ROLL CALL: Mayor Dearborn called the meeting to order at 7:00 P.M. Councilor Boudreau arrived after the Consent Calendar; Councilor Avery arrived after the 4th item.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Larsen to accept the minutes of the 6/19/95 meeting. Passage 5-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant noted that concerts in Mill Creek Park begin this week and will run on Wednesday evenings at 7:00 P.M. until August 16.

Mr. Bryant presented a plaque to retiring Police Officer Samuel Longanecker for 24 years of service.

C. PETITIONS AND COMMUNICATIONS

Report from the Finance Director regarding Tax Abatements.

D. APPOINTMENT CALENDAR

1. ORDER #1-95/96 - SPTV Advisory Committee (Mayor). Term to expire 7/15/98.

There was no public discussion.

Motion was made by Mayor Dearborn and seconded by Councilor Glynn to reappoint Linda Mullin to this position. Passage 5-0.

E. CONSENT CALENDAR

2. Northern Utilities Inc. - installation of a gas main in Gorham Road.

There was no public discussion.

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

F. PUBLIC HEARINGS AND ACTION

3. Christopher Cyr, d/b/a Chris’ Hotdog Stand, 400 Western Avenue, for a FSE/Vending Unit (Push Cart) license which requires a variance to operate within five hundred (500) feet of other licensed food service establishments.
There was no public discussion.

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

G. ACTION ON OLD AND NEW BUSINESS

4. ORDER #2-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

5. ORDER #3-95/96 - authorizing the Finance Director to release City interest in any real estate in the City of South Portland by quitclaim deed.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Pete Larsen, 406 Ocean Street
Ray Lee, Henry Street

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

*****

6. ORDINANCE #1-95/96 - amendment to Ch.14, “Licenses, Permits and Business Regulations Generally,” §14-150, regarding definition of Mobile Vending Unit. First reading.

There was no public discussion.

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

*****

7. ORDER #4-95/96 - accepting a $10,000 OUI Emphasis Program Grant and a $719.76 Radar Program 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 7-0.

***

8. ORDER #5-95/96 - accepting an Easement Deed from Portland/HQ Limited Partnership for a pedestrian walkway at Clarks Pond.

Ray Lee, Henry Street, addressed this item.

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

***

9. ORDER #6-95/96 - authorizing the City Manager to sign an agreement allowing contractors for the Maine Department of Transportation to transport heavy construction equipment over City streets.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

***

10. RESOLVE #1-95/96 - amending the 1995/96 Appropriation Resolve.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Elizabeth Flaherty, Berwick Street
Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street
Jim O'Neil, 72 Settler Road, School Board Chairman
Lee Akerley, Assistant Superintendent of Schools

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage of the resolve.

Motion was made by Councilor Fickett and seconded by Councilor Glynn to amend the resolve by increasing school revenues by $404,770 and school expenditures by $60,000. Failed 3-4 (Dearborn, Baxter, Boudreau, Avery).

Motion was made by Councilor Avery and seconded by Councilor Baxter to amend the resolve by increasing school revenues by $404,770 and school expenditures by
$250,000. Failed, 3-4 (Boudreau, Larsen, Fickett, Glynn).

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend the resolve by increasing school revenues by $404,770 and school expenditures by $150,000. Passage 5-2 (Fickett, Larsen).

Passage of resolve, as amended, 5-2 (Larsen, Fickett).

H. CITIZENS DISCUSSION

Lee Akerley, Assistant School Superintendent, said the reason the private schools are able to keep their costs down is because they don't have transportation, building maintenance and special education expenses.

Bernard Faunce, 98 Sawyer Street, said the amendments to the resolve should have been opened up to the public. He questioned how the budget can be amended now.

Clarence Beckwith, Bonnybriar Road, asked that any money saved from our dealings with RWS be used to reduce taxes next year. He said Councilor Larsen's line item budget recommendation is a good idea, since the School Department appropriated money for 3 or for 4 years to fix windows at Redbank School and never did the work.

Ray Lee, Henry Street, said our school department is not doing building maintenance either. He said the Council's previous workshop was advertised in the newspaper as a regular meeting, and he hired someone to work for him so he could attend, but he wasn't allowed to speak. He said the amendments to the resolve should have been opened to the public.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to adjourn. Passage 9:14 P.M.

A TRUE COPY.

ATTEST Linda C. Cohen, City Clerk

CITY OF SOUTH PORTLAND, MAINE

1898
IN COUNCIL REGULAR MEETING JULY 17, 1995 VOL. 57 PAGE 5

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

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to waive Council Rule 4 to add item 5a under the Consent Calendar. Passage 7-0.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Boudreau to accept the minutes of the 7/3/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant thanked the estimated 150,000 people who attended Summerfest Maine at the Maine Mall.

C. PETITIONS AND COMMUNICATIONS

1. Department Reports for the month of June.
2. Attendance Reports for the month of June.

D. APPOINTMENT CALENDAR

3. ORDER #7-95/96 - Board of Appeals, At-Large (Glynn). Term to expire 7/23/98.

Motion was made by Councilor Glynn and seconded by Councilor Avery to postpone this item to 8/7/95. Passage 7-0.

*****

4. ORDER #8-95/96 - Board of Appeals, At-Large (Larsen). Term to expire 7/23/98.

The following people addressed this item:

Vincent Maietta, Board of Appeals member
Mark Farrington, Board of Appeals member
Ray Lee, Henry Street

Motion was made by Councilor Larsen and seconded by Councilor Glynn to appoint Daniel Fortin to this position. Passage 5-2 (Avery, Boudreau)

E. CONSENT CALENDAR

5. Northern Utilities Inc. - installation of a gas main replacement in Keswick Street and Wythburn Road.
5a. NYNEX - installation of a utility pole in Richmond Avenue.

There was no public discussion.

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

F. PUBLIC HEARINGS AND ACTION

6. ORDINANCE #1-95/96 - amendment to Ch.14, “Licenses, Permits and Business Regulations Generally,” §14-150, regarding definition of Mobile Ice Cream Vending Unit. Given first reading 7/3/95.

Ray Lee, Henry Street, addressed this item.

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

G. ACTION ON OLD AND NEW BUSINESS

7. ORDER #9-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

8. ORDER #10-95/96 - authorizing the sale of City owned property located at 20 Hillcrest Avenue to Michael and Cynthia Snow and Margaret Gray.

There was no public discussion.

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

* * * * *

9. ORDINANCE #2-95/96 - amending Ch. 5, “Buildings” §5-2(a), reducing the number of codes on file from three (3) to one (1). 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.

* * * *

10. ORDINANCE #3-95/96 - amending Ch. 7, “Electricity,” §7-55(a), reducing the number of codes on file from three (3) to one (1). 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 7-0.

* * * *

11. ORDINANCE #4-95/96 - amending Ch. 8, “Fire Protection and Prevention,” reducing §8-31(a), the number of codes on file from three (3) to one (1). First reading.

There was no public discussion.

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

* * * *

12. ORDINANCE #5-95/96 - amending Ch. 20, “Plumbing,” §20-1(a) reducing the number of codes on file from three (3) to one (1). 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 7-0.

H. CITIZENS DISCUSSION

Mark Farrington, 68 Scott Road, said he was not against Mr. Fortin; he was showing support for Mr. Junkins, when he signed the letter from the Board of Appeals.

Ray Lee, Henry Street, said he got an unsigned letter about a South Portland Cruiser speeding on the turnpike in Gray. He said his grandson was ordered off the beach last night by Police. He said that Councilor Boudreau put who she wanted on the Civil Service Commission, and any Councilor has that right.

Bernard Faunce, 98 Sawyer Street, said the speed is too high in some places on Broadway, and that the intersection at Broadway and Cottage is confusing. He said the walk light isn't long enough on Waterman.
I. 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. Passage 7-0, 8:13 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Avery to return to open session. Passage 7-0, 9:10 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to grant abatement #94/95-11 in the amount of $4,882.96 in principal for the most recent three years and interest and penalties for all years. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to grant the balance of the abatement request. Failed 3-4 (Dearborn, Baxter, Boudreau, Avery).

Motion was made by Councilor Glynn and seconded by Councilor Avery to adjourn. Passage 7-0, 9:14 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING AUG. 7, 1995 VOL. 57 PAGE 9

ROLL CALL: Mayor Dearborn 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 7/17/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Communication from the City Manager regarding employee recognition.

City Manager Jerre Bryant noted that City Clerk Linda Cohen had received the Lorraine M. Fleury Award and Assistant City Manager Jeffrey Jordan had received the Public Administrator of the Year Award.

Mr. Bryant noted that the annual Art in the Park show, with 175 participating artists, will take place August 12 and is guaranteed to be a great success.

Mr. Bryant said he will be meeting with City and State officials to address concerns about the area of Broadway where a tractor trailer accident occurred on Friday.

Mr. Bryant said the moving of a building from Cottage Road to Castle Street was supposed to take four hours on Sunday, but the job was not completed until 1:30 A.M. today. He will be looking into the whole building moving process.

Ms. Cohen announced that nomination papers for City Council, School Board, Warden and Ward Clerk will be available on August 16.

C. PETITIONS AND COMMUNICATIONS

Communication from the Civil Service Commission regarding proposed ordinance amendment.

D. APPOINTMENT CALENDAR

1. ORDER #7-95/96 - Board of Appeals, At-Large (Glynn). Term to expire 7/23/98. Postponed on 7/17/95. Passage requires majority vote.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to re-appoint Mark Farrington to this position. Passage 7-0.

E. CONSENT CALENDAR
F. PUBLIC HEARINGS AND ACTION

2. ORDINANCE #2-95/96 - amending Ch. 5, "Buildings" §5-2(a), reducing the number of codes on file from three (3) to one (1). Given first reading 7/17/95.

There was no public discussion.

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

*****

3. ORDINANCE #3-95/96 - amending Ch. 7, "Electricity," §7-55(a), reducing the number of codes on file from three (3) to one (1). Given first reading 7/17/95.

There was no public discussion.

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

*****

4. ORDINANCE #4-95/96 - amending Ch. 8, "Fire Protection and Prevention," §8-31(a), reducing the number of codes on file from three (3) to one (1). Given first reading 7/17/95.

There was no public discussion.

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

*****

5. ORDINANCE #5-95/96 - amending Ch. 20, "Plumbing," §20-1(a) reducing the number of codes on file from three (3) to one (1). Given first reading 7/17/95.

There was no public discussion.

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

*****

6. A.G. Ice Cream, FSE/Mobile Food Service (Ice Cream Truck). Amendment to existing City License. Requesting a variance to operate within five hundred (500) feet of other licensed food service establishments.
Motion was made by Councilor Boudreau and seconded by Councilor Avery to postpone this item to 8/21/95. Passage 7-0.

*****

7. ORDER #11-95/96 - authorizing an extension of the public sanitary sewer system at 460 and 470 Highland Avenue.

The following people addressed this item:

Stanley Cox, 460 Highland Avenue
Clarence Beckwith, Bonnybriar Road

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

*****

8. ORDER #12-95/96 - authorizing an extension of the public sanitary sewer system at Cox and Harding Streets.

The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Bruce Storer, Cox Street

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

G. ACTION ON OLD AND NEW BUSINESS

9. ORDER #13-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

10. ORDER#14-95/96 - authorizing the City Manager to sign an indenture agreement with Edson Noyes for the installation of a private sewer line on Richmond Avenue.
IN COUNCIL REGULAR MEETING AUG. 7, 1995 VOL. 57 PAGE 12

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

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

*****

11. ORDER #15-95/96 - accepting the dedication of public improvements in Jetport Plaza Road.

The following people addressed this item:

Jack Spiegel, Portland
Clarence Beckwith, Bonnybriar Road

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

*****

12. ORDER #16-95/96 - award of bid to Garaventa USA, Inc., of Manchester, N.H., for a wheelchair stair lift at Mahoney Middle School.

The following people addressed this item:

John True, Fire Chief
Ralph St. Pierre, Finance Director

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Motion was made by Councilor Boudreau and seconded by Councilor Avery to postpone this item to 8/21/95. Passage 7-0.

*****

13. ORDER #17-95/96 - award of bid to Abatement Professionals, Inc., of Portland, ME, for trench remediation at Memorial Middle School.

Bernard Faunce, 98 Sawyer Street, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.
14. ORDER #18-95/96 - award of bid to Air Cleaning Specialists, Inc., of Hanover, MA, for a source capture vehicle exhaust system at Engine 5.

Lewis Beckford, 72 Bonnybank Road, addressed this item.

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

*****

15. RESOLVE #2-95/96 - regarding Portland Water District elections.

The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street

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

*****

16. ORDER #19-95/96 - accepting a Hazardous Materials Training Grant from the State Emergency Response Commission for the South Portland Fire Department.

There was no public discussion.

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

*****

17. ORDINANCE #6-95/96 - amending Ch. 19, “Personnel Rules and Regulations,” regarding the Civil Service Commission. First reading.

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

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Fickett to postpone this item to 8/21/95. Failed 3-4 (Dearborn, Avery, Baxter, Boudreau). Passage of first reading 4-3 (Larsen, Glynn, Fickett).
18. ORDINANCE #7-95/96 - amending Ch. 6, “Elections,” regarding the Registration Appeals Board. First reading.

The following people addressed this item:

Lewis Beckford, 72 Bonnybank Road
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Bernard Faunce, 98 Sawyer Street

Motion was made by Councilor Glynn and seconded by Councilor Fickett to deny. Failed 3-4 (Dearborn, Baxter, Boudreau, Avery). Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage of the first reading. Passage 4-3 (Fickett, Glynn, Larsen).

******

19. ORDER #20-95/96 - authorizing the City Manager to sign an indenture agreement with Legere Builders, Inc., for the installation of a private sewer line on Castle Street.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage. Motion was made by Councilor Avery and seconded by Mayor Dearborn to amend the motion to allow approval only when the builder has successfully addressed the property damage done during the move. Passage 5-1 (Fickett).

H. CITIZENS DISCUSSION

Clarence Beckwith, Bonnybriar Road, complimented the Mayor for holding the Council meeting without the presence of a police officer this evening, and said he hopes it continues. He said the School Board found money in its budget and made cuts without laying off people. He said he hopes next year the City will have a reasonable tax increase.

Ray Lee, Henry Street, asked if anyone had tried to turn on Broadway next to a trailer truck. He said it is a dangerous curve, and he was almost killed recently. He said he hopes the voters remember who supports a dictatorship.

Bernard Faunce, 98 Sawyer Street, said he noticed improvements were made on Broadway at Cottage, but the speed still needs to be addressed. He said Mr. Bryant should take the initiative like the Portland City Manager and tell the School Board to find its own money in its budget. He asked if it is the City Clerk’s duty to go to Augusta to propose legislation. He said the City Clerk should be doing City business, and she should have announced the bill about the Board at a Council meeting. He said she should ask the whole city for input.
Janice Doctor, High Street, said the Ferry Village Neighborhood Conservation Association will meet this Thursday at 6:00 P.M. prior to the Irving Oil Meeting being held at SMTC at 7:00 P.M. She said that the storage of gasoline will be very dangerous for the area, and she wants maximum protection, not minimum standards. She invited everyone to come to the meeting.

I. EXECUTIVE SESSION

Motion was made by Councilor Boudreau 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, 10:30 P.M.

Motion was made by Councilor Avery and seconded by Councilor Baxter to return to open session. Passage 6-0 (Fickett out), 10:59 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to grant abatement 95/96-02 for the full amount of $2,899.93 plus interests and costs. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to grant 3/4 of abatement 95/96-01, in the amount of $1,212.87. Passage 7-0.

Motion was made by Councilor Baxter and seconded by Councilor Avery to adjourn. Passage 7-0, 11:01 P.M.

A TRUE COPY.
ROLL CALL: Mayor Dearborn 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 8/7/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant noted that the new design of Broadway between Waterman Drive and Cottage Road is being looked at regarding speed and traffic flow.

C. PETITIONS AND COMMUNICATIONS

1. Department Reports for the month of July.

2. Attendance Reports for the month of July.

3. Planning Board report regarding contract zoning requests.

D. APPOINTMENT CALENDAR

4. ORDER #21-95/96 - Registrar of Voters.

There was no public discussion.

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

E. CONSENT CALENDAR

F. PUBLIC HEARINGS AND ACTION

5. A.G. Ice Cream, FSE/Mobile Food Service (Ice Cream Truck). Amendment to existing City License. Requesting a variance to operate within five hundred (500) feet of other licensed food service establishments. Postponed on 8/7/95.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to grant the variance for Sears and Maine Mall Motors. Passage 7-0.

* * * * *
6. ORDINANCE #6-95/96 - amending Ch. 19, "Personnel Rules and Regulations," regarding the Civil Service Commission. Given first reading on 8/7/95.

The following people addressed this item:

John Howard, Highland Road, Civil Service Commission
Tim O'Neil, 81 Adelbert Street, Civil Service Commission
Skip Lucarelli, Civil Service Commission
Lee Harvey, Civil Service Commission
Herb Haase, Winding Way
Police Chief Ed Googins
Boyce Sanborn, Thompson Street
Jim Dyer, Davis Street, Civil Service Commission
Tim Carr, Edgewood Road, representing Fire Command Officers
Amy Berry, Police Lieutenant
James Fahey, representing the Patrolman’s Association

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the ordinance by only allowing polygraph reports to be oral. Failed 3-4 (Glynn, Fickett, Larsen). Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the ordinance by sending polygraph results to the Civil Service Commission. Failed 3-4 (Glynn, Larsen, Fickett). Passage of ordinance 4-3 (Larsen, Glynn, Fickett).

* * * * *

7. ORDINANCE #7-95/96 - amending Ch. 6, "Elections," regarding the Registration Appeals Board. Given first reading on 8/7/95.

There was no public discussion.

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

G. ACTION ON OLD AND NEW BUSINESS

8. ORDER #16-95/96 - award of bid to Garaventa USA, Inc., of Manchester, N.H., for a wheelchair stair lift at Mahoney Middle School. Postponed on 8/7/95.

The following people addressed this item:

Linda Wade, 131 Stanford Street
Jim Dyer, Davis Street
Lee Akerley, Assistant School Superintendent
Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Passage 7-0.

*****

9. ORDER #22-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

10. ORDER #23-95/96 - renaming Richmond Avenue to Hayes Avenue.

Skip Lucarelli addressed this item.

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

*****

11. ORDINANCE #8-95/96 - amending Ch. 27, “Zoning,” establishing a conditional zone at 372 Cottage Road. First reading.

The following people addressed this item:

Jim Dyer, Davis Street
Phil Place, owner of 372 Cottage Road
Jeff Flynn, purchasing 372 Cottage Road
Irma Estey, 376 Cottage Road (by letter)

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Boudreau and seconded by Mayor Dearborn to amend the ordinance by deleting §27-303(A)(2) and the second sentence in §27-304(B). Passage 7-0. Passage of amended first reading 6-1 (Glynn).

*****

12. ORDINANCE #9-95/96 - amending Ch. 27, “Zoning,” establishing a conditional zone at 2073 Broadway. First reading.

Paul Patrie, owner of 2073 Broadway, addressed this item.
IN COUNCIL REGULAR MEETING AUG. 21, 1995 VOL. 57 PAGE 19

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage of the first reading. Motion was made and withdrawn by Councilor Boudreau and seconded by Councilor Avery to amend the ordinance by adding the Uses, Review, Space and Bulk section which was missing. Motion was made and withdrawn by Councilor Boudreau and seconded by Councilor Avery to amend the ordinance by deleting medical offices as a permitted use. Motion was made by Councilor Boudreau and seconded by Councilor Avery to amend the ordinance by deleting the second sentence in §27-313(B). Passage 7-0. Passage of amended first reading 6-1(Glynn).

H. CITIZENS DISCUSSION

Lee Harvey, Elmwood Avenue, said the firefighters' union was not represented tonight and asked if they weren't invited or were told to stay away. He said he would have liked to find out how they feel about past evaluations. He said the process will be more biased now.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to adjourn. Passage 7-0, 9:50 P.M.

A TRUE COPY.

[Signature]
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING SEPT. 6, 1995 VOL. 57 PAGE 20

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor and seconded by Councilor to accept the minutes of the 8/21/95 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

C. PETITIONS AND COMMUNICATIONS

1. Report from the Finance Director regarding tax abatements.

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

F. PUBLIC HEARINGS AND ACTION

2. ORDINANCE #8-95/96 - amending Ch. 27, “Zoning,” establishing a conditional zone at 372 Cottage Road. Amended and given first reading on 8/21/95.

There was no public discussion.

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

*****

3. ORDINANCE #9-95/96 - amending Ch. 27, “Zoning,” establishing a conditional zone at 2073 Broadway. Amended and given first reading on 8/21/95.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Fickett for passage. Motion was made by Councilor Boudreau and seconded by Councilor Fickett to amend the ordinance by adding B and C in §27-313A and adding §27-314A (1 - 3). Passage 6-0. Passage, as amended, 5-1 (Glynn).

G. ACTION ON OLD AND NEW BUSINESS

4. ORDER #24-95/96 - accepting miscellaneous donations.

There was no public discussion.
Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage. Passage 6-0.

*****

5. ORDER #25-95/96-discontinuing Market Street Extension west of Waterman Drive.

Motion was made by Councilor Baxter and seconded by Councilor Boudreau to postpone this item to 9/18/95. Passage 6-0.

*****

6. ORDINANCE #10-95/96 - authorizing the appropriation of $2,500,000 for capital projects for the fiscal year ending June 30, 1996. First reading.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to take a ten minute recess. Passage 6-0, 7:30 P.M.

The following people addressed this item:

Robert Marston, 696 Westbrook Street
Patricia Dow, Wainwright Circle
Charles Hannaford
Robert Skillin, Westbrook Street
Larry Albert, 42 MacArthur Circle West
Christopher Albert, by letter
Kevin Battle, Sandy Hill Road
David Conway, 9 MacArthur Circle North
Lisa McClude, 4 Cannon Road
Bob Blackwood, 16 Bluff Road
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
John Lee, Director, South Portland Boys & Girls Club
Tom Brown, 101 Wainwright Circle West
Robert Burke, Maine Department of Environmental Protection
Bernard Faunce, 98 Sawyer Street
Betty Krise, Alfred Street
Jim O'Neil, Chairman, Board of Education

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the ordinance by adding $350,000 for a multi-purpose facility at Redbank. Passage 4-2 (Baxter, Boudreau). Motion was made by Councilor Fickett and seconded by Councilor Larsen to amend the ordinance by deleting Clark's Pond. Failed 2-4 (Dearborn, Boudreau, Baxter, Glynn). Motion was made by Councilor Larsen and seconded by Councilor Fickett to amend the ordinance by deleting the softball complex.
IN COUNCIL REGULAR MEETING SEPT. 6, 1995 VOL. 57 PAGE 22

Passage 6-0. Passage of first reading, as amended, 6-0.

H. CITIZENS DISCUSSION

Bob Blackwood, 16 Bluff Road, thanked Mr. Burke and said he understands the landfill issue much better. He said the City may lose the $750,000 recovered expenses if the landfill isn't taken care of now. He said the Redbank facility will add to the property value of one person, and that person should contribute some money.

Robert Marston, 696 Westbrook Street, said it is about time Redbank got some help. He asked about changing the timing on the light coming out of Redbank at the intersection of Gorham Road and Western Avenue.

Tom Brown, 101 Wainwright Circle West, thanked the Council for helping the Redbank community.

Larry Albert, 42 MacArthur Circle, thanked the Councilors who voted for Redbank, calling them visionaries. He said that sometimes the Council has to exercise power over its subliminal boards. He said he also supports Clarks Pond.

Robert Burke, Maine DEP, said the Department would have to approve any future use over the closed out landfill. He said that level playing fields might not be possible on that site.

Bernard Faunce, 98 Sawyer Street, said he witnessed kids vandalizing an empty piece of property and called 911 only to be told that he had to call the regular police telephone number, after which he was told it was not a priority issue. He said that no one obeys the curfew, and the police don't enforce it. He said he shouldn't have to call about loud drunken parties, because the police should be able to hear them when they drive through the area.

Clarence Beckwith, Bonnybriar Road, asked if there is a complete plan for every CIP item. He said it was a disgrace how Jim O'Neil spoke to Councilor Glynn. He said he observed the Maine Department of Transportation hauling rubbish into the Scarborough dump.

Ray Lee, Henry Street, said he heard that Irving Oil was looking at another location.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to adjourn. Passage 6-0, 10:39 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING SEPT. 18, 1995 VOL. 57 PAGE 23

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Baxter to accept the minutes of the 9/6/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

C. PETITIONS AND COMMUNICATIONS

1. Department Reports for the month of August.

2. Attendance Reports for the month of August.

D. APPOINTMENT CALENDAR

3. ORDER #26-95/96 - Registration Appeals Board Chairman (City Clerk). Term to expire 9/29/99.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Boudreau to appoint Richard A. Sullivan to this position. Passage 7-0.

4. ORDER #27-95/96 - Registration Appeals Board member (Democratic City Committee). Term to expire 9/29/98.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau to appoint Mark Duval as member and Christopher Muse as the alternate member. Passage 7-0.

5. ORDER #28-95/96 - Registration Appeals Board member (Republican City Committee). Term to expire 9/29/98.

Motion was made by Mayor Dearborn and seconded by Councilor Baxter to postpone this item to 10/2/95. Passage 7-0.

6. ORDER #29-95/96-Harbor Commission (Mayor). To fill an unexpired term which expires June 30, 1996.
Motion was made by Mayor Dearborn and seconded by Councilor Boudreau to postpone this item to 10/2/95. Passage 7-0.

E. CONSENT CALENDAR

7. NYNEX - Gorham Road.

There was no public discussion.

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

F. PUBLIC HEARINGS AND ACTION

8. ORDINANCE #10-95/96 - authorizing the appropriation of $2,650,000 for capital projects for the fiscal year ending June 30, 1996. Amended and given first reading on 9/6/95.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Katherine Doctor Latendresse, 199 High Street
Ray Lee, Henry Street
Larry Albert, 42 MacArthur Circle West
Patricia Dow, Wainwright Circle
Warren Morgan, 103 Chapel Street
Tom Brown, 101 Wainwright Circle West
Dana Anderson, Parks & Recreation Director
John True, Fire Chief

Motion was made by Councilor Glynn and seconded by Councilor Larsen for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the ordinance to include $750,000 for Redbank school. Passage 4-3 (Avery, Baxter, Boudreau). Motion was made by Councilor Glynn and seconded by Councilor Larsen for a new first reading and to postpone this item to a Special City Council meeting September 25, 1995. Passage as amended 5-2 (Avery, Boudreau).

9. ORDINANCE #11-95/96 - amending Ch. 8, “Fire Protection and Prevention,” regarding an emergency moratorium on the construction of new tank farms.

The following people addressed this item:

Nadine Byram, 148 Sawyer Street
Martha Gaythwaite, Freedman and Babcock
IN COUNCIL REGULAR MEETING SEPT. 18, 1995 VOL. 57 PAGE 25

Steve Hasson, 709 Breakwater
Ed Marks, Bonnybriar Road
Phil McGouldrick, 21 Concord Street
Paul Fergusson, 15 Bay Road
Albert Small, Project Coordinator Irving Oil
Jan Greco, 108 School Street
Susan Peabody, 37 Highland Road
Ray Lee, 28 Henry Street
Dolores Broberg, 38 Bellevue Avenue
Herb Haase, Winding Way
John Hobson, Esq., Representative Irving Oil
Katherine Doctor Latendresse, 199 High Street
Bob Soucy, 34 Bay Road
Martha Gaythwaite - Kay Loring's time
Peggy Fuller, 9 Grand Street
Chris Bowring, Pepperbush Circle
Mary Norton, Providence Avenue
Clarence Beckwith, Bonnybriar Road
John Stuart, 231 Front Street
Walter Stilphen, 133 High Street
Steve Hasson - Bert Jewett's time
Phil McGouldrick - Barbara Davis, 3 Willard Haven Road - time
Bill Dale, 93 Highland Road
Joseph Boulos, Falmouth
Mr. Small - Fred Erlenbach, Trenton, ME - time
Karen Ditmars, 148 Pickett Street
Mark Duval, 115 Chase Street
William Moustrophis, 376 Broadway
John Divine, Portland
Wayne McGarvey, President of Maine Bank & Trust
Ted O'Meara, 104 Clifford Street
Pamela Fox, 139 Broadway
Michelle Allott, Esq., Freedman and Babcock
Judd Bean, 48 Clinton Street
Claudia Harmon, 148 Pickett Street
Larry Albert, 42 MacArthur Circle West
Ray Lee - Valerie Swiger's time
Bernard Faunce, 98 School Street
Peter Ventry, Cumberland - President local Chamber of Commerce
Henrietta LaRou, 51 Simmons Road
Elizabeth Flaherty, 44 Berwick Street
Stephen Kittridge, 78 Smith Street
Chris McCall, Vice President Irving Oil
John Howard, Highland Road
Beth Detine, 22 Gould Road
Ralph Kilgore, 70 Coach Road
IN COUNCIL REGULAR MEETING SEPT. 18, 1995 VOL. 57 PAGE 26

Don Legere, 129 Walnut Street
Joan Jordan, Highland Avenue
John True, Fire Chief

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Motion was made by Councilor Glynn and seconded by Councilor Boudreau to amend to 30 day moratorium. Withdrawn. Passage 7-0.

G. ACTION ON OLD AND NEW BUSINESS

10. ORDER #25-95/96 - discontinuing Market Street Extension west of Waterman Drive. Postponed on 9/6/95.

The following people addressed this item:

Walter Abbott, part owner of property United Auto Parts
Katherine Doctor Latendresse, 199 High Street

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

* * * * *

11. ORDER #30-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

12. ORDER #31-95/96 - amending Traffic Schedule #5 regarding the approach to the Veteran’s Bridge at Main Street.

The following people addressed this item:

Don Marquis
Clarence Beckwith, Bonnybriar Road
Boyce Sanborn, Deputy Police Chief

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

* * * * *
13. ORDER #32-95/96 - appealing the denial of the Public Works Director for a curb cut at 122 Main Street.

Ken Lamoreaux, The Sheridan Corporation addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage. Passage 6-0 (Glynn abstained - abutter).

*****

14. ORDER #33-95/96 - authorizing the sale of a damaged police cruiser to Garra Trading Company, of New York, NY, and the purchase of a replacement police cruiser from Chambers Ford, of Augusta, ME, for the South Portland Police Department.

Katherine Doctor Latendresse, 199 High Street addressed this item.

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

*****

15. ORDER #34-95/96 - awarding bid to Turf Products, Corp., of Enfield, CT, for mowing equipment.

There was no public discussion.

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

*****

16. ORDER #35-95/96 - authorizing a license agreement for the placement of a recycling container at 51 Ocean Street.

Katherine Doctor Latendresse, 199 High Street addressed this item.

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

H. CITIZENS DISCUSSION

Bernard Faunce, 98 Sawyer Street said the police department got in touch with him and handled the situation there. He said for joining the police and fire departments, the City should do more public relations.

Katherine Doctor Latendresse, 199 High Street, thanked the Councilors for voting for
the moratorium. She said the whole Council is great and the other candidates, too. She said she just moved back from Connecticut.

Ray Lee, Henry Street, said the Redbank building is too much and he is disappointed to see the building turned over to Parks and Recreation; it should be turned over to Public Works. He said that $350,000 would have built it. He said he’s glad to see the moratorium and it’s crazy to talk about putting a park near the tanks.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to adjourn. Passage 7-0, 12:30 A.M.

A TRUE COPY.

[Signature]
Linda C. Cohen, City Clerk
Roll call: Mayor Dearborn called the meeting to order at 6:00 P.M. All councilors were present.

F. PUBLIC HEARINGS AND ACTION

8. ORDINANCE #10-95/96 - authorizing the appropriation of $3,050,000 for capital projects for the fiscal year ending June 30, 1996. Amended and given first reading on 9/6/95. Amended and given new first reading on 9/18/95.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Patricia Dow, Wainwright Circle
Larry Albert, 42 MacArthur Circle West
Tom Brown, 101 Wainwright Circle West
John True, Fire Chief

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

Motion was made by Councilor Larsen and seconded by Councilor Glynn to adjourn. Passage 7-0, 6:40 P.M.

A TRUE COPY.

ATTEST Mary M. Pewy, Licensing Administrator
ROLL CALL: Mayor Dearborn called the meeting to order at 7:00 P.M. Councilors Baxter and Larsen were absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Boudreau to accept the minutes of the regular meeting of 9/18/95 and the special meeting of 9/25/95. Passage 5-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant noted that the weekend hazardous clean-up day was so successful that a new location needs to be found for next year. He announced that the Finance Office is now a full motor vehicle agent with license plates and able to do sales tax on private sales. He noted that the City Council will have its regular workshop next Monday evening and a joint public hearing/workshop with the Planning Board next Wednesday at Memorial Middle School.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #28-95/96 - Registration Appeals Board member (Republican City Committee). Term to expire 9/29/98. Postponed on 9/18/95.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Boudreau to appoint James Brewster and Janet Palmer as member and alternate, respectively. Passage 5-0.


There was no public discussion.

Motion was made by Mayor Dearborn and seconded by Councilor Avery to appoint John Stuart to this position. Passage 5-0.

E. CONSENT CALENDAR

3. South Portland Kiwanis Club, off premise signs at the corners of Broadway and Ocean Street and Broadway and Westbrook Street, advertising the Annual Penny Sale. Requests waiver of fee.
4. Dwyer Vessey, 424 Sawyer Street, request to close off Taylor Street at the entrances from Sawyer Street and Pine Street on 10/8/95 from 12:00 P.M. to 5:00 P.M. to hold a neighborhood block party.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the consent calendar. Passage 5-0.

F. PUBLIC HEARINGS AND ACTION

5. Bugaboo Creek of Portland, Inc. d/b/a Bugaboo Creek Steak House, 264 Gorham Road, FSE/Class A Restaurant with Liquor. 10/2/95 to 10/2/96. New City and State License.

Paul Frinsko, representing the applicant, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Glynn to approve the license. Passage 5-0.

G. ACTION ON OLD AND NEW BUSINESS

6. ORDER #36-95/96 - authorizing the purchase of computer equipment from Apple Computer Inc. through the Maine Computer Consortium for the School Department.

There was no public discussion.

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

****

7. ORDER #37-95/96 - discontinuing Market Street Extension west of Waterman Drive.

Bob Stevens, representing the applicant, addressed this item

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

H. CITIZENS DISCUSSION

Clarence Beckwith, Bonnybriar Road, asked why we didn’t pay as we went along on the first TIF.

Janice Doctor, 199 High Street, asked about John Stuart’s address and the fact that he represents Irving Oil.
Bernard Faunce, 98 Sawyer Street, asked for clarification about the taxes in a TIF District. He said he felt the Mayor let the last Council meeting get out of hand, and people never used to be able to give their floor time away.

Beulah Swiger, High Street, thanked Susan Avery for getting the City Manager to call her regarding the shipyard. She said it is a mess and, if it's the last thing she does, she is going to get Ferry Village cleaned up. She said she would like to see more cruisers in the area.

I. 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. Passage 5-0, 7:42 P.M. Council returned to open session at 7:54 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Fickett to grant abatement #95/96-03 for $1,851.96. Failed 2-3 (Dearborn, Avery, Boudreau). Motion was made by Councilor Glynn and seconded by Councilor Boudreau to grant a half year abatement in the amount of $925.98. Passage 5-0.

Motion was made by Councilor Avery and seconded by Mayor Dearborn to adjourn. Passage 5-0, 7:55 P.M.

A TRUE COPY.

[Signature of city clerk]
ROLL CALL: Mayor Dearborn called the meeting to order at 7:00 P.M. All Councilors were present.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to waive Council Rule #4 to add item #10 and Rules 3E and 4 to add #11. Passage 7-0.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Boudreau to accept the minutes of the 10/2/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant presented outgoing Harbor Commission member Daniel Coffey with a plaque of appreciation from the Council.

C. PETITIONS AND COMMUNICATIONS

1. Department Reports for the month of September.

2. Attendance Reports for the month of September.

D. APPOINTMENT CALENDAR

3. ORDER #38-95/96 - Warden, Pro-tempore, District Three (3), 11/7/95 Election only.

There was no public discussion.

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

* * * * *

4. ORDER #39-95/96 - Ward Clerk, District Four (4), to fill an unexpired term.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen to appoint Donna Flynn Hezlep to this position. Passage 7-0.

E. CONSENT CALENDAR

F. PUBLIC HEARINGS AND ACTION
G. ACTION ON OLD AND NEW BUSINESS

5. ORDER #40-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

6. ORDER #41-95/96 - accepting the warrants announcing the Special State and General Municipal Election of November 7, 1995 and setting the time for opening the polls.

There was no public discussion.

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

* * * * *

7. ORDER #42-95/96 - amending the existing National Semiconductor TIF District and the associated Development Program.

There was no public discussion.

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

* * * * *

8. ORDER #43-95/96 - establishing the new National Semiconductor TIF District and approving the associated Development Program.

The following people addressed this item:

Dave Henry, representing National Semiconductor
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Harvey Oest, 1034 Broadway
Bernard Faunce, 98 Sawyer Street

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Passage 7-0.
9. ORDINANCE #12-95/96 - amending Ch. 8 "Fire Protection and Prevention," regarding standards for flammable and combustible liquids. First reading.

The following people addressed this item:

Albert Small, Irving Project Coordinator  
John Cragin, 26 Ocean View  
Richard Holt, 21 Willard Street  
Mark Duval, 115 Chase Street  
John Upton, Irving Oil  
Walter Stilphen, 133 High Street  
Mark Eaton, Stone & Webster Engineering for Irving Oil  
Mike Sharrard, Sr. Engineer @ Stone & Webster for Irving Oil  
Valorie Swiger, 77 School Street  
Steve Hasson, 709 Breakwater  
Phil Kaelin, 180 Preble Street  
Chris Bowring, 25 Pepperbush Circle  
James Gilmartin, Northeast Petroleum, South Portland  
Ray Lee, Henry Street  
Tom Dobbins, Getty Petroleum, South Portland  
Melanie Bartlett, 59 Sylvan Road  
Mike Mangione, 48 Florence Street  
Jim Langford, 8 Loveitt Street  
Katherine Latendresse, 199 High Street  
Bob Soucy, 34 Bay Road  
John Stuart, 231 Front Street, Irving Oil Consultant  
Peggy Fuller, 9 Grand Street  
John True, Fire Chief  
Ralph Wink, Portland Pipeline, South Portland  
Ed Marks, 72 Bonnybriar Road  
Larry Hutcheons, 70 Osborne Avenue, Manager Koch Materials  
Paul Ferguson, 15 Bay Road  
Ted Metzing, President of Portland Pipeline  
Bob Hanson, 68 Highland Road  
John Hobson, representing Irving Oil  
Joan Gleason, 206 Pine Street  
Male resident, 12 Willard Haven and 405 Breakwater

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage of the first reading including language requiring one tank per dike. Motion was made by Councilor Boudreau and seconded by Councilor Avery to amend the ordinance by replacing all language with new wording read by Acting Corporation Counsel Katsiaficas which would make the ordinance effective back to today. Motion was made by Councilor Glynn to amend the amendment by including a severability clause on the effective date. Passage 7-0. Passage of amended amendment 7-0. First reading, as amended, 7-0.
10. ORDER #44-95/96 - referring a zoning amendment for the Industrial I Zone in the shipyard area to the Planning Board.

The following people addressed this amendment:

Walter Stilphen, 133 High Street
Ray Lee, 28 Henry Street
John Upton, representing Irving Oil
Bob Soucy, 34 Bay Road
David Cyr, Portland Pipeline
Kay Loring, 37 Files Street
Clarence Beckwith, Bonnybriar Road
Richard Holt, 21 Willard Street
Bernard Faunce, 98 Sawyer Street

Motion was made by Councilor Boudreau and seconded by Councilor Avery for passage. Motion was made by Councilor Avery and seconded by Mayor Dearborn to amend the order to ask the Planning Board to review and update the Comprehensive Plan. Passage 5-2 (Fickett, Larsen). Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the order to tell the Planning Board to keep current properties in conforming status. Failed 3-4 (Dearborn, Avery, Baxter, Boudreau). Passage, as amended, 6-1 (Fickett).

11. ORDINANCE #13-95/96 - amending Ch. 8 “Fire Protection and Prevention,” extending a moratorium on the construction of new tank farms. First Reading.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to withdraw this item. Discussion was not opened to the public by a 3-4 vote (Dearborn, Baxter, Boudreau, Avery). Withdrawn 7-0.

H. CITIZENS DISCUSSION

Clarence Beckwith, Bonnybriar Road, said he was glad to see TIF 2 passed. He cautioned the Council to spend the money wisely and reduce taxes. He said that being made non-conforming is not a laughing matter; he's been hurt by it.

Walter Stilphen, 133 High Street, commended the Council for its actions tonight, especially Linda Boudreau.

Ray Lee, Henry Street, said that people need to speak right into the microphone at the lectern, or they can't be heard at home. He asked why South Portland's equipment is so bad and Cape Elizabeth's so good.

Bernard Faunce, 98 Sawyer Street, said he hopes the Planning Board doesn't drive business out all together, because if there are no businesses, there will be no taxes for schools. He said he was in favor of Irving Oil. He said the shipyard area has been a mess
for years. He said it will be interesting to see them take the City to Court. He noted that there is always danger in everything, adding that Ferry Village is worse than it ever was.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to adjourn. Passage 7-0, 11:42 P.M.

A TRUE COPY.

ATTEST  
Linda C. Cohen, City Clerk

SOUTH PORTLAND  
STATE OF MAINE  
1898
ROLL CALL: Mayor Dearborn 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 10/16/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

1. Friends of Casco Bay Public Service Award to the South Portland Engineering Department.

   City Manager Jerre Bryant said the City had received notification that the amendment to the first TIF had been approved.

C. PETITIONS AND COMMUNICATIONS

2. Planning Board Report on proposed rezoning of property off outer Highland Avenue from Contract G-1 to Residential A.

3. Tax abatements.

   City Clerk Linda Cohen explained how the voting equipment reads ballots.

D. APPOINTMENT CALENDAR

4. ORDER #45-95/96 - Conservation Commission, District Five (Dearborn). Term to expire 11/20/98.

   There was no public discussion.

   Motion was made by Mayor Dearborn and seconded by Councilor Avery to appoint Hugh Flynn to this position. Passage 7-0.

   *****

5. ORDER #46-95/96 - Conservation Commission, At-Large (Glynn). Term to expire 11/20/98.

   Motion was made by Councilor Glynn and seconded by Councilor Fickett to postpone this item to 11/20/95. Passage 7-0.

   ****
6. ORDER #47-95/96 - Conservation Commission, At-Large (Larsen). Term to expire 11/20/98.

   Motion was made by Councilor Larsen and seconded by Councilor Boudreau to postpone this item to 11/20/95. Passage 7-0.

E. CONSENT CALENDAR

7. Northern Utilities Inc. - installation of a gas main in Hill Street.


   There was no public discussion.

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

F. PUBLIC HEARINGS AND ACTION

10. ORDINANCE #12-95/96 - amending Ch. 8 "Fire Protection and Prevention," regarding standards for flammable and combustible liquids. Amended and given first reading 10/16/95.

   The following people addressed this item:

   Bill Moustrouphis, 376 Broadway
   Ray Lee, Henry Street
   John Cragin, 26 Ocean View Avenue
   Al Small, Irving Oil
   Steve Hasson, 799 Breakwater
   Walter Stilphen, 133 High Street
   Bill Dale, Highland Road
   Steve Corey, 596 Preble Street
   John LaPointe, 47 Ocean View
   Valarie Swiger, 77 School Street
   Paul Ferguson, 15 Bay Road
   Matt Sexton, 8 Drew Road
   Rich McKinnon, 12 Willard Haven
   Susan Peabody, 37 Highland Road
   Chris McCauliffe, Irving Oil
   Elizabeth Flaherty, 44 Berwick
   Bruce Fifield, Westbrook
   Katherine Latendresse, 199 High Street
   Bob Soucy, 34 Bay Road
IN COUNCIL REGULAR MEETING NOV. 6, 1995 VOL. 57 PAGE 40

Mary Kendall, 26 Coach Road
Ed Greenleaf, 105 Briarwood Road
Clarence Beckwith, Bonnybriar Road
Peter Darling, 25 Birch Road
Ginny Knowlton, Breakwater
Sue Poulin, Bonnybriar Road

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

*****

11. Jeffrey T. Aube, d/b/a Springpoint Cafe, 175 Pickett Street, FSE/Class A Restaurant with Liquor and Special Amusement Permit. 11/6/95 to 11/6/96. New owner of existing business.

There was no public discussion.

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

*****

12. Jeffrey Aube, d/b/a Springpoint Cafe, 175 Pickett Street, for a Pinball/Video License. 11/6/95 to 6/30/96. New owner of existing business. Requires variance; establishment is within 250 feet of a residential zone and a school.

There was no public discussion.

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

G. ACTION ON OLD AND NEW BUSINESS

13. ORDER #48-95/96 - authorizing award of bid to Trans-General Life Insurance Company, of Hartford, CT, for a long term disability insurance.

Edward J. Greenblat, a bidder, addressed this item.

Motion was made then withdrawn by Councilor Avery and seconded by Councilor for denial. Motion was made by Councilor Avery and seconded by councilor Glynn for passage. Motion was made by Councilor Avery and seconded by Councilor Glynn to amend the order to change the award of bid to UNUM of Portland, Maine, thereby changing the cost to $.40/100 and the fiscal note to $27,030. Passage 7-0. Passage, as amended, 7-0.
14. ORDER #49-95/96 - award of bid to N.A. Burkett, Inc., of Scarborough, ME, for the purchase of a reconditioned grader for the Public Works Department.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

* * * * *

15. ORDER #50-95/96 - award of bid to O'Connor GMC, of Augusta, ME, for the purchase of a replacement pickup truck for the Parks and Recreation Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Ralph St. Pierre, Finance Director

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

* * * * *

16. ORDER #51-95/96 - award of bid to H.E. Sargent, Inc., of Stillwater, ME, for the upgrade of five (5) sewer pumping stations.

There was no public discussion.

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

* * * * *

17. ORDER #52-95/96 - referring a Shipyard Industrial Zoning Ordinance to the Planning Board.

The following people addressed this item:

Richard Holt, 21 Willard Street
Al Glickman, owner of property next to Bug Light
Janice Doctor, 199 High Street
Ray Lee, Henry Street
Bruce Fifield, Westbrook
Walter Stilphen, High Street
Abbie Huntoon, 180 Preble Street
Paul Ferguson, 15 Bay Road
Bob Soucy, 34 Bay Road
Kay Loring, 37 Files Street
Steve Hasson, 799 Breakwater
Clarence Beckwith, Bonnybriar Road
Peggy Fuller, 9 Grant Street
Bill Moustrouphis, 376 Broadway
Katherine Latendresse, High Street
Rick McKinnon, Breakwater

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to go into executive session to discuss the rights and duties of the Council on this item with Corporation Counsel. Failed 2-5 (Dearborn, Larsen, Fickett, Avery, Baxter). Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the language in 27-296(a)(5) to read "marine terminals for off loading petroleum and/or petroleum products excluding either short and/or long term storage and excluding distribution of such products from surface transportation means." Passage 7-0. Passage, as amended, 7-0.

* * * * *

18. ORDINANCE #14-95/96 - amending Ch. 27, "Zoning," for a map change from Contract G-1 to Residential A off outer Highland Avenue. First reading.

The following people addressed this item:

Judy Carpenter, 25 Washington Avenue
Chris Bowring, Pepperbush Circle
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

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

H. CITIZENS DISCUSSION

Ray Lee, Henry Street, cited a news article regarding the world shortage of farm land for food production. He urged everyone to vote tomorrow and supported Councilors Glynn and Larsen for re-election.

Valerie Swiger, 77 School Street, said she always feels intimidated when standing before the Council, and that isn't right. She said Councilors and administrators haven't treated Councilors Fickett, Larsen and Glynn properly, and she thanked Councilor Glynn for his service on the Council.
Bernard Faunce, 98 Sawyer Street, said there's going to come a time when there won't be enough industry in the city to keep taxes down. He said no one ever complains about the traffic on Broadway from SMTC, and that facility doesn't even pay taxes.

Janice Doctor, High Street, said she remembers when a lot of the land in the shipyard area was used for parking for the workers, and she doesn't want to see that happen again. She said the City needs open space.

Judy Carpenter, 25 Washington Avenue, wished Councilors Larsen and Glynn luck in tomorrow's election.

Clarence Beckwith, Bonnybriar Road, urged everyone to vote and to re-elect Councilors Larsen and Glynn because they are a known quantity. He commented on the rising costs of education, noting that South Portland has some fine teachers, but it needs a new School Board. He commended Councilors Larsen and Glynn for their positions on issues.

Katherine Latendresse, High Street, said she is running for Council and would do a good job. She said education costs too much, and she thinks the City needs more open space.

Tom Brown, 101 Wainwright Circle West, commended Councilors Glynn and Larsen on their service to the community. He encouraged everyone to vote and support the multi-purpose room at Redbank and re-elect Councilors Glynn and Larsen.

Motion was made by Councilor Boudreau and seconded by Councilor Fickett to adjourn. Passage 7-0, 11:10 P.M.
Motion was made by Councilor Larsen and seconded by Councilor Boudreau to re-appoint Elizabeth Willwerth to this position. Passage 7-0.

E. CONSENT CALENDAR

7. NYNEX - placement of one pole in Castle Street.

8. Masonic Hiram Lodge requesting four (4) permanent off-premise informational signs.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to approve the consent calendar. Passage 7-0.

F. PUBLIC HEARINGS AND ACTION


Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Failed 4-3 (Glynn, Larsen, Fickett). See action later in meeting.

*****

10. Kevin B. Kunath, d/b/a New England Auto Service, 380 Main Street, for a Used Car Lot License. 11/20/95 to 12/31/95. New license.

There was no public discussion.

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

G. ACTION ON OLD AND NEW BUSINESS

11. ORDER #54-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****
12. ORDER #55-95/96 - award of bid to Maine Video Systems, of Portland, ME, and Audio Design, of Windham, ME, for the purchase of telecommunications equipment for the Public Access Studio.

The following people addressed this item:

Ray Lee, Henry Street
Carolyn Johnson, Hamlin and Kaler Schools Principal
Tony Vigue, Community Television Manager

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

* * * * *

13. ORDER #56-95/96 - accepting an easement at 35 Palmer Street.

Ed Reidman, City Engineer, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Boudreau for passage. Motion was made by Councilor Avery and seconded by Mayor Dearborn to amend the order allowing it to go forward only after all joint tenants have signed off. Passage 7-0. Passage, as amended, 7-0.

* * * * *

14. ORDER #57-95/96 - award of bid to T. Buck Construction, Inc., of Lewiston, ME, for a sewer pump station.

There was no public discussion.

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

* * * * *

15. ORDER #58-95/96 - award of bid to Commercial Paving Co. Inc., of Scarborough, ME, for the Greenbelt Walkway Phase III.

The following people addressed this item:

Ray Lee, Henry Street
Henrietta Larou, Simmons Road
Ed Reidman, City Engineer
IN COUNCIL REGULAR MEETING NOV. 20, 1995 VOL. 57 PAGE 46

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

16. ORDER #59-95/96 - referring a request to vacate portions of several “paper” streets at the Rockwood property located off Mussey Street to the Planning Board.

Ray Lee, Henry Street, addressed this item.

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

17. ORDER #60-95/96 - referring a request to vacate a “paper” street portion of Q Street between 585 Broadway and 601 Broadway to the Planning Board.

There was no public discussion.

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

H. CITIZENS DISCUSSION

Daniel Fortin, 65 Thadeus Street, asked the Council to support Kevin Glynn for mayor.

Chris Bowring, Pepperbush Circle, asked how the zone change on Highland Avenue could be brought back and urged the Councilors who voted against it to reconsider.

Ray Lee, Henry Street, asked Mr. Bryant how he was planning to proceed with Clark’s Pond, since the voters defeated the bond question. He also asked the Council to elect Kevin Glynn as mayor.

Jeff Jordan, Assistant City Manager, noted that 2 public hearings will be held regarding the Casco Bay Estuary Project: 12/2/95 at 10 A.M. at the Union Building at Bowdoin College and 12/7/95 at 7 P.M. at the Holiday Inn West in Portland.

Henrietta Larou, Simmons Road, asked if the performing arts facility has to be attached to the high school.

Motion was made by Councilor Fickett and seconded by Councilor Boudreau to
seconded by Councilor Boudreau to refer this ordinance back to the Planning Board for its review of a change from Contract G-1 to an RF zone. Passage 7-0.

I. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Baxter to go into executive session to discuss, pursuant to 1 M.R.S.A. Sec. 405 (E) for consultation with the City's attorney concerning the legal rights and duties of the City Council regarding a non-litigation legal situation. Motion was made by Councilor Boudreau and seconded by Mayor Dearborn to amend the motion to allow discussion only on the topic of the executive session. Passage 4-3 (Larsen, Fickett, Glynn). Council went into executive session at 9:01 by a 7-0 vote. Motion was made by Councilor Glynn and seconded by Councilor Boudreau to come out of executive session. Passage 7-0, 9:14 P.M. Motion was made by Councilor Boudreau and seconded by Councilor Baxter to go into executive session to discuss, pursuant to 1 M.R.S.A. Sec. 405 (E) for consultation with the City's attorney concerning the legal rights and duties of the City Council regarding a non-litigation legal situation. Failed 2-5 (Avery, Baxter, Fickett, Glynn, Larsen).

Motion was made by Councilor Boudreau and seconded by Councilor Fickett to adjourn. Passage 7-0, 9:18 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk

CAUCUS

Following adjournment, the Council held a caucus for Mayor.
Mayor Dearborn called the meeting to order at 4:00 P.M. and led the Pledge of Allegiance. All Councilors were present.

Mayor Dearborn invited the Reverend McCall to offer the invocation.

City Clerk Cohen administered the Oath of office to Councilors-elect Glynn and Larsen.

City Clerk Cohen declared Councilors Glynn and Larsen duly qualified Councilors.

Councilor Avery nominated Councilor Boudreau for Mayor for year 1995/96. Councilor Baxter seconded the motion.

City Clerk Cohen called the Roll.

Mayor Dearborn announced Councilor Boudreau as Mayor for 1995/96 by unanimous vote.

Mayor Boudreau presented the Official Gavel and Portrait to outgoing Mayor Dearborn.

Mayor Boudreau then presented the Inaugural Address.

Councilor Fickett moved that the Inaugural Address be spread on the records. Councilor Larsen seconded the motion. Mayor Boudreau took the vote and ordered the Inaugural Address be spread on the records, 7-0.

City Clerk Cohen read RESOLUTION #3 -94/95 establishing time and place of meetings. Councilor Glynn moved for passage. Councilor Baxter seconded the motion. Mayor Boudreau took the vote and declared the Resolution duly passed, 7-0.

Councilor Dearborn moved that the Rules of City Council as enumerated in Chapter 2 of the Code of Ordinances, City of South Portland, which said codification became effective January 1, 1973 and was amended thereafter, shall remain in effect as therein set forth until further amended. Councilor Larsen seconded the motion. Councilor Glynn moved this item be postponed to the next regular meeting to allow Council a chance to discuss them in workshop. Councilor Fickett seconded the motion. Councilor Avery moved the only rule to be discussed would be time of workshops. Councilor Dearborn seconded the motion. Failed, 2-5 (Boudreau, Dearborn, Baxter, Glynn, Fickett). Mayor Boudreau took the vote and announced this item postponed to workshop, 4-3 (Avery, Baxter, Dearborn).

Councilor Avery moved that Council recess until 7:00 p.m. Councilor Baxter seconded the motion. Mayor Boudreau took the vote and declared the Council recessed until 7:00 p.m. this evening, 7-0.
Mayor Boudreau called the meeting back to order at 7:00 P.M.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Dearborn to accept the minutes of the 11/20/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant noted that copies of the Police Department’s Use of Force Policy is available for inspection at the Departments of Police, Library and City Clerk.

C. PETITIONS AND COMMUNICATIONS

1A. Planning Board report permitting sorting centers for construction and demolition material as a Special Exception in the Industrial Non-Residential INR District.

1B. Planning Board report regarding Shipyard zoning.

Mayor Boudreau presented plaques to outgoing Conservation Commission Members Cecile Chapin and Edward Richardson. Mr. Bryant presented a plaque to retiring Parks and Recreation Department employee John Walsh.

D. APPOINTMENT CALENDAR

2. ORDER #46-95/96 - Conservation Commission, At-Large (Glynn). Term to expire 11/20/98. Postponed since 11/6/95.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to re-appoint Larry Albert to this position. Passage 7-0.

***

3. ORDER #47-95/96 - Conservation Commission, At-Large (Larsen). Term to expire 11/20/98. Postponed since 11/6/95.

Motion was made by Councilor Larsen and seconded by Councilor Avery to postpone this item to 12/18/95. Passage 7-0.

E. CONSENT CALENDAR

4. Portland Water District - water main in Pine Street.

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

F. PUBLIC HEARINGS AND ACTION

5. Jerrerd Benjamin, d/b/a Benjamin Building and Wrecking Co., Jackson Street, Automobile Graveyard and/or Junkyard Permit. 12/31/95 to 12/31/96. Renewal

There was no public discussion.

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

*****

6. Used Car lots with increase in total number of cars on lot; C. B. Kenworth Inc., 42 Wallace Avenue, John's Service, 695 Broadway, Maine Mall Motors, 255 Maine Mall Road, and Yankee Ford Sales, 165 Waterman Drive. 12/31/95 to 12/31/96.

There was no public discussion.

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

*****

7. Thomas A. Garnett, d/b/a South Portland Taxi, 139 Ocean Street. Taxicab Certificate of Public Convenience. 12/05/95 to 12/05/96. New owner of existing business.

There was no public discussion.

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

*****


There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Baxter to grant the license. Passage 7-0.
9. ORDINANCE #15-95/96 - amending Ch. 27, "Zoning," regarding an emergency moratorium on the construction of new tank farms.

The following people addressed this item:

David Cyr, Portland Pipeline
Ray Lee, Henry Street
Bill Moustrophiis, 376 Broadway
Clarence Beckwith, Bonnybriar Road
John Cragin, Oceanview Avenue
Al Glickman, Spring Point Associates
Steve Hasson, 709 Breakwater
Herb Tyler, Madison Street
Ted Metzing, President of Portland Pipeline
John LaPointe, 47 Ocean View
David MacDonald, Portland Welding Supply
Kay Loring, 37 Files Street

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett (then subsequently withdrawn) to amend the ordinance by striking, in the 7th paragraph of §27-321, the words "which does not have one or more legally existing petroleum storage tanks on the effective date of this moratorium." Passage 7-0.

G. ACTION ON OLD AND NEW BUSINESS

10. ORDER #61-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

11. ORDER #62-95/96 - amending the Personnel Policy Sec. VII (I) regarding Internal Revenue Code Sec. 125 medical reimbursement program.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Avery for passage. Passage 7-0.
12. ORDER #63-95/96 - amending Personnel Policy establishing Sec. VII (J) regarding health insurance buyout.

There was no public discussion.

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

*****

13. ORDER #64-95/96 - adopting a two-way traffic plan for all streets in Knightville/Millcreek and endorsing the corresponding plan for street improvements.

The following people addressed this item:

Mike Carey, 45 A Street, Knightville/Mill Creek Advisory Committee Member
Ray Lee, Henry Street
Phil Notis, Committee Member
Tex Haeuser, Planning Director
Clarence Beckwith, Bonnybriar Road
Terry DeWan, DeWan Associates

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

*****

14. ORDINANCE #16-95/96 - amending Ch. 27, “Zoning,” permitting sorting centers for construction and demolition material as a Special Exception in the Industrial Non-Residential INR District. First reading.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street
Bill Laidley, 374 Sawyer Street

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

H. CITIZENS DISCUSSION

Kay Loring, 37 Files Street, showed a picture of the Glickman property, noting that it is approximately 14 acres with 2,200 feet of water frontage. She asked the Council to give
the City Manager the authority to negotiate the sale of this property with Mr. Glickman.

Henrietta LaRou, Simmons Road, said that history truly begins when you start to preserve it, adding that many communities would love to have a piece of property like the Glickman land. She asked the Council to preserve this heritage for our children.

Mary J. Martin, 215 Preble Street, said the residents in the shipyard area lost a lot to World War II, but buying this property and making it a park would give something back.

Steve Hasson, 709 Breakwater, asked the Council to direct the Manager to negotiate for the purchase of that property, citing this as a unique opportunity to purchase one of the most beautiful spots on the east coast.

Bob Soucy, 34 Bay Road, asked the Council to buy the property, adding that it would be an anchor for development in the area. He said he hopes the Million Dollar Pier will be left when the bridge is done, as that will be another anchor for development.

Alberta Cloutier, 9 Olive Road, said the park would be a great addition to the city.

Bill Moustroufis, 376 Broadway, seconded everything said about the land.

Herb Tyler, 1 Madison Street, said this represents a magnificent opportunity, adding that he can see the property from his window. He told the Council it would regret it if it lets the property slip through its fingers.

Bill Laidley, 374 Sawyer Street, said the South Portland Land Trust supports the goal of a park at Spring Point, and asked the Council to give the Manager latitude.

Ray Lee, Henry Street, said the Council shouldn't have to go into executive session; it only needs to know how much the owner wants for the property. He said he was sorry to see the unanimous vote for Mayor.

John Cragin, Ocean View Avenue, said he didn't agree with Mr. Lee's remarks about the Council. He called the piece of property in question the pearl of the east with the most scenic vista on the coast. He told the Council to jump on this property now, and funds will be found. He suggested foregoing the executive session and going right to a vote.

Clarence Beckwith, Bonnybriar Road, said he's in favor of letting the Manager find out the price, but he's not in favor of a bond to buy it. He said public donations would do it, but the public said at the November election that it doesn't want to more debt when it turned down essential bonds like the Police/Fire Dispatch. He said that issue wasn't sold to the public. He suggested checking this property for soil contamination.

Bernard Faunce, 98 Sawyer Street, asked the Manager to clarify the parking ban in the winter. He suggested the Manager take the Police Chief after midnight some night and look at the cars parked on side streets. He said he is against any more parks in South
Portland. He said parks are wonderful, but people are needed to maintain them. He said the City has too many parks to maintain now. He said he doesn’t want his taxes going up any more, adding that he was one of the only people in the Village in favor of tanks.

Delores Broberg, Bellevue Avenue, said this piece of property would touch everyone’s hearts, even those, like her, on fixed incomes. She told the Council to take the opportunity and see how far it can go.

Maxine Elliot, 86 Spring Street, said she was born in Portland and left the area, but she came back and she doesn’t want to see the congestion she saw in L.A. and New York. She told the Council to take the opportunity to get some green space.

I. EXECUTIVE SESSION

Motion was made by Councilor Avery and seconded by Councilor Dearborn to go into Executive Session, Pursuant to 1 M.R.S.A. §405 (6)(C), for the purpose of discussion of acquisition of real property consisting of the 14 acre waterfront parcel currently owned by Spring Point Associates. Motion was made by Councilor Baxter and seconded by Councilor Dearborn to move the question. Passage 5-2 (Boudreau, Glynn). Motion for executive session failed 4-3 (Glynn, Larsen, Fickett). Motion was made by Councilor Glynn and seconded by Councilor Larsen to direct the City Manager to report back to the City Council at the next workshop the asking price for the Glickman property at Spring Point Marina for the purpose of a beginning point. Failed 2-5 (Boudreau, Baxter, Fickett, Dearborn, Avery).

Motion was made by Councilor Avery and seconded by Councilor Dearborn to adjourn. Passage 7-0, 11:05 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk

CITY OF SOUTH PORTLAND

1898
ROLL CALL: Mayor Boudreau called the meeting to order at 7:00 P.M. Councilor Avery arrived during Item B.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Dearborn and seconded by Councilor Larsen to accept the minutes of the 12/4/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant talked about the award ceremony held at the Police Department on Friday.

C. PETITIONS AND COMMUNICATIONS

1. Department reports for the month of November.
2. Attendance reports for the month of November.
3. Planning Board report.

D. APPOINTMENT CALENDAR

4. ORDER #47-95/96 - Conservation Commission, At-Large (Larsen). Term to expire 11/20/98. Postponed since 11/6/95.

There was no public discussion.

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

* * * * *

5. ORDER #65-95/96 - Board of Assessment Review, District One (Boudreau). Term to expire 12/31/98.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Baxter to re-appoint Maureen Hasson to this position. Passage 7-0.

* * * * *

6. ORDER #66-95/96 - Board of Assessment Review, District Five (Dearborn). Term to expire 12/31/98.
IN COUNCIL REGULAR MEETING DEC. 18, 1995 VOL. 57 PAGE 56

Motion was made by Councilor Dearborn and seconded by Councilor Avery to postpone this item to 1/3/96. Passage 7-0.

* * * *

7. ORDER #67-95/96 - Board of Assessment Review, District At-Large (Glynn). Term to expire 12/31/98.

Motion was made by Councilor Glynn and seconded by Councilor Avery to postpone this item to 1/3/96. Passage 7-0.

* * * *

8. ORDER #68-95/96 - Board of Assessment Review, At-Large (Larsen). Term to expire 12/31/98.

Motion was made by Councilor Larsen and seconded by Councilor Avery to postpone this item to 1/3/96. Passage 7-0.

* * * *

9. ORDER #69-95/96 - Library Advisory Board, District Two (Avery). Term to expire 12/31/98.

Motion was made by Councilor Avery and seconded by Councilor Dearborn to postpone this item to 1/3/96. Passage 7-0.

* * * *

10. ORDER #70-95/96 - Library Advisory Board, District Four (Fickett). Term to expire 12/31/98.

Motion was made by Councilor Fickett and seconded by Councilor Baxter to postpone this item to 1/3/96. Passage 7-0.

* * * *

11. ORDER #71-95/96 - South Portland Housing Authority (Tenant nomination). To fill an unexpired term which expires October 10, 1998.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Baxter to appoint Louise Callahan to this position. Passage 7-0.

E. CONSENT CALENDAR
IN COUNCIL REGULAR MEETING DEC. 18, 1995 VOL. 57 PAGE 57

F. PUBLIC HEARINGS AND ACTION

12. ORDINANCE #14-95/96 - amending Ch. 27, “Zoning,” for a map change from Contract G-1 to Residential A off outer Highland Avenue. Given first reading on 11/6/95. Failed, reconsidered, and committed to Planning Board on 11/20/95.

Chris Bowring, Pepperbush Circle, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage. Motion was made by Councilor Avery and seconded by Councilor Fickett to amend the ordinance by changing the G1 to RF. Passage 6-1 (Dearborn). Motion was made by Councilor Avery and seconded by Councilor Larsen that this serve as a new first reading and be postponed to 1/3/96. Passage 7-0.

*****

13. ORDINANCE #16-95/96 - amending Ch. 27, “Zoning,” permitting sorting centers for construction and demolition material as a Special Exception in the Industrial Non-Residential INR District. Given first reading 12/04/95.

There was no public discussion.

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

G. ACTION ON OLD AND NEW BUSINESS

14. ORDER #72-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

15. ORDER #73-95/96 - authorizing award of bid to Pierce Manufacturing, of Appleton, WI, for the purchase of a ladder truck for the Fire Department.

John True, Fire Chief, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Passage 7-0.
16. ORDER #74-95/96 - authorizing award of bid to R. B. Allen Company, Inc., of North Hampton, NH, for a Digitized Fire Alarm System Control Center for the Fire Department.

There was no public discussion.

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

*****

17. ORDER #75-95/96 - authorizing award of bid to C.S.H. Inc., of Portland, ME, for computer replacement at the Police Department.

There was no public discussion.

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

*****

18. ORDER #76-95/96 - authorizing an agreement for private utility lines in an unaccepted portion of Coolidge Avenue.

The following people addressed this item:

David Hladky, 56 Coolidge Avenue
Bill Nilson, 4 Boyd Road
Kathy Lamoreau, 8 Boyd Road

Motion was made by Councilor Glynn and seconded by Councilor Dearborn to postpone this item to 1/3/96. Passage 7-0.

*****

19. ORDER #77-95/96 - installation of holding tank on outer Broadway for Pape Chevrolet, Inc.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Passage 7-0.
20. ORDER #78-95/96 - amending the Personnel Policy regarding a drug and alcohol policy.

The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street

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

* * * * *

21. ORDER #79-95/96 - endorsing a pedestrian ramp and walkway extension for the new Portland/South Portland bridge.

The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street

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

* * * * *

22. ORDER #80-95/96 - giving written notice of proposed changes to the Standing Rules to be considered at the January 3, 1996 City Council meeting.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Fickett for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to limit Councilors to five minutes each in Round Robin. Councilor Glynn added then withdrew a provision that Councilors would not be allowed to speak as a citizen during Citizens Discussion. Failed 3-4 (Boudreau, Avery, Baxter, Dearborn). Motion was made by Councilor Baxter and seconded by Mayor Boudreau to limit Councilors to three minutes in Round Robin and rotating the sequence of Councilors each week. Passage 6-1 (Dearborn). Passage, as amended, 6-1 (Dearborn).

* * * * *


The following people addressed this item:
Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street

Motion was made by Councilor Glynn and seconded by Councilor Baxter for passage of the first reading. Motion was made by Councilor Avery and seconded by Councilor Baxter to amend the ordinance by limiting Councilors to three minutes in Round Robin and rotating the sequence of Councilors each week. Passage 6-1 (Dearborn). Passage of first reading, as amended, 6-1 (Dearborn).

H. CITIZENS DISCUSSION

William Gagnon, 89 Ocean Street, said he would like to see shops located at the end of the old bridge and make a pier of it. He suggested having non-MDOT engineers look at it.

Ray Lee, Henry Street, said he would like to see televised workshops. He asked the status of the art center and whether or not it could be re-located.

Bernard Faunce, 98 Sawyer Street, asked who pays for rehabilitation of an employee with a drug problem. He said the City Manager works for the Council, and Councilors have a right to question him without someone saying they have no right to. He said he is not in favor of Round Robin, because the audience can't rebut.

Motion was made by Councilor Avery and seconded by Councilor Baxter to adjourn. Passage 7-0, 10:12 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
ROLL CALL: Mayor Boudreau called the meeting to order at 7:08 P.M. All councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Dearborn and seconded by Councilor Avery to accept the minutes of the 12/18/95 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant noted the presence of new audio and video equipment in Council Chambers. He commended the Public Works Department for its excellent handling of the most recent snowstorm, and he submitted his resignation as City Manager.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #66-95/96 - Board of Assessment Review, District Five (Dearborn). Term to expire 12/31/98. Postponed 12/18/95.

Motion was made by Councilor Dearborn and seconded by Councilor Avery to postpone this item to 1/17/96. Passage 7-0.

2. ORDER #67-95/96 - Board of Assessment Review, District At-Large (Glynn). Term to expire 12/31/98. Postponed 12/18/95.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to postpone this item to 1/17/96. Passage 7-0.

3. ORDER #68-95/96 - Board of Assessment Review, District At-Large (Larsen). Term to expire 12/31/98. Postponed 12/18/95.

Motion was made by Councilor Larsen and seconded by Councilor Glynn to postpone this item to 1/17/96. Passage 7-0.

4. ORDER #69-95/96 - Library Advisory Board, District Two (Avery). Term to expire 12/31/98. Postponed 12/18/95.
IN COUNCIL REGULAR MEETING JAN. 3, 1996 VOL. 57 PAGE 62

Motion was made by Councilor Avery and seconded by Councilor Baxter to postpone this item to 1/17/96. Passage 7-0.

*****

5. ORDER #70-95/96 - Library Advisory Board, District Four (Fickett). Term to expire 12/31/98. Postponed 12/18/95.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Glynn to re-appoint Hugh Stearns to this position. Passage 7-0.

*****

6. ORDER #81-95/96 - Library Advisory Board, District One (Boudreau). To fill an unexpired term which expires 12/31/97.

Motion was made by Mayor Boudreau and seconded by Councilor Dearborn to postpone this item to 1/17/96. Passage 7-0.

E. CONSENT CALENDAR

F. PUBLIC HEARINGS AND ACTION

7. ORDINANCE #14-95/96 - amending Ch. 27, “Zoning,” for a map change from Contract G-1 to Rural Residential District RF off outer Highland Avenue. Given first reading on 11/6/95. Failed, reconsidered, and committed to Planning Board on 11/20/95. Amended and given new first reading on 12/18/95.

Ray Lee, Henry Street, addressed this item.

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

*****


Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Fickett for passage. Passage 5-2 (Dearborn, Avery).
9. Paul Boutin, d/b/a Buy-Rite Auto Sales, for a Used Car Lot License. 1/3/96 to 12/31/96. New City license.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Dearborn to grant the license. Motion was made by Councilor Avery and seconded by Councilor Baxter to amend the motion by stipulating that no junk cars may be kept on the lot. Passage 7-0. Passage, as amended, 7-0.

G. ACTION ON OLD AND NEW BUSINESS

10. ORDER #76-95/96 - authorizing an agreement for private utility lines in an unaccepted portion of Coolidge Avenue. Postponed on 12/18/95.

The following people addressed this item:

Bill Nilson, Boyd Road
Earl Lamoreau, 8 Boyd Road
Rick Dambrie, Broker for the property owner

Motion was made by Councilor Avery and seconded by Mayor Boudreau. Motion was made by Mayor Boudreau and seconded by Councilor Avery to amend the motion by making approval contingent on the applicant having a drainage plan approved by the City Engineer, after comments from area residents, and a Class A survey done on the property. Passage 7-0. Passage, as amended, 7-0.

* * * * *

11. ORDER #82-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

12. ORDER #83-95/96 - adopting City Council Standing Rules.

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 5-2 (Avery, Dearborn).

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage of the first reading. Motion was made by Councilor Dearborn and seconded by Councilor Avery to amend the ordinance by making it gender neutral. Passage 7-0. Passage of first reading, as amended, 7-0.

H. CITIZENS DISCUSSION

Ray Lee, Henry Street, asked who can use the Sunset Park building owned by the City. He complimented the new equipment in Council Chambers but said he had received several calls from people who are upset about the new location of the studio. He said there won't be any public usage of the studio, because there is always a government meeting going on. He asked how he could send complaints to the FCC.

Motion was made by Councilor Avery and seconded by Councilor Baxter to adjourn. Passage 7-0, 8:52 P.M.

A TRUE COPY.

ATTEST  [Signature]
Linda C. Cohen, City Clerk

[City Seal]
IN COUNCIL REGULAR MEETING JAN. 17, 1996 VOL. 57 PAGE 65

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Dearborn and seconded by Councilor Avery to accept the minutes of the 1/3/96 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jerre Bryant commended all of the departments involved in handling snow and, again, asked private plow operators not to leave snow in the road or on the sidewalks.

Mayor Boudreau presented outgoing City Manager Jerre Bryant with a plaque for his years of service to the City and wished him well.

C. PETITIONS AND COMMUNICATIONS

1. Department reports for the month of December.

2. Attendance reports for the month of December.

D. APPOINTMENT CALENDAR

3. ORDER #66-95/96 - Board of Assessment Review, District Five (Dearborn). Term to expire 12/31/98. Postponed since 12/18/95.

There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Avery to re-appoint Mark Sullivan to this position. Passage 7-0.

* * * * *

4. ORDER #67-95/96 - Board of Assessment Review, At-Large (Glynn). Term to expire 12/31/98. Postponed since 12/18/95.

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Mayor Boudreau to re-appoint John Low to this position. Passage 7-0.

* * * * *
IN COUNCIL REGULAR MEETING JAN. 17, 1996 VOL. 57 PAGE 66

5. ORDER #68-95/96 - Board of Assessment Review, At-Large (Larsen). Term to expire 12/31/98. Postponed since 12/18/95.

Maureen Hasson (board member), 49 Danforth Road, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Glynn to appoint Raymond Ballum to this position. Passage 7-0.

6. ORDER #69-95/96 - Library Advisory Board, District Two (Avery). Term to expire 12/31/98. Postponed since 12/18/95.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Baxter to re-appoint Marian Peterson to this position. Passage 7-0.

7. ORDER #81-95/96 - Library Advisory Board, District One (Boudreau). To fill an unexpired term which expires 12/31/97. Postponed 1/3/96.

Motion was made by Mayor Boudreau and seconded by Councilor Avery to postpone this item to 2/5/96. Passage 7-0.

8. ORDER #84-95/96 - Acting City Manager.

The following people addressed this item:

Ray Lee, 28 Henry Street
Bernard Faunce, 98 Sawyer Street
Janice Doctor, 199 High Street

Motion was made by Councilor Avery and seconded by Councilor Dearborn to appoint Assistant City Manager Jeffrey Jordan to this position. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by only increasing Mr. Jordan's salary by a $200 per month bonus. Failed 3-4 (Boudreau, Avery, Baxter, Dearborn). Motion was made by Councilor Fickett and seconded by Councilor Larsen to amend the order by only increasing Mr. Jordan's current salary by 10%. Failed 3-4 (Boudreau, Baxter, Dearborn, Avery). Passage 4-3, (Fickett, Glynn Larsen).

E. CONSENT CALENDAR
F. PUBLIC HEARINGS AND ACTION


Bernard Faunce, 98 Sawyer Street, addressed this item.

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

G. ACTION ON OLD AND NEW BUSINESS

10. ORDER #85-95/96 - authorizing a change in the capital improvements dollar limitation of the Biosolids Handling Agreement and authorizing biosolids transfer modifications at the Wastewater Treatment Plant.

Ray Lee, Henry Street, addressed this item.

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

* * * *

11. ORDER #86-95/96 - authorizing the purchase of nine (9) police cruisers from Chambers Ford, of Augusta, ME, for the Police and Fire Departments.

There was no public discussion.

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

H. CITIZENS DISCUSSION

Robert Marston, 696 Westbrook Street, said he just came to tell Mr. Bryant he did a good job and wish him the best.

Janice Doctor, High Street, suggested the Council think ahead about accessibility to the bridge. Otherwise, the City is liable to end up footing the bill entirely for an elevator or ramp.

Clarence Beckwith, Bonnybriar Road, agreed with the previous speaker. He said the State should remove all of the old bridge. He asked if the City knows the amount of the school subsidy it will receive this year. He told the Council not to consider raising taxes this year.
Bernard Faunce, 98 Sawyer Street, said there is no need to take 5 or 6 months to find a new City Manager. He said that the handicapped should have access to everything the non-handicapped do. He said his wife is disabled, and she has had to give up a lot of things. He said she can’t even get her wheelchair on the City buses.

Ray Lee, Henry Street, said that all workshops should be televised, because that’s where all the decisions are made. He said that taking all that time and involving MMA to get a manager is ridiculous. He said that there are at least a thousand people who would love to have the job at $50,000. He said he is not unhappy to see Mr. Bryant go, and he is disappointed with the American Journal in its coverage of this issue. He said the Council should lower the school budget equal to the State subsidy. He said the raise for Jeff Jordan is ridiculous.

Pat Marston, 696 Westbrook Street, said the acting City Manager should get a raise to put up with the likes of the previous speaker. She said she has been a City Councilor, and she is very much in favor of the Manager/Council form of government. She said the Mayor form doesn’t do justice to the people.

Beth De Tine, 22 Gould Road, said she is a Small School parent. She said the teachers at Small did not request money from the parents; they received a challenge grant of $2,000, and they’re meeting it.

I. EXECUTIVE SESSION

Motion was made by Councilor Avery 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, 8:56 P.M. Motion was made by Councilor Dearborn and seconded by Councilor Avery to come out of executive session. Passage 7-0, 9:18 P.M. Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Abatement #03-95/96 in the amount of $4,574.38 plus interest and costs. Passage 7-0. Motion was made by Councilor Avery and seconded by Mayor Boudreau to deny Abatement #04-95/96. Passage 7-0. Motion was made by Councilor Avery and seconded by Mayor Boudreau to adjourn. Passage 7-0, 9:20 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING FEB. 5, 1996 VOL. 57 PAGE 69

ROLL CALL: Mayor Boudreau 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 1/17/96 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeffrey Jordan read a letter from him regarding the appearance of a conflict of interest. His wife works for a law firm the City has retained in the past.

Mr. Jordan cited two letters from the Maine Department of Transportation regarding bridge pedestrian issues and the Waterman Drive/Broadway intersection.

C. PETITIONS AND COMMUNICATIONS


Mayor Boudreau presented Eugene Gendron with a plaque for his nineteen years of service on the Board of Assessment Review.

Councilor Avery presented plaques to members of the Knightville/Mill Creek Advisory Committee.

D. APPOINTMENT CALENDAR

2. ORDER #81-95/96 - Library Advisory Board, District One (Boudreau). To fill an unexpired term which expires 12/31/97. Postponed since 1/3/96.

Motion was made by Mayor Boudreau and seconded by Councilor Avery to postpone this item to 2/21/96. Passage 7-0.

****

3. ORDER #87-95/96 - nomination to the Governor for appointments to the Greater Portland Public Development Commission.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Dearborn to send the names of Jerre Bryant, Linda Johnson, Frank Morong and Ed Langlois to the Governor. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by adding Robert Fickett's name to the list. Passage 7-0. Passage, as amended, 7-0.
IN COUNCIL REGULAR MEETING  FEB. 5, 1996 VOL. 57 PAGE 70

E.  CONSENT CALENDAR

4.  Downeast Country Dance Festival requesting off-premise signs on Westbrook Street.
    There was no public discussion.
    Motion was made by Councilor Avery and seconded by Councilor Larsen to grant the permit. Passage 7-0.

F.  CITIZENS DISCUSSION (FIRST PART)

John Cragin, Ocean View Avenue, gave a letter to the Council regarding the loss of tax revenue because of the contamination of the Rolling Mills site.

G.  PUBLIC HEARINGS AND ACTION

H.  ACTION ON OLD AND NEW BUSINESS

5.  ORDER #88-95/96 - accepting miscellaneous donations.
    There was no public discussion.
    Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Passage 7-0.

       *****

6.  ORDER #89-95/96 - authorizing the City Manager to submit a Small Harbors Grant Application to the Maine Department of Transportation.

The following people addressed this item:

Tex Haeuser, Planning Director
Bob Ware, Design Service
John Howard, Highland Road
Chris Bowring, Pepperbush Circle
Warren Morgan, 103 Chapel Street
Peggy Fuller, Grand Street
Ray Lee, Henry Street
Philip Notis, Knightville business owner
Clarence Beckwith, Bonnybriar Road
Bernard Faunce, 98 Sawyer Street
Susan Lambe, 58 Pennsylvania Avenue, by letter

Motion was made by Councilor Dearborn and seconded by Councilor Avery for passage. Passage 6-1 (Glynn).
7. RESOLVE #4-95/96 - regarding pedestrian safety at Broadway and Waterman Drive.

The following people addressed this item:

Timothy Carr, 17 Edgewood Road, President of the South Portland Land Trust
Bernard Faunce, 98 Sawyer Street
Warren Morgan, 103 Chapel Street, Conservation Commission Member
Ray Lee, Henry Street
John Howard, Highland Road

Motion was made by Councilor Glynn and seconded by Councilor Larsen for passage. Motion was made by Councilor Larsen and seconded by Councilor Glynn to commit this item to workshop. Passage 6-0 (Fickett out).

*****

8. RESOLVE #5-95/96 - regarding the consolidation of municipal and school finance and personnel functions.

There was no public discussion.

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

*****

9. ORDER #90-95/96 - referring an ordinance regarding tank farms to the Planning Board.

The following people addressed this item:

Dave Cyr, Portland Pipeline
Ray Lee, Henry Street

Motion was made by Councilor Dearborn and seconded by Councilor Baxter for passage. Motion was made by Councilor Fickett and seconded by Councilor Glynn to amend the ordinance language by adding actively used agricultural facilities as permitted uses. Failed 3-4 (Boudreau, Avery, Baxter, Dearborn). Passage 6-1 (Larsen).

*****

10. ORDER #91-95/96 - authorizing the Mayor to execute a Purchase of Service Agreement with the Maine Municipal Association for assistance in the City Council’s search and selection of a City Manager.
The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street
Dave Barrett, Maine Municipal Association

Motion was made by Councilor Dearborn and seconded by Councilor Baxter for passage. Passage 5-2 (Fickett, Glynn).

I. CITIZENS DISCUSSION (SECOND PART)

William Gagnon, shop owner in Knightville, said the City needs a pier, not a wharf, and urged the Council to retain the steel from the old bridge. He said the new pier can become a micromall.

Ray Lee, Henry Street, said he is not sold on the Mayor form of government. He said he came from a beautiful community that was ruined when the town went to a strong mayor. He said the government station is coming along fine. He said the Council should send a resolve to MMA not to use tax dollars to fight the tax cap proposal.

Warren Morgan, 103 Chapel Street, said that going through MMA to find a manager is a good idea, and going to a mayor government is one of the stupidest things the City could do.

Bernard Faunce, 98 Sawyer Street, said the Council can hire a manager without help. He said that Knightville will eventually die. He said Ferry Village used to have a lot of businesses.

J. COUNCILORS’ ROUND ROBIN

Mayor Boudreau said goodnight to former City Manager Jerre Bryant.

Councilor Avery asked the City Clerk to see that the Knightville plaques not presented this evening be given to the Planning Director.

Councilor Baxter wished Jerre Bryant the best and said he enjoyed working with him. He noted that there will be a School Board workshop on Special Education on Wednesday, February 7 at 7 P.M.

Councilor Glynn said the discussion about an elected mayor will start at the next workshop.

Councilor Larsen congratulated Jerre Bryant and said she was sorry she missed the party.
Motion was made by Councilor Dearborn and seconded by Councilor Baxter to adjourn. Passage 7-0, 11:29 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING FEB. 21, 1996 VOL. 57 PAGE 74

ROLL CALL: Mayor Boudreau 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 2/5/96 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeff Jordan passed out a memo from the Governor in which announcement is made that Jerre Bryant and Linda Johnson have been appointed to the Greater Portland Public Development Commission.

Mr. Jordan stated that he will be giving the FY 96/97 proposed budget to the Council on 3/18/96, and the public hearing will be 4/3/96. Budget workshops are scheduled for 4/22, 4/29 and 5/8.

Mr. Jordan passed out copies of the recent application from the City to the Department of Transportation for the floating system at the end of Knightville.

C. PETITIONS AND COMMUNICATIONS

1. Department reports for the month of January.
2. Attendance reports for the month of January.

D. APPOINTMENT CALENDAR

3. ORDER #81-95/96 - Library Advisory Board, District One (Boudreau). To fill an unexpired term which expires 12/31/97.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Baxter to appoint John Anderson to this position. Passage 7-0.

4. ORDER #92-95/96 - Ward Clerk, District Five (5), to fill an unexpired term.

There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Avery to appoint Louise Messer to this position. Passage 7-0.
IN COUNCIL REGULAR MEETING FEB. 21, 1996 VOL. 57 PAGE 75

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

William Gagnon, 89 Ocean Street, said he is not happy with the way the end of Knightville is proposed to be developed. He said the City should do something to get small shops in that area.

Tim Carr, 17 Edgewood Road, President of the South Portland Land Trust, said he supports the sale of 14 Bagley Avenue to the Credit Union, and asked the Council to put a portion of the funds from the sale in a land bank.

Janice Doctor, 199 High Street, urged the Council to visit the Rockwood Systems site and not to vacate those streets.

Tom Blake, 195 High Street, agreed with Mrs. Doctor. He suggested the City charge to vacate streets and put the money in a land bank, noting that there is a piece of property in the City that a lot of people want to buy. He said the Waterman and Broadway intersection is horrendous, and a pedestrian overpass is the only solution. He said that intersection broke the spine of the Greenbelt Walkway.

Katherine Latendresse, 199 High Street, said pedestrians need an overpass. She also suggested the City put the Council information on the World Wide Web so the public has access. She said the Council should be concerned about the paper streets in Ferry Village.

G. PUBLIC HEARINGS AND ACTION

5. Loring, Loeman, Loring, Inc., d/b/a Joe’s Boathouse, 1 Spring Point Drive, for an FSE/Class A Restaurant with Liquor. 2/21/96 to 2/21/97. New City License.

There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

6. ORDER #93-95/96 - accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Avery for passage. Passage 7-0.
7. ORDER #94-95/96 - accepting the warrant announcing the Presidential Preference Primary Election of March 5, 1996 and setting the time for opening the polls.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

********

8. ORDER #95-95/96 - authorizing the sale of City owned property at 14 Bagley Avenue.

The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street

Motion was made by Councilor Dearborn and seconded by Mayor Boudreau for passage. Motion was made by Councilor Larsen and seconded by Councilor Glynn to amend by putting the money from the sale into the General Fund. Failed 3-4 (Boudreau, Dearborn, Baxter, Avery). Passage 4-3 (Larsen, Glynn, Fickett).

********

9. ORDER #96-95/96 - authorizing the City Manager to enter into a lease agreement with James Dyer for the Willard Beach Concession Stand.

The following people addressed this item:

Bernard Faunce, 98 Sawyer Street
Ray Lee, Henry Street
Jim Dyer, 53 Davis Street
Clarence Beckwith, Bonnybriar Road

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

********

10. ORDER #97-95/96 - authorizing the City Manager to sign an agreement allowing contractors for the Maine Department of Transportation to transport heavy construction equipment over City streets.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Avery for passage.
IN COUNCIL REGULAR MEETING FEB. 21, 1996 VOL. 57 PAGE 77

Passage 6-0 (Fickett out).

I. CITIZENS DISCUSSION (SECOND PART)

Jim Dyer, 53 Davis Street, asked if the money from the sale of Bagley Street could be used without Council approval. He said the Council had spent an hour discussing nothing.

Ray Lee, Henry Street, said that using the $35,000 to reduce taxes would be a step in the right direction because kids are going to bed hungry.

Chris Bowring, Pepperbush Circle, asked why there isn't just one account for all proceeds from the sale of City property.

Clarence Beckwith, Bonnybriar Road, said that the $35,000 belongs to the taxpayers who were paying the taxes when the delinquent property owner wasn't; therefore, the money should go into the General Fund. He said he is very concerned with the RWS situation. He said the only way to get out of the mess is to clean house on the Board and get rid of the Director.

Bernard Faunce, 98 Sawyer Street, said he agrees with Mr. Beckwith about RWS. He said the fees are increased, but the public isn't told why. He said it seems funny that when government wants to change the charter or constitution, there's no problem, but when citizens do, someone finds all kinds of problems with the signatures. He said that any money brought in from the sale of property should go into the General Fund.

J. COUNCILORS' ROUND ROBIN

Councilor Glynn said the reason he objected to the special account for Bagley Street was because unanticipated revenue goes into the General Fund, and, next year, the Council decides how to spend it. He said he feels that tonight's process was wrong and not honest with the public. He said the Council will send the mayor question out to the public.

K. EXECUTIVE SESSION

Motion was made by Councilor Dearborn 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, 9:23 P.M. Motion was made by Councilor Glynn and seconded by Councilor Baxter to come out of executive session. Passage 7-0, 10:00 P.M. Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Abatement 95/96-5 in the amount of $1,460.13 plus interest and costs. Passage 7-0. Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Abatement 95/96-6 in the amount of $975.07 plus interest and costs. Passage 7-0. Motion was made by Mayor Boudreau and seconded by Councilor Avery to deny Abatement 95/96-7. Passage 5-2 (Fickett, Glynn). Motion was made by Councilor Glynn and seconded by Councilor Avery to adjourn. Passage 7-0, 10:30 P.M.
Roll Call: Mayor Boudreau called the meeting to order at 7:05 P.M. Councilor Dearborn was absent due to illness.

A. Acceptance of Minutes

Motion was made by Councilor Avery and seconded by Councilor Larsen to accept the minutes of the 2/21/96 meeting. Passage 6-0.

B. Communications From City Manager

Acting City Manager Jeff Jordan read a communication regarding school safety lights in the Holy Cross School area.

C. Petitions and Communications

1. Planning Board Report regarding FLC Realty Corporation’s request for street vacation.

   Joe Paine presented a framed map of Casco Bay to the Engineering Department from the Friends of Casco Bay.

   City Clerk Linda Cohen advised the unenrolled voters to think carefully about enrolling in a party at the next day’s Presidential Preference Primary since they will either have to remain in that party or be ineligible to vote in the June primary.

   Mayor Boudreau called a one item Special Meeting for 7 P.M. on 3/11/96 in the lower level conference room.

D. Appointment Calendar

2. ORDER #98-95/96 - Board of Assessment Review, District Four (Fickett). Term to expire 3/16/99.

   Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 3/18/96. Passage 6-0.

   ***

3. ORDER #99-95/96 - Civil Service Commission, District Five (Dearborn). Term to expire 3/1/01.

   Motion was made by Councilor Glynn and seconded by Councilor Avery to postpone this item to 3/18/96. Passage 6-0.

E. Consent Calendar
IN COUNCIL REGULAR MEETING MARCH 4, 1996 VOL. 57 PAGE 80

F. CITIZEN DISCUSSION (FIRST PART)

William Gagnon, 89 Ocean Street, told the Council to leave the steel when the bridge goes. He said the area will be good for picnics and scenery. He suggested a Ferris wheel be placed there for people who want to take photographs.

John Cragin, Oceanview Avenue, suggested some changes to city ordinances regarding oil spills.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

Hearing no objection, Mayor Boudreau took Item 6 out of order.

6. PROCLAMATION #1-95/96 - recognizing Patrolman Adam Howard as South Portland Police Officer of the Year for 1995.

There was no public discussion.

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

*****


The following people addressed this item:

Tim Carr, 17 Edgewood Road
Warren Morgan, 103 Chapel Street
Chris Bowring, Pepperbush Circle

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 resolve by adding language regarding a pedestrian overpass. Motion was made by Councilor Baxter and seconded by Councilor Glynn to amend the amendment by taking away the option of an alternative and leaving only the removal of the islands in the language. Failed 2-4 (Boudreau, Larsen, Glynn, Avery). Main amendment passage 4-2 (Baxter, Fickett). Passage of resolve, as amended, 6-0.
5. ORDER #100-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

7. ORDER #101-95/96 - directing the City Clerk to give notice of the Council's intent, after public hearing on March 18, 1996, to vacate portions of Second Street, Front Street, First Street, West High Street, Margaret Street and Third Street.

The following people addressed this item:

James Katsiaficas, attorney representing FLC Realty
Ray Lee, Henry Street
Richard Bryant, Director of FLC Realty
Clarence Beckwith, Bonnybriar Road

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

*****

8. ORDINANCE #19-95/96 - amending Ch. 2, "Administration and Legislation" regarding attendance at Council Committee meetings. First reading.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Chris Bowring, Pepperbush Circle
Ray Lee, Henry Street

Motion was made by Councilor Fickett and seconded by Councilor Larsen to withdraw this item. Failed 3-3 (Boudreau, Avery, Baxter). Motion was made by Mayor Boudreau and seconded by Councilor Avery for passage of the first reading. Motion was made by Councilor Avery and seconded by Councilor Baxter to amend the motion by setting the public hearing for 4/1/96. Failed 3-3 (Fickett, Larsen, Glynn). Failed first reading 3-3 (Glynn, Larsen, Fickett).

*****

9. ORDER #102-95/96 - giving written notice of a proposed change to the Standing Rules to be considered at the March 18, 1996 City Council meeting.
Motion was made by Councilor Avery and seconded by Councilor Baxter to withdraw this item. Passage 6-0.

I. CITIZENS DISCUSSION (SECOND PART)

Sharon Giddings, Elsmere Avenue, suggested the Council look at the Mahoney area for school safety lights. She thanked the four members of the Council who came to the meeting regarding the Small School playground and said she hopes they understood what they promised for funding.

Ray Lee, Henry Street, said Gathersburg, MD has no debt, and taxes haven’t been raised in 32 years. He said he was disappointed in the Republican Caucus.

Chris Bowring, Pepperbush Circle, asked the status of the attendance policy and said the Council should have one. He said a person knows when he/she becomes a councilor what the responsibilities will be.

Clarence Beckwith, Bonnybriar Road, said he feels for the people who want the playground since the performing arts palace depleted the City for education money. He was not in favor of keeping the steel from the old bridge, since the upkeep is tremendous. He said the Council needs an attendance policy, but the one proposed was too broad. He said that all RWS members should be councilors. He said that the cut back in the construction at National Semiconductor is scary.

J. COUNCILORS’ ROUND ROBIN

None.

Motion was made by Councilor Avery and seconded by Councilor Glynn to adjourn. Passage 6-0, 9:29 P.M.

A TRUE COPY.

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

ACTION ON OLD AND NEW BUSINESS

1. ORDER #103-95/96 - award of bid for the sale of used police cruisers.

There was no public discussion.

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 Avery to adjourn. Passage 7-0, 7:05 P.M.

A TRUE COPY.

ATTEST
Patricia F. Chadbourne, Workshop Secretary
ROLL CALL: Mayor Boudreau called the meeting to order at 7:00 P.M. Councilor Avery arrived after Item A.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Glynn to accept the minutes of the regular meeting of 3/4/96 and the special meeting of 3/11/96. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeff Jordan read two letters commending the Fire Department and Bus Service.


C. PETITIONS AND COMMUNICATIONS

2. Presentation of a plaque from The People's Regional Opportunity Program (PROP).

3. Department Reports for the Month of February.

4. Attendance Reports for the Month of February.

D. APPOINTMENT CALENDAR


There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Baxter to re-appoint Paul Cloutier to this position. Passage 7-0.

*****


There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Avery to appoint Birger Johnson to this position. Passage 7-0.

*****
IN COUNCIL REGULAR MEETING MARCH 18, 1996 VOL. 57 PAGE 85

7. ORDER #104-95/96 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/99.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Dearborn to re-appoint Brad Thompson to this position. Passage 7-0.

* * * * *

8. ORDER #105-95/96 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/99.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Dearborn to re-appoint Mark Fuller to this position. Passage 7-0.

* * * * *

9. ORDER #106-95/96 - Planning Board, District Four (Fickett). Term to expire 4/1/99.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Avery to re-appoint Judy Carpenter to this position. Passage 7-0.

* * * * *

10. ORDER #107-95/96 - South Portland Housing Authority (Larsen). Term to expire 3/25/99.

There was no public discussion.

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

* * * * *

11. ORDER #108-95/96 - Planning Board, District Five (Dearborn). Term to expire 4/1/99.

Motion was made by Councilor Dearborn and seconded by Councilor Avery to postpone this item to 4/1/96. Passage 7-0.
IN COUNCIL REGULAR MEETING MARCH 18, 1996 VOL. 57 PAGE 86

E. CONSENT CALENDAR


There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Baxter to grant the permit. Passage 6-0 (Larsen out).

F. CITIZEN DISCUSSION (FIRST PART)

Chris Bowring, Pepperbush Circle, asked the Council to vote unanimously on scheduling a public hearing regarding an elected mayor.

Katherine Doctor Latendresse, 199 High Street, said she is running for the District 24 seat. She asked the Council not to give away city-owned land. She said there is a new proposal regarding the Rockwood property; the neighborhood is asking for a land swap.

Janice Doctor, 199 High Street, said the City owns all the streets in the Rockwood development.

Frank Morong, Myrtle Avenue, told the Council to consider getting something in return for the vacation of the Rockwood streets so there would be access from West High Street to the Greenbelt.

Charles Kahill, 236 Highland Avenue, said the chain of title for those streets appears clear, and urged the Council to get something in return before giving them up.

Mary Walker, 974 Sawyer Street, asked the council to put more money into the school budget.

Maxwell Brown, Channel South Condominiums, said the Association previously sought information about access to First Street and was told the City wasn't interested at that time. He said he objects to the way it's happening now.

Kimberly Bryant, 51 Whitworth Drive, asked the Council to be aware of what the 2.7% budget increase limit does to the schools. She asked the Council to set the 2.7% outside of the debt service and special needs budgets.

Candy Lee Hoy, 77 Hill Street, said the majority of parents at Kaler support the closing of the school, both for fiscal and opportunity reasons. She said that school has often been overlooked for technology.

Don Legere, 149 Walnut Street, asked the Council to pass the orders regarding the Funding Coalition and the public hearing regarding an elected mayor.
IN COUNCIL REGULAR MEETING MARCH 18, 1996 VOL. 57 PAGE 87

G. PUBLIC HEARINGS AND ACTION

13. ORDER #109-95/96 - vacation of portions of Second Street, Front Street, First Street, West High Street, Margaret Street and Third Street.

The following people addressed this item:

Jim Katsiaficas, Attorney for FLC Realty
Dick Bryant, FLC Realty
Nadine Byram, 148 Sawyer Street
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Janice Doctor, 199 High Street
Valarie Swiger, School Street
Kathy Latendresse, 199 High Street
Laurel Mackie, Oak Street
Frank Morong, Myrtle Avenue

Motion was made by Councilor Glynn and seconded by Councilor Fickett for passage. Motion was made by Councilor Glynn and seconded by Mayor Boudreau to amend the motion by including the quitclaim deed negotiated with FLC Realty. Passage 7-0. Passage, as amended, 7-0.

H. ACTION ON OLD AND NEW BUSINESS

14. ORDER #110-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

15. ORDER #111-95/96 - accepting The State of Maine Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers.

There was no public discussion.

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

* * * * *

16. ORDER #112-95/96 - setting fees for the Municipal Golf Course, effective 4/1/96.
IN COUNCIL REGULAR MEETING MARCH 18, 1996 VOL. 57 PAGE 88

The following people addressed this item:

Ray Lee, Henry Street
Bernard Faunce, 98 Sawyer Street
Dana Anderson, Parks & Recreation Director

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

*****

17. ORDER # 113-95/96 - setting April 3, 1996 as the date for public hearing in City Council Chambers for the proposed FY 1996/97 budget.

There was no public discussion.

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

*****

18. ORDINANCE #20-95/96 - amending Ch. 2, “Administration and Legislation” regarding Council attendance. First reading.

There was discussion about whether or not this item was different enough from the ordinance on the last agenda dealing with this subject. The Council voted 7-0 that this item was different enough to be appropriately placed on this agenda.

The following people addressed this item:

Ray Lee, Henry Street
Jim Soule, Whitworth Drive
Clarence Beckwith, Bonnybriar Road
Tim O'Neil, 81 Adelbert Street
Bernard Faunce, 98 Sawyer Street

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

*****

19. ORDER #114-95/96 - notice of adoption of City Council Rules regarding attendance of Councilors at committee meetings.

There was no public discussion.
20. ORDER #115-95/96 - continuing participation in the Coalition For Equitable School Funding.

The following people addressed this item:

Ray Lee, Henry Street
Tim O'Neil, 81 Adelbert Street
Jim Soule, Whitworth Drive

Motion was made by Councilor Dearborn and seconded by Councilor Avery for passage. Passage 5-2 (Glynn, Fickett).

21. ORDER #116-95/96 - regarding the televising of City Council Workshops.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

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

22. ORDER #117-95/96 - notice of adoption of City Council Rules regarding workshops.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

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

23. ORDER #118-95/96 - giving notice of a public hearing on March 25, 1996 in Council Chambers regarding an elected mayor form of government in South Portland.
The following people addressed this item:

Tim O'Neil, 81 Adelbert Street  
Ray Lee, Henry Street  
Jim Soule, Whitworth Drive  
Clarence Beckwith, Bonnybriar Road

Motion was made by Mayor Boudreau and seconded by Councilor Dearborn for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to postpone this item to the next meeting. Failed 3-4 (Boudreau, Dearborn, Avery, Baxter). Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the order by changing the public hearing date to 4/1/96. Failed 3-4 (Boudreau, Avery, Baxter, Dearborn). Passage 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

Tim O'Neil, Adelbert Street, noted that Al Morgan has finished his term on the Civil Service Commission. He thanked the Councilors who came to Hamlin School and suggested they keep doing things like that.

Ray Lee, Henry Street, said that cronyism is alive and well here, since it kept Kevin Glynn from becoming mayor and it put new windows in City Hall. He said he heard that four Councilors promised Small School parents a new playground, and he wondered how four members could do that. He said that all the greedy people should sign pledges to support the needy so they can have their tax increase.

Drew Anastasio, Whitworth Drive, said he has three kids in school and he wants to see the schools become something we can be proud of. He said that a 2.7% increase doesn't maintain the current standards, let alone allow for growth.

Jim Soule, Whitworth Drive, said he is concerned about the proposed budget. He said that, to be an outstanding city, there need to be outstanding services throughout.

Clarence Beckwith, Bonnybriar Road, said that, if RWS would control its spending, the city would have more money for education. He said the city cut health costs and the school side went up. He said there are enormous increases every year in the school budget, but no improvement in the scores. He asked how the City is obligated to pay for projects under the TIF, now that National Semiconductor has cut back construction.

J. COUNCILORS' ROUND ROBIN

Councilor Dearborn reminded the Council that not putting differences aside for the good of the City happened with the shipyard area grant application and it happened again tonight.
Motion was made by Councilor Dearborn and seconded by Councilor Larsen to adjourn. Passage 7-0, 12:10 A.M. (3/19/96).

A TRUE COPY.

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

Motion was made by Councilor Avery and seconded by Mayor Boudreau to waive Standing Rule #4 for item #7. Failed 4-3 (Fickett, Glynn, Larsen).

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Dearborn and seconded by Councilor Avery to accept the minutes of the 3/18/96 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeff Jordan read a letter from Nancy Bell commending the Public Works Department; a letter from Beth Lewis commending the lifeguards at the pool, and two letters from John Melrose, of the Department of Transportation, regarding the Small Harbor Grant and the pedestrian overpass. Mr. Jordan passed out a correction to one of the pages in the School Department budget.

C. PETITIONS AND COMMUNICATIONS

Report from Planning Board regarding sale of property on Western Avenue.

D. APPOINTMENT CALENDAR


Motion was made by Councilor Dearborn and seconded by Councilor Avery to postpone this item to 4/17/96. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Kay Loring, 37 Files Street, said she had hoped that Item 7 would be discussed, because they have worked very hard. She said the property will be lost if the issue isn't voted on in June.

Steve Hasson, 148 Breakwater, said it was his understanding that some Councilors wanted this to go to the November ballot because they were under the mistaken impression that the unenrolled could not vote in June. He said he understands there is a State referendum question in June, and that unenrolleds can vote on that question. He noted that Portland tore down over 700 pieces of taxable property to build the arterial, and Portland regrets tearing down Union Station. He said that Baxter Boulevard and Fort Williams have been kept for the people and urged the Council not to let this piece of
IN COUNCIL REGULAR MEETING APRIL 1, 1996 VOL. 57 PAGE 93

property slip away.

Mary Jane Ferrier, 96 School Street, said it is important to have Councilors hear what the public has to say. She urged the Council to let the citizens decide if they want to be taxed.

John Cragin, Ocean View Avenue, said he doesn't think the citizens of the City think the Councilors are ignorant. He said there is no risk to the City in this deal, because Kay Loring's group will deed the property over to it. He said it will only raise taxes by $9.00 a year for the average homeowner, and the revenue from possible uses there will make up for it.

Richard Holt, 21 Willard Street, a member of the Waterfront Advisory Committee, applauded the citizens for their work on this and invited them to attend the committee's meetings. He said that a park should be the primary use, but a light marine use could also be located there.

Christopher Muse, 35 Mildred Street, said he is tired of reading about this Council being two Councils, and it would be a crime if this issue is used that way. He said it costs $75.00 a day to house an inmate, and children in the park won't be in jail. He said the problem with this country is that children have nowhere to go and nothing to do. He said this is an opportunity to take a picture perfect piece of greenspace that couldn't be found anywhere. He asked the Council to change its vote and discuss this issue this evening.

Abby Huntoon, 180 Preble Street, said that cities are constantly not funding spaces for play, and it would be criminal to let this land go. She said she is very disappointed with those who voted against it.

Female, 21 Grand Street, said the Council was able to come up with a reasonable compromise with the Irving Oil issue and added that the city will become vulnerable again to this land.

William Moustroghis, 376 Broadway, told the Council it had been elected and entrusted to do the right thing by the community. He said this is a chance of a lifetime, and sometimes sacrifices have to be made. He said he had heard that Councilor Glynn wants an elected mayor because it is more responsive to the people. He said he would see how responsive Councilor Glynn is on this issue. He urged the Council to let Old Glory fly in the middle of the park.

Bob Soucy, 34 Bay Road, said the majority of citizens present this evening want the item added to the agenda, and he asked the Council to reconsider.

Frank Morong, 6 Myrtle Avenue, said elected officials seldom have the chance to make a decision such as this one. He asked the Council to give the citizens the opportunity to voice their opinions. He said he has spent 25 years trying to invest in open space. He urged the Council to give the citizens the opportunity to decide.
Amanda Robinson, 784 Highland Avenue, said she would like to see the waterfront become a park. She said this is the last chance to make that happen and urged the Council to let the land be used by all the people of South Portland.

Theresa Amell, 9 Pepperbush Circle, urged the Council to "go for it."

Male, 12 Willard Haven Park, said this is a great opportunity for the city, because there isn't much coastline left. He noted that Councilor Glynn has an eagle in front of him, and they were almost gone until a group of people saved them. He said people will use this park like they use Mill Creek Park.

Peggy Fuller, Grand Street, asked the Council to reconsider. She said, when she thinks about the things she loves in this city, it's the park and beach.

Phil Kaelin, 180 Preble Street, said South Portland is #1 in snow removal and commended the people responsible. He said it's a shame, since the gates on the waterfront property in question have been locked, that more people haven't been able to use it. He said a veterans memorial park is an excellent idea, and the City needs to promote the spiritual aspects of living. He noted that Bug Light is the symbol of the City, and said he remembers what it was like to be in high school and not have anywhere to go. He warned that, when youth don't get any respect, it creates anger.

Sylvia Schroeder, Franklin Terrace, said she just flew back from California and was amazed at all of the oil tanks on the east coastline. She said she has an elderly friend in San Diego who goes to the park every day.

Penny Cary, 118 Brigham Street, said that, for the Council to vote against bringing the land issue to discussion is possible censorship and a blatant misuse of power.

Clarence Beckwith, Bonnybriar Road, said he wants the public to have the chance to vote, but in November, not June. He said the zoning in that area is still under discussion. He said he wants an engineering study done on the building and complete soils analysis. He told the Council to stick to its guns, because no one is jumping at buying this land.

Geraldine Bissonnette, 15 Bellaire Road, said she is appalled with all the special interest groups. She said the small amount of people in this room do not represent the entire community. She said it should be voted on in November, and we should know where the money is coming from. She said the VFW can't maintain its current holdings. She said she wants to be able to use school supplies and equipment like the LINK Committee did.

Chris Bowring, Pepperbush Circle, said he would hate to lose the property, and a 7-0 vote would help get more corporate sponsors.

Eileen Conley, 105 Summit Terrace, said this land belonged to the City before WWII, and the City wasn't asked to give the land; it was told.
IN COUNCIL REGULAR MEETING APRIL 1, 1996 VOL. 57 PAGE 95

John Howard, Highland Road, said the discussion about an elected mayor was about 20-1 against, and Councilor Glynn was quoted in the American Journal as saying those people against the proposal are the establishment he has always fought against. He said that Councilor Glynn has always championed people and their right to speak, and all the people tonight want to do is have a chance to speak. He asked the Council to reconsider and put the item on the agenda.

Jim Brewster, 1545 Broadway, said he thought the vote would be unanimous to put this item on the agenda. He pointed out that, in the early 80's, there were arguments over Ogunquit Beach, and it was made a public beach. He noted that Wells and Old Orchard Beaches have development on them.

City Clerk Linda Cohen read a letter from Chuck and Debbie Igo, 24 Carroll Street, regarding the need for additional funding in the school budget and a letter from Phyllis Faunce, 98 Sawyer Street, stating that nursing homes should be placed on the waterfront property instead of catering to kids.

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

3. ORDER #119-95/96 - adopting Council Rules regarding attendance of Councilors at committee meetings.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
John Howard, Highland Road

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

** ** **

4. ORDER #120-95/96 - amending Order #113-95/96 by changing the location of the public hearing for the proposed FY1996/97 budget to Memorial Middle School.
IN COUNCIL REGULAR MEETING APRIL 1, 1996 VOL. 57 PAGE 96

The following people addressed this item:

Ray Lee, Henry Street
John Howard, Highland Road
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by setting public discussion for 8 P.M. Failed 2-5 (Boudreau, Avery, Baxter, Dearborn, Larsen). Passage 7-0.

*****


There was no public discussion.

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

*****

6. PROCLAMATION #2-95/96 - recognizing the month of April, 1996 as "Technical and Community College Month."

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Kay Loring, Files Street
Wayne Ross, President of SMTC

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

*****

7. ORDINANCE #22-95/96 - authorizing the appropriation of $996,000 for the purchase of 13.87 acres of waterfront land at Map 7 Lot 2, near Portland Breakwater Light (Bug Light). First reading. (In order for this item to be in order for Council action on this agenda, the Council will have had to waive Rule #4 of the Standing Rules.)

1. CITIZENS DISCUSSION (SECOND PART)

Bernard Faunce, 98 Sawyer Street, said he was told to sit down and shut up by a mayor years ago, and he did, but he never will again. He suggested the City leave the shipyard
property alone, since the ground has been contaminated by coal. He asked who would pay for the clean-up. He said it would be a nice place to have, but we can't afford it.

Henrietta LaRou, 51 Simmons Road, said the South Portland Land Trust has been trying to get that land for more than ten years. She said she and her friends always thought it would be a great park, even when they were kids. She said it would be shortsighted not to grab it while we can.

Delores Broberg, Belleview Avenue, said that people all around are taking notice of South Portland, because the quality of life is improving here, and that's what makes the difference for businesses considering locating here. She said the waterfront property would help complete the Greenbelt. She said a community is like farming; you put in a lot of work, take some risk, then you get growth. She asked the Council to please let this happen.

Ray Lee, Henry Street, said it was his dream for the City to have that land and make a veterans memorial park there. He said that no one wants that property more than he does. He noted that Councilor Glynn was prohibited from going out live with his elected mayor presentation. He said he doesn't want his street renamed. He said he had always understood Mr. Glickman to be a reasonable man, and the property should go on the November ballot.

J. COUNCILORS' ROUND ROBIN

Councilor Glynn said he has no problem discussing the acquisition of land or the financing, but he wants it on the November ballot. He said that the people who pay the bills vote in November, and there are still many unanswered questions.

Mayor Boudreau said she knew a lot of people were feeling discouraged tonight, because the opportunity to discuss the land issue was not given.

Councilor Avery said this Council struggled with putting Redbank out to referendum but did so with no costs or studies completed. She said the public was asking the Council to be accountable and give it the right to a public hearing by waiving a rule. She said she would be really disappointed to say she represents the whole city.

Councilor Fickett said he voted against the art center going on the ballot and against putting it out to bid. He said a referendum is not a mandate to spend. He said the City can't spend money and run up debt without any thought as to what's next. He said the wealthier we appear on the surface, the more poverty there is to support.

Motion as made by Councilor Avery and seconded by Councilor Fickett to adjourn. Passage 7-0, 9:33 P.M.

A TRUE COPY. ATTEST: Linda C. Cohen, City Clerk
ROLL CALL: Mayor Boudreau called the meeting to order at 8:00 P.M. All Councilors were present.

ACTION ON OLD AND NEW BUSINESS

1. ORDINANCE #22-95/96 - authorizing the appropriation of $996,000 for the purchase of 13.87 acres of waterfront land at Map 7 Lot 2, near Portland Breakwater Light (Bug Light). First reading.

The following people addressed this item:

Ladd Heldenbrand, 2 Bay Road
Stan Cox, 460 Highland Avenue
Frank Morong, 6 Myrtle Avenue
Clarence Beckwith, 51 Bonnybriar Road
Bill Dale, Highland Road
Dan Fortin, Thadeus Street
Dolores Broberg, 38 Bellevue Avenue
Ray Ballum, 32 Carignan Avenue
John Cragin, 26 Ocean View Avenue
Mark Fuller, 29 Adelbert Street
Ray Lee, Henry Street
Steve Hasson, 148 Breakwater
Richard Holt, 21 Willard Street
Peggy Fuller, Grand Street
Bob Soucy, 34 Bay Road
Kay Loring, 37 Files Street
Rick McKenna, 12 Willard Haven Park
Phil Kaelin, 180 Preble Street
Ginny Knowlton, Breakwater

Motion was made by Councilor Dearborn and seconded by Councilor Avery for passage of the first reading. Passage 4-3 (Fickett, Glynn, Larsen).

Motion was made by Councilor Avery and seconded by Councilor Baxter to adjourn. Passage 7-0, 9:39 P.M.

A TRUE COPY.

[Signature]
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING APRIL 17, 1996 VOL. 57 PAGE 99

ROLL CALL: Mayor Boudreau called the meeting to order at 7:07 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by councilor Dearborn to accept the minutes of the regular meeting of 4/1/96 and the special meeting of 4/8/96. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

C. PETITIONS AND COMMUNICATIONS

Department Reports for the month of March.

Attendance Reports for the month of March.

D. APPOINTMENT CALENDAR


Motion was made by Councilor Dearborn and seconded by Councilor Baxter to postpone this item to 5/6/96. Passage 7-0.

* * * * *

2. ORDER #121-95/96 - appointment of Democratic Election Clerks. Term to expire 5/1/98.

There was no public discussion.

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

* * * * *

3. ORDER #122-95/96 - appointment of Republican Election Clerks. Term to expire 5/1/98.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Avery for passage. Passage 7-0.
E. CONSENT CALENDAR

4. Pier 1 Imports requesting off-premise directional signs from 5/2/96 to 5/5/96.

5. Iron Horseman Motor Cycle requesting a one (1) day liquor license for April 27, 1996.

Russell Coffman, of Iron Horseman, addressed this item.

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage of the Consent Calendar. Passage 7-0.

Motion was made by Councilor Avery and seconded by Councilor Dearborn to take Item 9 out of order. Passage 7-0.

9. PROCLAMATION #3-95/96 - proclaiming the month of May, 1996 as Older Americans Month.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Victor Schich, Sunset Park

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

*****

F. CITIZEN DISCUSSION (FIRST PART)

Bob Fickett, Highland Avenue, said he was representing a lot of people who had asked him to speak about their concern regarding taxes.

Richard Holt, 21 Willard Street, read a 1988 letter from him and Mark Usinger, written to Jerre Bryant and Sharon Benoit, former Manager and Mayor, respectively, regarding the formation of a waterfront advisory committee. He then read a letter from Jerre Bryant to him congratulating him on his appointment to that committee.

Kimberly Bryant, 51 Whitworth Drive, addressed a flyer she had received in her American Journal in which the Concerned Taxpayers Association made false statements about the School Department's plans to close Hamlin School. She also asked Councilor Glynn why he is fighting school consolidation, when it is fiscally responsible, and she hasn't heard any parents at Kaler object.
G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

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

*****

7. ORDINANCE #22-95/96 - authorizing the appropriation of $996,000 for the purchase of 13.87 acres of waterfront land at Map 7 Lot 2, near Portland Breakwater Light (Bug Light). Given first reading on 4/8/96.

The following people addressed this item:

Kay Loring, 37 Files Street
John Cragin, Ocean View Avenue
Richard Holt, Willard Street
Henrietta LaRou, 51 Simmons Road, by letter
Ronald Henderson, 16 George Street, by letter
Bill Dale, Highland Road
Valarie Swiger, 77 School Street
Delores Broberg, Bellevue Avenue
Clarence Beckwith, Bonnybriar Road
Bob Soucy, 34 Bay Road
Ray Lee, Henry Street
Rick McKinnon, 12 Willard Haven Park
Alton Morgan, 117 Granby Road
Tom Coward, 17 Woodbury Street
Jim Saffian, Bond Counsel
Steve Hasson, 148 Pickett Street

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Motion was made by Mayor Boudreau and seconded by Councilor Avery to amend the ordinance by adding language to clarify that the $996,000 goes to purchase a portion of the property and some of the land might be sold to help finance the package. Passage 6-1 (Glynn). Passage, as amended, 4-3 (Larsen, Glynn, Fickett).

H. ACTION ON OLD AND NEW BUSINESS

Mayor Boudreau took Item 13 out of order.
13. ORDER #125-95/96 - accepting the warrant announcing a special municipal election on June 11, 1996.

There was no public discussion.

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

*****

Motion was made by Councilor Glynn and seconded by Mayor Boudreau to take a five minute recess. Passage 5-2 (Dearborn, Avery).

8. ORDER #123-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

10. ORDER #124-95/96 - award of bid to H. E. Callahan, of Auburn, ME, for construction of a cafeteria/auditorium at the high school.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Lee Akerley, Assistant School Superintendent

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

*****

11. ORDINANCE #23-95/96 - amending Ch. 14, "Licenses, Permits and Business Regulations Generally," regarding dance halls. First reading.

There was no public discussion.

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

*****
12. ORDINANCE #24-95/96 - amending Ch. 27, “Zoning,” regarding petroleum storage tank farms. First reading.

The following people addressed this item:

Tom Hardison, 24 Northeast Lane, Portland Pipeline
Ray Lee, Henry Street
Peggy Fuller, Grand Street
Steve Hasson, 148 Pickett Street
Tex Haeuser, Planning Director
Clarence Beckwith, Bonnybriar Road

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

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said the tax increase looks to be about $74, if not more for next year. He said a person shouldn't have to give up his home because of the kids in schools.

Clarence Beckwith, Bonnybriar Road, read part of the TIF 2 agreement regarding reductions in the construction.

Mark Eyerman, 22 Cottage Road, said the City should look at the Knightville/Mill Creek area with regard to pedestrian safety.

J. COUNCILORS’ ROUND ROBIN

None.

K. EXECUTIVE SESSION

Motion was made by Councilor Fickett 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 6-0 (Dearborn gone).

Motion was made by Councilor Glynn and seconded by Councilor Avery to come out of executive session. Passage 6-0, 12:00 midnight.

Motion was made by Councilor Glynn and seconded by Mayor Boudreau to grant abatement #95/96-08 in the amount of $832.88 plus interest and costs. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement #95/96-09 in the amount of $1,756.83 plus interest and costs. Passage 6-0.
Motion was made by Councilor Glynn and seconded by Mayor Boudreau to deny abatement #95/96-10. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Mayor Boudreau to adjourn. Passage 6-0, 12:03 A.M. (4/18/96).

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING MAY 6, 1996 VOL. 57 PAGE 105

ROLL CALL: Mayor Boudreau 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 Baxter to accept the minutes of the 4/17/96 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeff Jordan noted that the Fore River Bridge will be closed from 7 P.M. to 7 A. M. on June 5, 6, 7 and 8. He stated that this is Public Service Recognition Week and thanked the many dedicated employees and public servants of the City of South Portland for doing a great job. He read a letter from Mike McGovern, Cape Elizabeth Town Manager and Rotarian in which he commends Jack Roberts, Ed Rombalski and Pat Doucette for helping with a ramp project done over the weekend for Kayleigh Austin. Mr. Jordan also read a letter from Robert Grenier in which he states that the South Portland Housing Authority has a 100% rating.

Mayor Boudreau noted that this week is also International Municipal Clerks Week and thanked City Clerk Linda Cohen for doing a great job for the City and the City Council.

C. PETITIONS AND COMMUNICATIONS

Planning Board Report regarding a request to purchase City owned property on Highland Avenue.

D. APPOINTMENT CALENDAR


There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Glynn to appoint Carol G. Thorne to this position. Passage 7-0.

2. ORDER #126-95/96 - Ward Clerk, District Two (2), to fill an unexpired term.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Dearborn to appoint Sharon Dyer to this position. Passage 7-0.
E. CONSENT CALENDAR


There was no public discussion.

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

F. CITIZEN DISCUSSION (FIRST PART)

None.

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Motion was made and withdrawn by Councilor Glynn and seconded by Councilor Fickett to amend the ordinance by deleting the insurance provision. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the ordinance to require proof of insurance only for carnival, circus, fireworks and taxicab licenses but not the balance of licenses. Passage 6-1 (Avery). Passage, as amended, 7-0.

*****

5. ORDINANCE #24-95/96 - amending Ch. 27, “Zoning,” regarding petroleum storage tank farms. Given first reading on 4/17/96.

The following people addressed this item:

Ray Lee, Henry Street
Dave Cyr, Portland Pipeline
Tex Haeuser, Planning Director

Motion was made by Councilor Avery and seconded by Mayor Boudreau for passage. Motion was made by Mayor Boudreau and seconded by Councilor Avery to amend the ordinance by adding a waiver provision for up to 50,000 gallons. Failed 3-4 (Fickett, Glynn, Larsen, Baxter). Motion was made by Councilor Avery and seconded by Councilor Baxter to amend the ordinance by deleting §27-7(i)2 and ending the sentence after 1995 in §27-7(i)3. Passage 6-1 (Dearborn). Motion was made by Councilor Baxter and seconded by Councilor Dearborn to amend the ordinance by providing for the same waiver as above only having it granted by the City Council instead of the Planning Board.
IN COUNCIL REGULAR MEETING MAY 6, 1996 VOL. 57 PAGE 107

Motion was made by Councilor Avery and seconded by Councilor Dearborn to take a five minute recess. Passage 7-0, 8:52 P.M. Motion was made by Councilor Glynn and seconded by Mayor Boudreau to postpone this item to workshop. Passage 7-0.

H. ACTION ON OLD AND NEW BUSINESS

6. ORDER #127-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * *

7. PROCLAMATION #4-95/96 - proclaiming May 17, 1996 as Arbor Day within the City of South Portland.

There was no public discussion.

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

* * * *

8. ORDER #128-95/96 - authorizing the Finance Director to accept prepayment of taxes not yet due or assessed for fiscal year July 1, 1996 to June 30, 1997.

There was no public discussion.

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

* * * *

9. ORDER #129-95/96 - authorizing the acceptance of $1,250.00 under the Asset Forfeiture Program.

There was no public discussion.

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

* * * *
10. ORDER #130-95/96 - authorizing the Acting City Manager to release an existing sewer easement and accept a corrected sewer easement from Rite-Aid at 279 Main Street.

City Engineer Ed Reidman addressed this item.

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

* * * * *

11. ORDER #131-95/96 - accepting a grant from Maine Department of Environmental Protection for the purpose of closing the Highland Avenue Landfill.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer

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

* * * * *

12. ORDER #132-95/96 - accepting an Urban and Forestry Assistance Grant from the Maine Forest Service.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

* * * * *

13. ORDER #133-95/96 - award of bid to Tenex Systems, Inc., of Radnor, PA, for the purchase of computers for the school department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage. Motion was made by Councilor Glynn and seconded by Councilor Avery to withdraw the item. Passage 6-1 (Dearborn).
IN COUNCIL REGULAR MEETING MAY 6, 1996 VOL. 57 PAGE 109

I. CITIZENS DISCUSSION (SECOND PART)

Arlen Davis, Cushing Court, said people should have reasonable means to have things reproduced at City Hall without having to leave a credit card in order to take the item out of the building. He said that is not a good process, and the items he took were not itemized.

Jim O'Neil, 72 Settler Road, said the Council made a tremendous mistake in misunderstanding the School Department. He said it was not their intent to ask for an emergency appropriation. He said the work can't be started without a purchase order, and the work won't get done by September if it isn't started soon.

Clarence Beckwith, Bonnybriar Road, said the School Superintendent should be asked to give an accounting of how much money is stashed away. He cited an article in the Sunday paper regarding Maine energy. He said the School Department has seen $697,000 increase in salaries in the past seven years. He suggested the Council keep the stashed money in mind when passing the budget.

Lee Akerley, Assistant School Superintendent, said people would be more aware of things on the school side if they attended the School Board meetings.

Ray Lee, Henry Street, said that people bought lifetime memberships to the pool when it was built, but, now, they are paying, and that isn't right. He suggested a need for traffic control on Highland Avenue near the work being done.

Tim O'Neil, Adelbert Street, said the School Board is not treated the same as other department heads are, and there needs to be a cooperative attitude.

J. COUNCILORS’ ROUND ROBIN

Councilor Avery said the Brown School Arts and Ice Cream Social was wonderful.

Councilor Baxter said he also attended the Brown School function for an hour.

Councilor Dearborn said he always listens to the public and wishes the opposite was true.

Councilor Glynn spoke about a proposal to charge trucks per load at the landfill.

Motion was made by Councilor Dearborn and seconded by Councilor Fickett to adjourn. Passage 7-0, 10:40 P.M.

A TRUE COPY.

Linda C. Cohen, City Clerk
ROLL CALL: Mayor Boudreau 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 5/6/96 meeting.

B. COMMUNICATIONS FROM CITY MANAGER

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of April.

Attendance Reports for the Month of April.

Planning Board report regarding regulation of existing farms.

Dennis Brennan, Regional Forester, presented Mayor Boudreau with the City’s 16th consecutive Tree City Award, granted by Governor King and the Commissioner of Forestry.

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

1. Alpha One, requesting off-premise directional signs from 6/7/96 to 6/8/96.

There was no public discussion.

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

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Ray Lee, Henry Street
Tex Haeuser, Planning Director
Motion was made by Councilor Avery and seconded by Mayor Boudreau for passage. Motion was made by Councilor Avery and seconded by Mayor Boudreau to amend the ordinance to provide for Council granting of a waiver up to 50,000 gallons. Passage 5-2 (Glynn, Larsen). Motion was made by Councilor Baxter and seconded by Councilor Avery to amend the ordinance to provide notice to abutters in waiver request hearings. Passage 5-2 (Fickett, Larsen). Motion was made by Councilor Avery and seconded by Councilor Baxter that this serve as new first reading. Motion was made by Councilor Glynn and seconded by Councilor Fickett to postpone. Failed 2-5 (Larsen, Glynn). Given new first reading 5-2 (Glynn, Larsen).

H. ACTION ON OLD AND NEW BUSINESS

3. ORDER #134-95/96 - award of bid to Tenex Systems, Inc., of Radnor, PA, for the purchase of computers for the School Department.

There was no public discussion.

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

* * * * *

4. ORDER #135-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

5. ORDER #136-95/96 - accepting the warrant announcing the State Primary and Referendum Election of June 11, 1996 and setting the time for opening the polls.

There was no public discussion.

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

* * * * *

6. RESOLVE #6-95/96 - supporting the fluoridation of public drinking water.

The following people addressed this item:

Ray Lee, 28 Henry Street
Dr. Stephen Mills, 183 Highland Avenue  
Dr. James Ortegren, 449 Cottage Road  
Bob Blackwood, 16 Bluff Road

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

*****

7. ORDER #137-95/96 - authorizing the acceptance of a $15,000 grant from the Bureau of Highway Safety.

There was no public discussion.

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

*****

8. ORDER #138-95/96 - award of bid to O’Connor GMC, of Augusta, ME, for the purchase of a replacement vehicle for Code Enforcement.

Ed Reidman, City Engineer/Code Enforcement Director, addressed this item.

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

*****

9. ORDER #139-95/96 - award of bid to Drummond, Woodsum & MacMahon, of Portland, ME, for labor negotiation services.

Motion was made by Councilor Avery and seconded by Councilor Baxter to postpone this item to 6/3/96. Passage 7-0.

*****

10. RESOLVE #7-95/96 - pursuant to §612 of the City Charter, determining details of issue of $5,550,000.00 principal amount of bonds.

There was no public discussion.

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

Ray Lee, 28 Henry Street, addressed this item.

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

* * * * *

12. **ORDER #140-95/96** - authorizing a request to the Maine Department of Transportation to lower the speed limit to 25 MPH on Ocean Street and Cottage Road in Knightville.

The following people addressed this item:

Bob Blackwood, 16 Bluff Road  
Chris Bowring, Pepperbush Circle  
Ed Googins, Police Chief  
Ray Lee, Henry Street

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

* * * * *


The following people addressed this item:

Reginald MacDonald, School Superintendent  
Ray Ballum, 32 Carignan Avenue  
Ray Lee, Henry Street  
Ralph Baxter, Jr., 36 Wild Rose Avenue  
Karen Harris, Myrtle Avenue  
Jim Soule, Whitworth Drive

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the resolve by reducing the Regional Waste Systems amount by $53,579. Failed 3-4 (Boudreau, Avery, Baxter, Dearborn). Passage 7-0.

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

Tim O'Neil, 81 Adelbert Street, said the budget process is a cumbersome one, and it’s important to keep people involved. He commended the Council for passing the budget in
May.

Bob Blackwood, 16 Bluff Road, commended the Council for passing the budget and supporting the school system. With regard to the bond issue, he said the City may lose flexibility, but it gains with a lower interest rate.

Elizabeth Flaherty, 44 Berwick Street, said she received the survey from Councilor Larsen, and it angered her. She said the attached letter encouraged people to go for a lower tax rate. She asked Councilor Larsen how the neighborhoods were picked.

Diane LaVangie, 32 Paddock Place, said she has been the volunteer coordinator for the branch library since 1991. She said there are still thirteen hours a week when volunteers are required, but this year, the branch librarian can take a vacation.

Jim Soule, 23 Whitworth Drive, commented on the fact that the school and service clubs benefitted from picking up leaves and Christmas trees. He said now is the time to lobby the legislature to enact the Rosser Report. He said the real estate windfall now may be a detriment a few years down the road, when the State uses our valuation against us in the school funding formula. He said he would like to see the Council have the School Board look at consolidation, and urged 1, 3 and 5 year plans for the School and City departments.

Ray Lee, Henry Street, said he was aware of Mrs. Larsen's survey, and many came back supporting a 0% increase and advising various cuts in the School Department. He said he hopes the Council will take care of the needy next year. He said he supports education, but there are things in the budget which have nothing to do with education. He asked if Portland Water District will provide bottled water to people who don't want to drink flouridated water. He said his grandfather died all forms of tobacco and died at 105, and so did his father who died at 99. He said his son died at 31 and never smoked.

J. COUNCILORS' ROUND ROBIN

Mayor Boudreau thanked the Councilors for the time put into the budget process, noting it's the first budget in 14 years to be passed before June. She said she's seen a lot worse.

Councilor Avery said the traffic at Market and Waterman is terrible between 5:15 and 6:00 P.M., and the lights need adjustment. She said she has had many people complain.

Councilor Baxter said he sponsored the reinstatement in the budget of leaf and tree pickup. He said he did it because of concerns expressed by families.

Councilor Fickett said he got his round robin in during the meeting.

Councilor Glynn said he is the biggest teaser of Councilor Larsen's smoking, and she has a great sense of humor. He said she has always been an advocate of kids not smoking.
Councilor Larsen thanked everyone who returned the surveys, adding that it is difficult to be a Councilor and work full time, because it limits your exposure to the public. She apologized to those who didn't get the survey.

K. EXECUTIVE SESSION

Motion was made by Councilor Baxter 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 7-0, 10:35 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to return to open session. Passage 6-0, 11:04 P.M. (Dearborn gone).

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement request 95/96-11 in the amount of $353.18 plus interest and costs. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement request 95/96-13 in the amount of $432.12 plus interest and costs. Failed 3-3 (Boudreau, Avery, Baxter).

Motion was made by Councilor Glynn and seconded by Councilor Baxter to grant abatement request 95/96-14 in the amount of $615.17 plus interest and costs. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Mayor Boudreau to grant abatement request 95/96-15 in the amount of $420.22 plus interest and costs. Passage 6-0.

Motion was made by Councilor Avery and seconded by Councilor Glynn to adjourn. Passage 6-0, 11:07 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
ROLL CALL: Mayor Boudreau 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 Avery to accept the minutes of the 5/20/96 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeff Jordan read an update regarding tax collections for FY 95/96. He read a letter from Harry Proudman commending Community Television Manager Tony Vigue and his assistant, Annette. He also cited a letter from the Maine Department of Transportation which noted that several City employees had received certificates for attending a recent workshop. Finally, he read a letter from Reverend Basham thanking Fire Chief John True for allowing his staff to come to the nursery/daycare center to talk about fire safety.

C. PETITIONS AND COMMUNICATIONS

Communication from the Harbor Commission.

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Kay Loring, 37 Files Street, showed the Council the mailing being sent out to voters regarding the upcoming ballot question for the purchase of property at Spring Point. She said there will also be half page ads in both the Portland Press Herald and the American Journal this Wednesday. She urged everyone to vote yes for the park.

Dick Ingalls, 301 Front Street, a member of the Harbor Commission, said the two cities will have licensing control over pilots operating ships in Portland Harbor. There are also "No Wake Zone" signs going up.

Delores Broberg, 38 Bellevue Avenue, said she is happy with the steps being taken to increase the quality of life in South Portland.

G. PUBLIC HEARINGS AND ACTION

The following people addressed this item:

Bill Dale, Highland Road
Ray Lee, Henry Street
Kay Loring, 37 Files Street
Theresa Pontrelli, 86 Spring Street
Bob Soucy, 34 Bay Road
Tex Haeuser, Planning Director

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

H. ACTION ON OLD AND NEW BUSINESS

2. ORDER #139-95/96 - award of bid to Drummond, Woodsum & MacMahon, of Portland, ME, for labor negotiation services. Postponed on 5/20/96.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Dearborn for passage. Motion was made by Councilor Glynn and seconded by Councilor Fickett to amend the order by awarding the bid to Annalee Rosenblatt and changing the fee to $75.00. Failed 2-5 (Boudreau, Avery, Baxter, Dearborn, Larsen). Motion was made by Councilor Larsen and seconded by Councilor Fickett to postpone this item to the next meeting, hold a workshop between then and now and invite the bidders for questioning. Failed 3-4 (Boudreau, Dearborn, Baxter, Avery). Passage 4-3 (Glynn, Larsen, Fickett).

*****

3. ORDER #141-95/96 - accepting miscellaneous donations.

There was no public discussion.

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

*****

4. RESOLVE #9-95/96 - amending Resolve #7-95/96 determining details of issue of $5,550,000.00 principal amount of bonds.

There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Larsen for passage. Passage 7-0.
Mayor Boudreau took item #8 out of order.

8. ORDER #145-95/96 - award of bid to Portland Diversified Services Inc., of Portland, ME, for asbestos removal at South Portland High School.

The following people addressed this item:

Ralph St. Pierre, Finance Director
Lee Akerley, Assistant School Superintendent

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

*****

5. ORDER #142-95/96 - award of bid to Anton Enterprises, Inc., of Scarborough, ME, for rescue equipment for the Fire Department.

There was no public discussion.

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

*****

6. ORDER #143-95/96 - award of bid to Wright-Pierce Engineers, of Topsham, ME, for the sale of used flow monitoring equipment.

There was no public discussion.

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

*****

7. ORDER #144-95/96 - authorizing the Finance Director to release City interest in any real estate in the City of South Portland by quitclaim deed.

There was no public discussion.

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

*****
IN COUNCIL REGULAR MEETING JUNE 3, 1996 VOL. 57 PAGE 119

9. ORDER #146-95/96 - award of bid to Property Valuation Advisors, of Newburyport, MA, pursuant to §2-169 for real estate fee appraisal.

There was no public discussion.

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

1. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said there will be a debate for candidates in District 24 this Friday in Cape Elizabeth Council Chambers at 7:30 P.M. He noted that it will also be broadcast live and urged people to get out and vote.

Henrietta LaRue, 51 Simmons Road, said she was very disappointed that the zoning ordinance didn’t pass. She said it’s hard for people to come to all the meetings, and there have been many regarding this item. She said that Skillin School was packed one night, and the will of the people was to keep out more oil tanks.

Kathleen Robinson, 21 Spear Avenue, said she was also very disappointed. She said the fact that certain Councilors keep ignoring the will of the people is the reason why there’s no crowd here tonight. She said the public thought the Council had already gotten the message.

J. COUNCILORS’ ROUND ROBIN

Councilor Baxter said that there were supposed to be two pieces of information going to the public about Bug Light. He also stated that some Level 2 soil contamination tests need to be done. He said he’s in favor of purchasing the property, but he wants the facts first.

Councilor Fickett likened the oil tank ordinance to zoning out of agricultural farms, and said that people’s property rights need to be considered when zoning is being done.

Councilor Glynn noted that the discussion about heavy truck traffic on outer Broadway is coming back to the Council.

Councilor Larsen said there will be a cleanup of the shoreline on June 15th at 9:30 A.M., and it will start at the Whale Wall.

Mayor Boudreau reminded everyone to vote on June 11 and urged a yes vote on the Municipal ballot question.

Motion was made by Councilor Avery and seconded by Councilor Baxter to adjourn. Passed 7-0, 9:25 P.M.

A TRUE COPY. ATTEST

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Dearborn and seconded by Councilor Baxter to accept the minutes of the 6/3/96 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Jeff Jordan cited a memo from Library Director Bill Alexander regarding public policy discussions that will be taking place in the community. He also cited a letter from the USEPA notifying him that the City has been nominated for an award for excellence in CSO abatement. He commended Licensing Administrator Mary Perry for doing a good job conducting the 6/11/96 election when the City Clerk was out on leave. City Clerk Linda Cohen announced that turnout was approximately 29%. That was higher than the Statewide predicted turnout of 20%.

Mayor Boudreau gave the status of the City after six months as mayor.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of May.

Attendance Reports for the Month of May.

D. APPOINTMENT CALENDAR

1. ORDER #147-95/96 - Harbor Commission, (Mayor). Term to expire 6/30/99.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Dearborn to appoint John Stuart to this position. Passage 6-0.

E. CONSENT CALENDAR

2. CMP - Placement of six (6) poles in Philbrook Avenue.

3. NYNEX - Installation of conduit in Philbrook Avenue.

There was no public discussion.

Motion was made by Councilor Dearborn and seconded by Councilor Larsen for passage. Passage 6-0.
F. CITIZEN DISCUSSION (FIRST PART)

Kay Loring, 37 Files Street, thanked the Councilors who put the referendum out to the voters. She said the next step is to raise 1.5 million dollars, adding that everyone seems excited.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

4. ORDER # 148 - 95/96 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

5. ORDER # 149 - 95/96 - setting the sewer user fees for fiscal year 1996/97.

There was no public discussion.

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

* * * * *

6. ORDER # 150 - 95/96 - accepting a $3,800 grant from the Maine Justice Assistance Council for the Police Department.

There was no public discussion.

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

* * * * *

7. ORDER # 151 - 95/96 - authorizing the City Manager to sign an indenture agreement with BP Oil for the installation of a private utility in Main Street.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Passage 6-0.
8. ORDER # 152-95/96 - declaring a malfunctioning sewage system at Map 32, Lot 3 to be a public nuisance, authorizing repairs by the City and repayment by the property owner over time.

There was no public discussion.

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

* * * * *

9. ORDER # 153-95/96 - accepting a portion of land west of Fickett Street.

There was no public discussion.

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

* * * * *

10. RESOLVE # 10-95/96 - amending the appropriation resolve for FY95/96.

There was no public discussion.

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

* * * * *

11. ORDER # 154-95/96 - accepting Dimar Drive as a City street.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Larsen for passage. Motion was made by Mayor Boudreau and seconded by Councilor Larsen to postpone this item to 7/1/96. Passage 6-0.

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said he received a call from a resident who said people watching the fireworks were removed from the beach because it was after 9 P.M. He said he could understand it if they were kids trashing the place, but it was families. He said he is amazed by the EPA award, because he was told that the City has a lot of problems, including the possibility of Willard Beach being shut down. He said that if Councilor Fickett has a conflict of interest in voting on the farm issue, then the people who signed the Bill of Rights did too.
J. COUNCILORS' ROUND ROBIN

Councilor Larsen thanked everyone who helped with the Land/Sea pickup over the weekend, noting that a lot of people helped. She said they found a gas stove on the shoreline. She noted that it takes one person to pick up one piece of paper.

Mayor Boudreau thanked everyone who participated in the election, adding that she was pleased to see the overwhelming support for the land acquisition. She said the City will be looking at all aspects of the property in coming months.

K. EXECUTIVE SESSION

Motion was made by Councilor Dearborn and seconded by Councilor Baxter to go into executive session to discuss, pursuant to 37 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)(D), labor negotiations with the following bargaining units: Teamsters Local #340, AFSCME Local #481, IAFF Local #1476, South Portland Fire Command Officers Association, South Portland Police Patrolmen’s Association. Passage 6-0, 8:08 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Dearborn to return to open session. Passage 5-0 (Fickett gone), 10:30 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement #95/96-16 in the amount of $394.17 plus costs and interest. Passage 5-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement #95/96-17 in the amount of $1,279.65 plus costs and interest. Passage 5-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant abatement #95/96-18 in the amount of $1,316.80 plus costs and interest. Passage 5-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to adjourn. Passage 5-0, 10:32 P.M.
ROLL CALL: Mayor Boudreau called the meeting to order at 7:00 P.M. Councilor Avery was absent.

ACTION ON OLD AND NEW BUSINESS

1. ORDER #155-95/96 - award of bid to Dunlap Corporation, of Auburn, ME, for the purchase of property and casualty insurance.

The following persons addressed this item:

Ralph St. Pierre, Finance Director
Dick Larrabee, Manchester Risk Management

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

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

A TRUE COPY.

ATTEST
Patricia Chadbourne, Workshop Secretary