 Angell Avenue, addressed Item 18.
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Joanne Peterson, Karynel Drive, addressed Item 18.
John Norburg, 42 Heather Road, addressed Item 18
Lois Reckitt, addressed Item 18.
Joan Jordan, 1005 Highland Avenue, addressed Item 9 regarding skateboards.
Mike Souza, 1005 Highland Avenue, addressed Item 9.
Sally Group, 57 Willard Street, addressed Item 9.
Guy Frenette, Mildred Street, addressed Item 18.
Collin Silva, 167 Highland Avenue, addressed Item 9.
Bryan Roberts, 34 Harbor Place, addressed Item 9.

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Nancy Crowell, Fickett Street
Ed Googins, Police Chief
Joan Jordan, 1005 Highland Avenue
Boyce Sanborn, Deputy Police Chief
Michael Souza, 1005 Highland Avenue
Sally Group, 57 Willard Street
Clarence Beckwith, Bonnybriar Road
Male resident, 167 Highland Avenue
Steve Gray, Beach Street
Brad Norris, Highland Avenue

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage. Failed, 3-4 (Avery, Boudreau, Baxter, Johnson).

* * * * *


There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Glynn for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to postpone this item indefinitely. Passage 7-0.

H. ACTION ON OLD AND NEW BUSINESS

11. ORDER #160-97/98 - accepting miscellaneous donations.
There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Passage 6-0 (Larsen out).

* * * * *

12. ORDER #161-97/98 - authorizing the City Manager to sign a lease extension with Congregation Bet Ha'am for the lease of Sawyer School.

Daniel Rose, North Yarmouth, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn for passage. Passage 7-0.

* * * * *

13. ORDER #162-97/98 - award of bid to Maietta Construction, of South Portland, ME, for Phase II of the Ferry Village Sewer Separation Project.

The following people addressed this item:

Linda French, 160 Sawyer Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

* * * * *


Tex Haeuser, Planning Director, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

* * * * *

15. ORDER #164-97/98 - accepting a grant from and authorizing the City Manager to sign a Project Agreement with the Department of Conservation, Bureau of Parks and Lands, for rehabilitation of the Municipal Boat Ramp.

The following people addressed this item:
IN COUNCIL REGULAR MEETING APR. 22, 1998 VOL. 59 PAGE 112

Dana Anderson, Parks and Recreation Director
Ray Lee, Henry Street

Motion was made by Councilor Larsen and seconded by Councilor Bowring for passage. Passage 7-0.

16. ORDER #165-97/98 - award of bid to, Atlantic Mechanical, of Wiscasset, ME, for rehabilitation of the Municipal Boat Ramp.

Dana Anderson, Parks and Recreation Director, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 7-0.

17. ORDER #166-97/98 - prohibiting rollerblading and skateboarding on certain streets.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to withdraw this item. Passage 7-0.

18. ORDER #167-97/98 - directing the City Clerk to place a proposed ordinance prohibiting discrimination based on sexual orientation to the November 3, 1998 municipal ballot.

The following people addressed this item:

Mike & Zsuzsa Williams, 124 New York Avenue, by letter
Larry Albert, 98 Margaret Street
Knowland McCoy, 504 Cottage Road
Alexandra Heseltine Curran, Providence Avenue
John Norburg, 42 Heather Road
Stanley Cox, 460 Highland Avenue
Deborah Shields, 88 Angell Avenue
Anthony McCann, High Street
Ray Lee, Henry Street
Joanne Peterson, 24 Karynel Drive
Nancy Crowell, Fickett Street
Gerry Bissonnette, Belaire Road
Steve Gray, 26 Beach Street
Guy Frenette, 36 Mildred Street
David Sauder, High Street
Clarence Beckwith, Bonnybriar Road
IN COUNCIL REGULAR MEETING APR. 22, 1998 VOL. 59 PAGE 113

Linda French, 160 Sawyer Street
Lois Reckitt, Myrtle Avenue
Ed Googins, Police Chief
Janice Doctor, High Street
Scott Garland, 52 Barnstable Road
Larry Bliss, Cottage Road
Rita Caron, Margaret Street

Motion was made by Councilor Johnson and seconded by Councilor Glynn to withdraw the order and let the ordinance have first reading. Failed 2-5 (Boudreau, Baxter, Bowring, Larsen, Glynn). Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage of the order. Passage 6-1 (Johnson).

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, complained that he can't use Bug Light Park for a fund-raiser because he was told it would damage the park. He said it has only been used as a dump so far.

Clarence Beckwith, Bonnybriar Road, asked if the City has to sell bonds approved by the voters. He recommended using surplus rather than issuing bonds. He said the Homestead Act will encourage municipalities to spend more.

Gerry Bissonnette, Belaire Road, said the human rights ordinance is causing problems that don't exist. She said she got a tape of last week's workshop meeting, and then went to look at Bug Light Park. She said the fundraising proposal was for the Fire Department - not Kevin Glynn. She said she is disappointed that the Republican City Committee was denied. David Saunder, High Street, said he was at the workshop, and he commended Councilor Boudreau for raising the issue of a possible conflict of interest on Councilor Glynn's part. He said that Councilor Glynn excused himself because he recognized the conflict.

Nancy Crowell, Fickett Street, said she is concerned about the divisiveness issue mentioned this evening regarding the human rights ordinance. She encouraged the Council to initiate round table discussions.

Linda French, 160 Sawyer Street, said the news this evening said there wasn't enough money for the State to do all of the Homestead requests.

J. COUNCILORS’ ROUND ROBIN

None.
IN COUNCIL REGULAR MEETING APR. 22, 1998 VOL. 59 PAGE 114

Motion was made by Councilor Bowring and seconded by Councilor Glynn to adjourn. Passage 7-0, 11:30 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING MAY 4, 1998 VOL. 59 PAGE 115

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M.

A. ACCEPTANCE OF MINUTES

Minutes of the 4/22/98 meeting will be offered for acceptance at the next meeting.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Ralph St. Pierre introduced Waterfront Market Association President Betsy Nygren who announced a neighborhood cleanup on 5/16/98 and gave out T-shirts.

Mr. St. Pierre said the City had already received 4000 Homestead Exemption forms.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01. Postponed since 3/2/98.

   Motion was made by Councilor Baxter and seconded by Councilor Glynn to postpone this item to 5/18/98. Passage 7-0.

   ***

2. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01. Postponed since 3/16/98.

   Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 5/18/98. Passage 7-0.

   ***

3. ORDER #138-97/98 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/01. Postponed since 3/16/98.

   There was no public discussion.

   Motion was made by Councilor Bowring and seconded by Councilor Boudreau to appoint Bucky Wooster to this position. Passage 7-0.

   ***

4. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98. Postponed since 3/16/98.
IN COUNCIL REGULAR MEETING MAY 4, 1998 VOL. 59 PAGE 116

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to postpone this item to 5/18/98. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Janice Doctor, High Street, asked questions about the proposed human rights ordinance that is on the November ballot. She said she objects to the City paying legal fees to go to court on these types of issues. She said she has never noticed discrimination in South Portland.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #168-97/98 - setting the date, time and place for a public hearing regarding a dangerous dog.

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

6. PROCLAMATION #5-97/98 - proclaiming May 22, 1998 as Arbor Day within the City of South Portland.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

*****

7. ORDER #169-97/98 - award of bid to Weirs GMC, of Arundel, ME, for a watering truck for the Parks and Recreation Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Dana Anderson, Parks and Recreation Director

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passage 7-0.
8. ORDER #170-97/98 - setting fees for the Municipal Golf Course, effective 7/1/98.

Dana Anderson, Director of Parks and Recreation, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Motion was made by Councilor Glynn and seconded by Councilor Johnson to postpone this item to the next meeting so the Council could discuss the people exempt from paying the fees. Failed 1-6 (Avery, Boudreau, Baxter, Bowring, Johnson, Larsen). Passage of order 5-2 (Glynn, Larsen).

* * * * *

9. ORDINANCE #22-97/98 - amending Chapter 10, "Health, Welfare and Sanitation Generally" for change in levels of housing assistance. First reading.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Jack Roberts, Welfare Director

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage of the first reading. Passage 7-0.

* * * * *

10. ORDER #171-97/98 - award of bid to Shaw Brothers, of Gorham, ME, for site work and utilities at the South Portland Transfer Facility.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Johnson for passage. Passage 7-0.

1. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said the Conservation Commission has a lot of members who never show up, and the Council should do something about it. He questioned how much White Brothers was paid to remove limbs, etc. from the ice storm. He said he was told a union grievance was filed.

Ryan Vessier, Mahoney Middle School student, asked about the skateboarding ordinance that was discussed at the last meeting and the possibility of the Armory being made into a skate park.

Clarence Beckwith, Bonnybriar Road, said he saw a skateboarder in the street on his way to the Council meeting this evening.
Casimara McIntyre, 72 Skillings Street, complained that so much building has gone on in her neighborhood that there is a severe drainage problem. She said she had received a letter from the City Manager, but she wants to know how much more building is going to take place there. She said children could drown in the standing water there.

J. COUNCILORS' ROUND ROBIN

Councilor Glynn said he spoke to the 2nd, 3rd and 4th grades at the Greater Portland Christian School, and they were shown how democracy works by voting on the best dessert in the area. He said the Council did a wonderful thing by leasing the building to Greater Portland.

Councilor Larsen spoke to the Mahoney student and told him she voted in favor of the skateboarding ordinance because her stepson was a skateboarder, and his board was taken away several times. She said she was sorry it didn’t pass.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to adjourn. Passage 7-0, 8:21 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING MAY 18, 1998 VOL 59 PAGE 119

ROLL CALL: Mayor Avery called the meeting to order at 7:05 P.M. Councilor Johnson arrived after the roll call.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Glynn and seconded by Councilor Bowring to accept the minutes of the 4/22/98 and 5/4/98 meetings. Passage 6 - 0

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeff Jordan presented a letter to the council from School Board member Lori Bowring Michaud.

Mr. Jordan advised the public to avoid the Roundabout area due to paving.

Mr. Jordan thanked Mayor Avery, Councilors Boudreau and Larsen, as well as the Waterfront Market Association and all the volunteers for participating in the Waterfront Market area clean-up.

Mr. Jordan spoke about EMS Week at the Central Fire Station.

Councilor Boudreau presented Ceremonial Shovel from ground breaking of the new Dispatch Center to Mayor Avery.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of April.

Attendance Reports for the Month of April

D. APPOINTMENT CALENDAR

1. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01. Postponed since 3/2/98.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to postpone this item to 6/1/98. Passage 7-0.

*****

2. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01. Postponed since 3/16/98.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to postpone this item to 6/1/98. Passage 7-0.
3. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98. Postponed since 3/16/98.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to postpone this item to 6/1/98. Passage 7-0.

*****

4. ORDER #172-97/98 - Civil Service Commission, District Three (Baxter). To fill an unexpired term which expires 3/1/99.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to postpone this item to 6/1/98. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

*****


The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Jack Roberts, Welfare Director

Motion was made by Councilor Larsen and seconded by Councilor Boudreau for passage. Passage 6-1 (Glynn)
7. Public hearing on alleged dangerous dog at 141 Barnstable Road.

The following people addressed this item:

Karen MacKenzie, Barnstable Road
Sissy Gallant, Barnstable Road
Arthur Gallant, Barnstable Road
Officer Kevin Battle, South Portland Police Department
Edward Googins, Police Chief
Sam DiFillipo, Brindle Circle
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Boudreau and seconded by Councilor Johnson to deem this a dangerous dog. Passage 4-3 (Larsen, Baxter and Glynn)

H. ACTION ON OLD AND NEW BUSINESS

8. ORDER #173-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 6-0 (Bowring out).

*****


There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

*****

10. ORDER #175-97/98 - award of bid to The Carvel Company, of Portland, ME, for mechanical renovations at the South Portland Library.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passage 7-0.
11. ORDER #176-97/98 - award of bid to Laser Technology, Inc., of Englewood, CO, for the purchase of a speed monitoring trailer for the Police Department.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Passage 6-1 (Glynn)

*****

12. ORDER #177-97/98 - accepting an amended COPS More Grant for the Police Department.

Edward Googins, Police Chief

Motion was made by Councilor Glynn and seconded by Councilor Baxter for passage. Passage 7-0.

*****

13. ORDER #178-97/98 - award of bid to James O'Halloran, of Ellsworth, ME, for the sale of a used dump truck.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ge Erskine, Public Works Director

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 7-0.

*****


Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Bowring for passage. Motion was made by Councilor Boudreau and seconded by Councilor Glynn to postpone this item to 6/1/98. Passage 7-0.
IN COUNCIL REGULAR MEETING MAY 18, 1998 VOL 59 PAGE 123


The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Glynn and seconded by Councilor Bowring for passage.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the resolve to designate the amount of $600,211.00 in undesignated funds allocated to upgrade and maintenance of school facilities. Failed 1 - 6 (Avery, Bowring, Boudreau, Johnson, Larsen and Baxter).

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to postpone this item to 6/1/98. Failed 1 - 6 (Avery, Bowring, Boudreau, Johnson, Glynn and Baxter).

Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the resolve to use $349,180.00, designated to the Property Tax Stabilization Account, for a tax cut of .20/1000 dollars evaluation. Failed 1 - 6 (Avery, Baxter, Boudreau, Bowring, Larsen and Johnson).

Passage of resolve 7 - 0.

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16. ORDER #180-97/98 - accepting a utility easement from Douglas Gagne at 955 Highland Avenue.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to withdraw. Withdrawn 7-0.

*****

17. ORDER #181-97/98 - authorizing the City Manager to sign a contract with Portland Water District to provide water to the City’s transfer facility.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0
I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, commended Elizabeth Sawyer, City Assessor, for her help in notifying residents of the Homestead Exemption Act. He stated she went above and beyond her duties as Tax Assessor in doing so.

Ray Lee, Henry Street, said he did not agree with the passage of the budget. He questioned the amount of money that was used for the grievance filed against the city due to the ice storm. He asked City Manager Jeff Jordan about his residency status. He stated that he felt the Gallants were mistreated by the City.

J. COUNCILORS’ ROUND ROBIN

Mayor Avery spoke about the Memorial Day Parade that begins at 10:00 A.M. Councilors were invited to watch from the reviewing stand. She said she is finished co-chairing the Waterfront Alliance Committee. She commended fellow councilors for their participation in the Waterfront Market area clean-up.

Councilor Baxter commended the City Manager, School Board and School Superintendent for working together to pass the budget.

Councilor Boudreau thanked the Assistant City Clerk for a job well done. She welcomed City Manager Jeff Jordan to The City of South Portland. She warned the public about falling limbs in the woods.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn. Passage 7-0, 10:55 P.M.

A TRUE COPY.

Karan L. Morrill, Assistant City Clerk
IN COUNCIL REGULAR MEETING JUNE 1, 1998 VOL. 59 PAGE 125

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to accept the minutes of the 5/18/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan extended the City’s sympathy to the family of Earle Angell. Mr. Angell passed away recently. He had been on the Fire Department for 23 years; he had served as City Historian, and he had recently served on the Centennial Committee. Mr. Jordan recognized the work of the volunteers who had given their time to work at the Greater Portland Christian school.

C. PETITIONS AND COMMUNICATIONS

Richard Ranagan, of People’s Heritage Bank, presented the Mayor with a ceremonial check for $3,000 for the Centennial Tree.

Portland Pipeline President Ted Metzing and Harbor Commission Chairman Richard Ingalls paid tribute to Commander Burt Russell who is leaving his watch at the South Portland Coast Guard.

D. APPOINTMENT CALENDAR

1. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/01.

Motion was made by Councilor Bowring and seconded by Councilor Glynn to postpone this item to 6/15/98. Passage 7-0.

* * * * *

2. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01.

Motion was made by Councilor Bowring and seconded by Councilor Glynn to postpone this item to 6/15/98. Passage 7-0.

* * * * *

3. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98.
Motion was made by Councilor Boudreau and seconded by Councilor Larsen to postpone this item to 6/15/98. Passage 7-0.

4. ORDER #172-97/98 - Civil Service Commission, District Three (Baxter). To fill an unexpired term which expires 3/1/99.

Motion was made by Councilor Baxter and seconded by Councilor Glynn to postpone this item to 6/15/98. Passage 7-0.

5. ORDER #182-97/98 - Ward Clerk Pro Tempore (District 2) for the 6/9/98 election only.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to appoint Paula Jane Howard to this position. Passage 7-0.

6. ORDER #183-97/98 - appointments to the Spring Point Ledge Light Board of Trustees (Mayor). Term to expire 6/1/00.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to appoint William Alexander and Timothy Carr to these positions. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Lori Bowring Michaud, 10 Hudson Road, cited an article in the American Journal in which she says Councilor Glynn made incorrect remarks about the proposed school closings.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

The following people addressed this item:

Henrietta LaRou, 51 Simmons Road
Richard Hall, President of the Portland Marine Society
Stanley Cox, Highland Avenue
Mabel Graney, 75 Scamman Street
Ian Gleason, 1129 Broadway
Mary J. Martin, by letter

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Motion was made by Councilor Boudreau and seconded by Councilor Bowring to amend the order by substituting Bug Light Park for Liberty Ship Park. Passage 7-0. Passage, as amended, 7-0.

*****

8. ORDER #184-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage. Passage 7-0.

*****

9. ORDER #185-97/98 - authorizing the sale of used composting equipment to Atlantic Recycling Technologies, Inc., of North Yarmouth, ME.

Pat Cloutier, Pollution Abatement Director, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7-0.

*****


Pat Cloutier, Pollution Abatement Director, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

*****

Roland LaBelle, School Department, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Baxter for passage. Passage 7-0.

*****

12. ORDER #188-97/98 - award of bid to New England Communications, of Portland, ME, for a telecommunications interconnect system for the School Department.

Roland LaBelle, School Department, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Glynn for passage. Passage 7-0.

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13. ORDER #189-97/98 - award of bid to CCR Data Systems, of Concord, NH, for a cafeteria point of sale system for the School Department.

The following people addressed this item:

Travis Conley, 66 Lowell Street
Martha Spencer, Director of South Portland High School Nutrition System

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

*****

14. ORDER #190-97/98 - award of bid to North Star Communications, Inc., of Cumberland, ME, for a telephone system for the School Department.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Baxter for passage. Passage 6-0 (Bowring out).

*****

15. RESOLVE #6-97/98 - pursuant to §612 of the City Charter, determining details of issue of $1,615,000 principal amount of bonds.

Ralph St. Pierre, Finance Director, addressed this item.
Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

16. ORDER #191-97/98 - changing the name of Oak Terrace to Parkside Terrace.

Ed Reidman, City Engineer, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.

17. ORDER #192-97/98 - changing the name of Pickett Street to Breakwater Drive in the section from Madison to its westerly terminus and naming the right-of-way that services properties shown on Map 6, Lots 2A and 2F Breakwater Annex.

Ed Reidman, City Engineer, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Boudreau for passage. Passage 7-0.

18. ORDER #193-97/98 - accepting a portion of Skillings Street.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 6-0 (Glynn abstaining).

I. CITIZENS DISCUSSION (SECOND PART)

State Representative Alton Morgan, 117 Granby Road, pointed out the importance of voting on the referendum questions on the June 9th ballot, because they affect South Portland.

Casimara McIntyre, Skillings Street, thanked Mr. Jordan and the Council for their help with her water drainage problem. She asked questions about an open ditch nearby.

J. COUNCILORS' ROUND ROBIN

Councilor Baxter said he has received a lot of comments about the efficiency of the roundabout.

Councilor Boudreau said she tried to watch a truck go through the roundabout, but it happened
too quickly, indicating to her that it presents no problems to trucks. She noted that a meeting will occur on Wednesday, June 17 at 7 P.M. in Council Chambers to discuss dogs on Willard Beach. Parks and Recreation Director Dana Anderson will be there.

Mayor Avery thanked Councilors Larsen and Bowring and their families for joining her on the reviewing stand on Memorial Day. She noted that, this afternoon, she had attended a ceremony at SMTC during which the George Mitchell Peace Scholarship was announced. She added that Councilor Boudreau and City Clerk Linda Cohen were also present.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to adjourn. Passage 7-0, 9:08 P.M.

A TRUE COPY.

[Signature]

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING JUNE 15, 1998 VOL. 59 PAGE 131

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to accept the minutes of the June 1, 1998 meeting. Passage 7 - 0.

B. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Jeffrey Jordan read a letter from Edchen E. Ferguson of the Loveitt’s Field Homeowners Association to Elizabeth Sawyer, Assessor, recognizing her for using her personal time on a Sunday to help them understand their recent assessment increases. Mr. Jordan also read a letter from the City Clerk apologizing for an error in the Portland Press Herald regarding the location of District 1 Polling Place. Mr. Jordan read a letter from Neal Duff of the Archangel Committee regarding placement of students in host families for the month of April, 1999. He asked that anyone interested contact the City Manager’s office.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the month of May.

Attendance Reports for the month of May.

D. APPOINTMENT CALENDAR

1. ORDER #128-97/98 - Board of Assessment Review, District Two (Avery). Term to expire 3/16/98.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 7/6/98. Passage 7 - 0.

****

2. ORDER #135-97/98 - Planning Board, District Two (Avery). Term to expire 4/1/01.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 7/6/98. Passage 7 - 0.

****

3. ORDER #140-97/98 - Board of Assessment Review, District One (Boudreau). To fill an unexpired term which expires 12/31/98.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to postpone this item to 7/6/98. Passage 7 - 0.
IN COUNCIL REGULAR MEETING JUNE 15, 1998 VOL. 59 PAGE 132

4. ORDER #172-97/98 - Civil Service Commission, District Three (Baxter). To fill an unexpired term which expires 3/1/99.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 7/6/98. Passage 7 - 0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Marla LaBlanc, Candlebrook Lane, addressed the portable classrooms at Dyer School. Ms. LaBlanc was concerned that they will be too remote in inclement weather for the students as there is no water to the portable buildings. She stated that the classrooms will be 75 feet away from the school.

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Bowring for passage. Passage 7 - 0.

H. ACTION ON OLD AND NEW BUSINESS

Motion was made by Councilor Larsen and seconded by Councilor Bowring to waive Council Rules #3 and #4. Passage 7-0.

6. ORDER #194-97/98 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.

* * * * *

7. ORDER #195-97/98 - authorizing the Finance Director to release City interest in any real estate in the City of South Portland by quit claim deed.

There was no public discussion.
Motion was made by Councilor Baxter and seconded by Councilor Glynn for passage. Passage 7 - 0.

*****

8. ORDER #196-97/98 - authorizing the Finance Director to accept prepayment of taxes not yet due or assessed for fiscal year July 1, 1998 to June 30, 1999.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Boudreau for passage. Passage 7 - 0.

*****

9. ORDER #197-97/98 - award of bid to Atlantic Leasing Corp., of Dover, NH, for roll-off containers for the Recycling Facility.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7 - 0.

*****

Mayor Avery took item #16 out of order.

16. ORDER #203-97/98 - award of bid to Gorham Fence Company, of Standish, ME, to erect a fence at the Highland Avenue Transfer Facility.

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage. Passage 7 - 0.

*****

10. ORDER #198-97/98 - award of bid to Dictaphone Corporation, of Stratford, CT, for a logging recorder for the Public Safety Communications Facility.

Edward Googins, Police Chief, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passage 7 - 0.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7 - 0.

* * * * *

12. ORDER #200-97/98 - award of bid to Donald Hood, of South Portland, ME, for the purchase of City-owned property at Lincoln Street.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Boudreau for passage. Passage 7 - 0.

* * * * *

13. ORDER #201-97/98 - authorizing a three percent cost of living adjustment for non union employees.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage. Passage 7 - 0.

* * * * *

14. ORDER #202-97/98 - naming the park in Legion Square.

The following people addressed this item:

Tex Haeuser, Planning Director
Ed Tyler, American Legion

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 7 - 0

15. RESOLVE #7-97/98 - supporting the East Coast Greenway bike route.

The following people addressed this item:

Warren Morgan, Chapel Street
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend the resolve by adding a paragraph at the end that before discussions about any private property take place, the owner be notified. Passage 7 - 0.

Passage of resolve, as amended, 7 - 0.

I. CITIZENS DISCUSSION (SECOND PART)

Warren Morgan, Chapel Street, announced that the Pleasantdale Neighborhood Association is active again. Mr. Morgan stated that the Association was involved in the Rail Line, traffic by tankers on Elm Street, the Greenbelt Walkway and Kaler School.

Ray Lee, Henry Street, inquired about the bump in the road at the intersection of Ocean and Market Streets.

Clarence Beckwith, Bonnybriar Road, asked if the Assistant City Clerk was paid overtime for the meeting.

J. COUNCILORS' ROUND ROBIN

Councilor Boudreau recognized Elizabeth Sawyer, City Assessor, for her hard work concerning Loveitt’s Field’s assessment increase. She also wanted the public to be aware of the Wednesday night meeting with Dana Anderson, Parks and Recreation Director, concerning dogs on Willard Beach.

Councilor Baxter stated that he and Councilor Bowring attended the meeting concerning the portable classrooms at Dyer School, and the reason they had to be 75 feet away from the school was a legal issue.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Larsen to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty and pursuant to 1 M.R.S.A §405(6)(e) pending litigation: South Portland Patrolmen's Association and South Portland Firefighters Association vs. City of South Portland. Passage 7-0, 8:30 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Bowring to return to open session. Passage 7-0, 9:13 P.M.
Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Abatement #9-97/98 in the amount of $2688.55 for FY97/98 plus interest and costs. Failed 2-5 (Avery, Boudreau, Bowring, Baxter and Johnson).

Motion was made by Councilor Glynn and seconded by Councilor Bowring to grant Abatement #10-97/98 in the amount of $3226.67 for FY97/98 plus interest and costs. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Mayor Avery to adjourn. Passage 7-0, 9:15 P.M.

A TRUE COPY.

Karen L. Morrill, Assistant City Clerk
IN COUNCIL SPECIAL MEETING JUNE 22, 1998 VOL. 59 PAGE 137

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Larsen was absent. Councilor Boudreau arrived late.

ACTION ON OLD AND NEW BUSINESS

1. ORDER #204-97/98 - authorizing the City to retain Moon, Moss, McGill, Hayes and Shapiro, P.A., of Portland, ME, to represent the City in a labor matter.

There was no public discussion on this item.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to go into executive session at 7:05 P.M. Passed 6-0.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to return to Public Session. Passed 6-0.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passed 5-1 (Glynn)

Motion was made by Councilor Glynn and seconded by Councilor Bowring to adjourn. Passed 6-0, 7:10 P.M.

A TRUE COPY

ATTEST
Cynthia Iezzi, Assistant City Clerk