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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Glynn to accept the minutes of the regular meeting of 6/15/98 and the special meeting of 6/22/98. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Ralph St. Pierre referenced items in the Council packets and noted that the South Portland buses now have bicycle racks on the front.

C. PETITIONS AND COMMUNICATIONS

Report from the Planning Board regarding a zone change on Running Hill Road.

D. APPOINTMENT CALENDAR

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

Motion was made by Councilor Baxter and seconded by Councilor Bowring to postpone this item to 7/20/98. Passage 6-0.

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

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to appoint David Sawyer to this position. Passage 6-0.

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

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to appoint Mallory Garrison to this position. Passage 6-0.
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There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to appoint Richard Sirois to this position. Passage 6-0.

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5. ORDER #1-98/99 - Conservation Commission, At Large (Larsen). To fill an unexpired term which expires on 11/20/98.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to postpone this item to 7/20/98. Passage 6-0.

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6. ORDER #2-98/99 - Board of Appeals, At Large (Larsen). Term to expire 7/23/01.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to appoint Daniel Fortin to this position. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Jim Buxton, 15 Elm Street, said he is opposed to closing several schools.

Walter Stilphen, Pepperbush Circle, said he is upset about the Dyer School situation. He said the parents know they have to accept the portables, but they’re concerned about the safety and protection of the children.

Marla LaBlanc, 63 Candlebrook Lane, said she doesn’t want Item #13 to be passed tonight before all of the issues are worked out.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

7. ORDER #3-98/99 - accepting miscellaneous donations.

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

8. ORDER #4-98/99 - authorizing the City Manager to sign a joint agreement for cooperation on issues related to the aggregation of electrical customers.

Pat Cloutier, Pollution Abatement Director, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the order by capping the expenditure at $1,000. Motion was withdrawn. Motion was made by Councilor Boudreau and seconded by Councilor Glynn to amend the order by capping the expenditure at $2,000. Passage 6-0. Passage, as amended, 5-1 (Larsen).

9. ORDER #5-98/99 - accepting an easement for recreational use of Thomas Knight Park from Central Maine Power.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Jim Gailey, Site Planner

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

10. ORDER #6-98/99 - award of bid to Maietta Construction, of South Portland, ME, for culverts and road work on Highland Avenue.

The following people addressed this item:

Ray Lee, Henry Street
Ed Reidman, City Engineer

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

11. ORDER #7-98/99 - award of bid to Forest City Chevrolet, of Portland, ME, for the purchase of a delivery truck for the School Department.
Lee Akerley, School Business Manager, addressed this item.

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

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12. ORDER #8-98/99 - award of bid to CB Kenworth-International, of South Portland, ME, for the purchase of a school bus for the School Department.

Lee Akerley, School Business Manager, addressed this item.

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

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13. ORDER #9-98/99 - award of bid to Schiavi Leasing Corp, of Oxford, ME, for the purchase of two classroom buildings for the School Department.

The following people addressed this item:

Marla LaBlanc, 63 Candlebrook Lane
Kathleen Riley, 46 Winding Way
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Lee Akerley, School Business Manager
Mary Jo O'Connor, Dyer School Principal

Motion was made by Councilor Baxter and seconded by Councilor Boudreau for passage.
Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 7/20/98. Failed 3-3 (Avery, Baxter, Boudreau). Passage 4-2 (Larsen, Glynn).

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14. ORDER #10-98/99 - accepting an easement from Brown Development on Scott Road.

Jim Gailey, Site Planner, addressed this item.

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

*****

15. ORDER #11-98/99 - declaring a malfunctioning sewage system at Map 1, Lot 137 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 Baxter for passage. Motion was made by Councilor Bowring and seconded by Councilor Boudreau to go into executive session to discuss, with Legal Counsel, the Council’s legal rights and duties regarding this item. Motion was withdrawn. Motion was made by Councilor Baxter and seconded by Councilor Glynn to table this item until the end of the agenda so that members of the audience present for other items would not be inconvenienced. Passage 6-0.

16. ORDINANCE #1-98/99 - amending Ch. 27, “Zoning,” establishing a Transitional Central and Regional Commercial CCRT. First Reading.

There was no public discussion.

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

17. ORDINANCE #2-98/99 - amending Ch. 27, “Zoning,” for a map change from Rural Residential District RF and Professional Office District PO to Transitional Central and Regional Commercial District CCRT on Running Hill Road. First reading.

There was no public discussion.

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

18. ORDER #12-98/99 - authorizing the City Manager to sign an agreement with the Department of Mental Health, Office of Substance Abuse, for a D.A.R.E. Alternatives Program.

Ray Lee, Henry Street, addressed this item.

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

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said that the 100th Anniversary celebration is a joke, adding that South Portland is not a very patriotic city.

Clarence Beckwith, Bonnybriar Road, said he attended the joint Council/School Board meeting, and it is unbelievable how much money the School Board wants to spend on
IN COUNCIL REGULAR MEETING JULY 6, 1998 VOL. 60 PAGE 6

consolidation.

Mayor Avery read a letter from Planning Board member Larry Albert addressing recent comments made by Ray Lee regarding the Planning Board.

J. COUNCILORS' ROUND ROBIN

Councilor Glynn said he supports neighborhood schools and isn't happy with the State laws limiting the choices of the voters.

Councilor Boudreau thanked all of the City employees who worked at the Soap Box Derby. She also noted that a South Portland Firefighter is headed to Florida to help fight the fires there.

Mayor Avery said she spoke at the re-dedication of American Legion Park on July 4th, adding that many members of the public also attended.

Councilor Baxter addressed a letter he had received from Dave Swander regarding the Ferry Village Neighborhood Conservation Commission's meetings. He said he would be unable to attend Thursday evening's meeting, because he has to work.

Councilor Bowring said he would be late to that meeting on Thursday evening.

*****

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to go into executive session to discuss, with Legal Counsel, the Council's legal rights and duties regarding Item #15. Passage 6-0, 9:56 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to come out of executive session. Passage 6-0, 10:16 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to remove Item #15 from the table. Passage 6-0.

15. ORDER #11-98/99 - declaring a malfunctioning sewage system at Map 1 Lot 137 to be a public nuisance, authorizing repairs by the City and repayment by the property owner over time.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to postpone this item to 7/20/98. Passage 6-0.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to adjourn. Passage 6-0, 10:17 P.M.

A TRUE COPY.

ATTEST: Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING JULY 20, 1998 VOL. 60 PAGE 7

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Johnson arrived after Item A.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Larsen and seconded by Councilor Bowring to accept the minutes of the 7/6/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Clerk Linda Cohen asked Clarence Beckwith to come forward and draw the winning entry in the Centennial Art in the Park raffle. Barbara Curran, of Mussey Street, won the opportunity to choose a painting at the annual Art in the Park event on August 8.

A plaque was presented to retiring Bus Service Operations Manager Gerry Pomerleau.

City Manager Jeff Jordan cited correspondence he received today from Fairchild in which the company states that it will be laying off employees.

Mr. Jordan referenced a letter in the Council packets from the Maine Department of Transportation regarding State Compliance.

C. PETITIONS AND COMMUNICATIONS

FY1999 Capital Improvement Plan Transmittal

Department Reports for the Month of June.

Attendance Reports for the Month of June.

City Clerk Cohen announced that nomination papers for City Council At Large, Board of Education Districts One and Two, and all Election Wardens and Ward Clerks will be available on July 29 in the City Clerk’s office.

D. APPOINTMENT CALENDAR

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

   Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 8/3/98. Passage 7-0.

   * * * * *

2. ORDER #1-98/99 - Conservation Commission, At Large (Larsen). To fill an unexpired term which expires on 11/20/98. Postponed on 7/6/98.
Motion was made by Councilor Larsen and seconded by Councilor Bowring to postpone this item to 8/3/98. Passage 7-0.

** * **

3. ORDER #13-98/99 - Board of Appeals, At Large (Glynn). Term to expire 7/23/01.

There was no public discussion.

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

E. CONSENT CALENDAR

4. Nancy and Regan Ashbaugh, 64 Willard Street, request closing a small portion of Simonton Street on July 26, 1998 from 2:00 P.M. to 7:00 P.M.

5. Christopher S. Bowring, 25 Pepperbush Circle, requests the closing of Elderberry Drive on August 22, 1998 from 3:00 P.M. to 12:00 A.M.

There was no public discussion.

Since Councilor Bowring stated that he would be abstaining on Item 5, each item was voted separately.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to grant the first request. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to grant the second request. Passage 6-0 (Bowring abstaining).

F. CITIZEN DISCUSSION (FIRST PART)

Jan Greco, 108 School Street, said she and a group of residents are taking legal action against the City for the Planning Board's approval of the South Portland Housing Authority's congregate care facility and the book store. She said they want a moratorium on further development in the area; they want the City Council to review the State statutes notification requirements and review the Planning Board and all departments to make sure they are complying with those requirements. They also want a committee appointed to study development and use of the Ferry Village, Spring Point and shipyard areas.

David Swander, 52 High Street, said he wants the Council to investigate why the Planning Board is not following proper rules and why the Council cannot review Planning Board actions. He said a master plan is needed for this area that complies with the Comprehensive Plan.
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Peggy Fuller, Grand Street, said she would like a public review of the way this project was moved forward, adding that South Portland Housing Development Corporation wrote the zone change. She said she has been told that their information is not public. She stated that the building first described by the group was one like Mill Cove, but the one actually being built is like 425 Broadway's high rise.

Kelly Preston, 95 Preble Street, said she also owns 81 Preble, and she bought it to stop development around her home. She said that part of the land around the proposed congregate care facility is wetlands, and part is beautiful fields. She said it devastates her to think of this building going up across the street from her world.

G. PUBLIC HEARINGS AND ACTION

6. ORDINANCE #1-98/99 - amending Ch. 27, “Zoning,” establishing a Transitional Central and Regional Commercial District CCRT. Passed first reading on 7/6/98.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Walter Webber, Jensen, Baird, Gardner and Henry

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

* * * * *

7. ORDINANCE #2-98/99 - amending Ch. 27, “Zoning,” for a map change from Rural Residential District RF and Professional Office District PO to Transitional Central and Regional Commercial District CCRT on Running Hill Road. Passed first reading on 7/6/98.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau for a five minute recess. Passage 7-0, 8:00 P.M..

There was no public discussion.

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

* * * * *

8. ORDER #14-98/99 - establishing the new Durastone Municipal Development Tax Increment Financing District and approving the associated Development Program.

The following people addressed this item:

Stanley Cox, 460 Highland Avenue
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Don Legere, 149 Walnut Street, SP/CE Chamber of Commerce President
Jim Duhamel, Durastone President

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

H. ACTION ON OLD AND NEW BUSINESS

9. ORDER #11-98/99 - declaring a malfunctioning sewage system at Map 1, Lot 137 to be a public nuisance, authorizing repairs by the City and repayment by the property owner over time. Postponed on 7/6/98.

Motion was made by Councilor Baxter and seconded by Councilor Glynn to postpone this item to 8/3/98. Passage 7-0.

* * * * *

10. ORDER #15-98/99 - authorizing the City Manager to submit a 1998 Local Law Enforcement Block Grant Program Application to the U.S. Department of Justice.

Ray Lee, Henry Street, addressed this item.

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

* * * * *


Tony Vigue, Community Television Manager, addressed this item.

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

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, thanked all the departments that worked with the Housing Authority on the congregate care project. He said it was rewarding to get it approved. He said he is upset with the CIP budget presented by Mr. Jordan. He said he took a tour of Kaler School, and the building is in pretty good condition. He stated that he thinks the whole Dyer School issue was contrived.

Ray Lee, Henry Street, said he was told the School Board would consider not closing Kaler
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School if they could turn busses around there. He suggested the City purchase the adjoining property, level the building and use it to turn around.

J. COUNCILORS’ ROUND ROBIN

Councilor Glynn said that the elderly high rise is taking a bum rap, and he is committed to developing more elderly housing.

Councilor Boudreau thanked the Planning Board for the very long night the members put in regarding the congregate care facility and the book store. She said that, regardless of how people feel about the projects, the Board members’ time and effort should be recognized.

Mayor Avery thanked the Councilors for their time given this summer to all of the regular meetings, special meetings, neighborhood meetings, Centennial events and workshops. She said she knows that commitment to the City makes it hard to spend time with family and friends or work on home projects. She also thanked the Department Heads, the City Manager, City Clerk and Corporation Counsel for all of the hours they put in serving the City, adding that the public doesn’t know about all of the extra hours these people put in. She stated that the situation on O’Neil Street is being rectified.

K. EXECUTIVE SESSION

Motion was made by Councilor Larsen and seconded by Councilor Bowring 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, 9:32 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Glynn to return to open session. Passage 7-0, 9:53 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to grant Abatement #2-98/99 in the amount of $2,685.80, plus interest and costs, for fiscal years 96/97 and 97/98. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Bowring to grant Abatement #1-98/99 in the amount of $1,646.12, plus interest and costs, for the fiscal years 96/97 and 97/98. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Bowring to adjourn. Passage 7-0, 9:54 P.M.

A TRUE COPY.

ATTEST. Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING AUG. 3, 1998 VOL. 60 PAGE 12

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Boudreau arrived after the acceptance of the minutes.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Larsen to accept the minutes of the 7/20/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Clerk Linda Cohen read a memo she had written to Councilor Glynn regarding posting of the list of meetings of City Boards and Committees.

City Manager Jeffrey Jordan addressed the rent rebate, low income elderly drug card and tax refund program. He also read a memo from Councilor Glynn regarding the assessed value of lots on Map 55.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

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

   Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 8/17/98. Passage 7-0.

   *****

2. ORDER #1-98/99 - Conservation Commission, At Large (Larsen). To fill an unexpired term which expires on 11/20/98. Postponed since 7/6/98.

   Motion was made by Councilor Larsen and seconded by Councilor Bowring to postpone this item to 8/17/98. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

   None.

G. PUBLIC HEARINGS AND ACTION

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There was no public discussion.

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

*****


There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #11-98/99 - declaring a malfunctioning sewage system at Map 1, Lot 137 to be a public nuisance, authorizing repairs by the City and repayment by the property owner over time. Postponed since 7/6/98.

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

*****

6. ORDINANCE #3-98/99 - authorizing the appropriation of $6,700,000 for capital projects for the fiscal year ending June 30, 1999. First reading.

The following people addressed this item:

Dana Anderson, Parks and Recreation Director
Ben Walters, Curtis, Walters and Stewart Architects
John Mitchell, Mitchell & Associates
Robert Gips & Karen Harris, 71 Myrtle Avenue, by letter
Thor Nilsen, Athletic Director for South Portland schools
Clarence Beckwith, Bonnybriar Road
Stanley Cox, 460 Highland Avenue
Maxine Beecher, 1359 Highland Avenue
Ray Lee, Henry Street
George Hackett, 157 Stanford Street
Hazen Wylie, 11 Heather Road
Lori Bowring Michaud, 10 Hudson Road
Sam Willett, 27 Minott Street
Eric Diamon, 396 Sawyer Street
Brian Carey, 45 A Street
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Mr. Hart, Churchill Road
Ed Foster, 22 Everett Avenue
Susan Borelli, 62 Plymouth Road
Colleen Coyne, 87 Berwick Street
John Beatty, 111 Scamman Street
Ron Whitney, Huntress Avenue
Mac Green, Berwick Street
Rick Peruzzi, Elsmere Avenue
Tom Nelson, 132 Harriet Street
Brian Beatty, Fellows Street
Tina Perkins, 33 Curtis Street
Bill Harris, 247 Mussey Street
April Cohen, 345 Sawyer Street
Burt Edwards, 138 Pennsylvania Avenue, School Board Member
Dick Matthews, Clyde's Pub

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the ordinance by replacing the two proposed projects with construction and rehabilitation of schools. Failed 1-6 (Avery, Boudreau, Baxter, Bowring, Johnson, Larsen). Passage of first reading 6-1 (Glynn).

** * ** *

7. ORDER #17-98/99 - authorizing the City Manager to sign an inter-city agreement with the City of Westbrook and a sewer line connection and use agreement with T&T Investment.

There was no public discussion.

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

1. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he is amazed that the same people who are complaining about the condition of city property are the same ones charged with taking care of it. He said that all the towns around South Portland get State money for construction projects, but this city doesn't. He said it's because of the inefficient use of the present facilities. He questioned the valuation of the property proposed to be purchased for athletic fields, adding that he didn't know that the use affected the assessed value.

Bill Harris, 247 Mussey Street, thanked the Council for giving the citizens a chance to vote on the recreation proposal.

Ray Lee, Henry Street, said he hoped people at home were still watching because there are so many important things coming up in the next ten years. He questioned the wisdom of building
IN COUNCIL REGULAR MEETING AUG. 3, 1998 VOL. 60 PAGE 15

more when the city can’t take care of what it already has. He noted that the end of Willard Street is a mess and asked what will happen to the drainage ditches on the Wainwright land if the fields are built there.

J. COUNCILORS’ ROUND ROBIN

Councilor Boudreau said this evening has provided the fall candidates with a topic for discussion. She thanked the people who are enjoying Bug Light Park and asked dog owners to be respectful of the area.

Mayor Avery noted that the Centennial Committee is looking for volunteers for upcoming events. She announced that Art in the Park is this Saturday. She said she was on the Greenbelt Walkway this past Saturday, and there were a lot of people using it in many ways. She said she also noticed the doggie bags are available at Willard Beach.

Councilor Bowring congratulated Mr. Dunham who was on the local news this evening celebrating his 107th birthday. He noted that Fire Department employee Tom Blake had been inducted into the California corporate track hall of fame.

Councilor Glynn said he wants the Assessor to address the disparity between the assessed value and the appraised value of the Highland Avenue property proposed for City acquisition. He said he doesn’t understand the disparity.

K. EXECUTIVE SESSION

Motion was made by Councilor Boudreau and seconded by Councilor Bowring 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 (Larsen out).

Motion was made by Councilor Bowring and seconded by Councilor Glynn to come out of executive session. Passage 7-0, 10:35 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Case #98/99-03 in the amount of $1,144.25. Failed 2-5 (Avery, Baxter, Bowring, Johnson, Boudreau).

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Case #98/99-04 in the amount of $1,434.97. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to grant Case #98/99-05 in the amount of $1,558.25. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to grant Case #98/99-06 in the amount of $2,885.84. Failed 1-6 (Avery, Bowring, Johnson, Larsen, Boudreau, Baxter).
Motion was made by Councilor Glynn and seconded by Councilor Bowring to adjourn. Passage 7-0, 10:38 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING AUG. 17, 1998 VOL. 60 PAGE 17

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Larsen to accept the minutes of the 8/3/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan read a letter from appreciative parents of a summer rec camper.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of July.

Attendance Reports for the Month of July.

D. APPOINTMENT CALENDAR

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

Motion was made by Councilor Bowring and seconded by Councilor Glynn to postpone this item to 9/9/98. Passage 6-0.

* * * * *

2. ORDER #1-98/99 - Conservation Commission, At Large (Larsen). To fill an unexpired term which expires on 11/20/98. Postponed since 7/6/98.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Bowring to appoint Dennis Sisti to this position. Passage 6-0.

E. CONSENT CALENDAR

Street Closings

3. The South Portland Centennial Committee requests the closing of the following streets on September 19, 1998 from 2:00 P.M.- 10:00 P.M. for the Centennial Street Dance:

   Ocean Street between its intersection with Cottage Road and D Street.
   E Street only at its intersection with Ocean Street.
4. David Swander, 52 High Street, requests the closing of High Street, between Preble Street and Stanford Street, on August 30, 1998 from 12:30 P.M. to 4:00 P.M.

Sign Permit

4a. Cape Elizabeth Engine Co. #1 requests permission to locate 1 directional sign on City property on 9/6/98 only.

There was no public discussion.

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

F. CITIZEN DISCUSSION (FIRST PART)

Ed Maloney, 387 Sawyer Street, complained about the congregate housing facility at 388 Sawyer Street, stating that he has been kept awake at night by one man who hollers and wakes up the neighbors in the middle of the night. He said the owner of the property doesn't care, and the workers don't do anything about it. He said he wants something done about it, because he is tired of dealing with it, and he wants to enjoy his home.

Phil Morse, President of the Seashore Trolley Museum in York, invited the Council down to see the museum and, particularly, Streetcar #615, the last streetcar in existence from the Portland area. He said he has talked with Jack Reckitt, a member of the Waterfront Market Association, and he would love to see the streetcar come to South Portland.

G. PUBLIC HEARINGS AND ACTION

5. ORDINANCE #3-98/99 - authorizing the appropriation of $6,700,000 for capital projects for the fiscal year ending June 30, 1999. Passed first reading on 8/3/98.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Maxine Beecher, Highland Avenue
Ray Lee, Henry Street
Resident, 27 Minott Street
Bob Blackwood, 16 Bluff Road
Dana Anderson, Parks and Recreation Director

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage. Passage 5-1 (Glynn).
H. ACTION ON OLD AND NEW BUSINESS

6. ORDER #18-98/99 - award of bid to Hilltop Chevrolet, of Somersworth, NH, for the purchase of a utility vehicle for the Public Works Department; Lee GMC, of Auburn, ME, for the purchase of a pickup truck for the Bus Service; and Forest City Chevrolet, of Portland, ME, for the purchase of a pickup truck and a dump truck for the Pollution Abatement Department.

Ray Lee, Henry Street, addressed this item.

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

***

7. ORDER #19-98/99 - amending the South Portland Transfer Facility Fee Schedule.

The following people addressed this item:

Ray Lee, Henry Street
Ge Erskine, Public Works Director

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

***

8. ORDER #20-98/99 - accepting a Community Policing Grant from the Justice Assistance Council for the Police Department.

The following people addressed this item:

Ed Googins, Police Chief
Maxine Beecher, Highland Avenue

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

***


Ray Lee, Henry Street, addressed this item.
IN COUNCIL REGULAR MEETING AUG. 17, 1998 VOL. 60 PAGE 20

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

*****

Motion was made by Councilor Glynn and seconded by Councilor Bowring to waive reading the ordinance in its entirety. Passage 6-0.


Ed Googins, Police Chief, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the ordinance by dropping the reference to a five mile radius and requiring that cars be towed to lots only in South Portland. Failed 1-5 (Avery, Baxter, Bowring, Johnson, Larsen). Passage of first reading 5-1 (Glynn).

*****

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


There was no public discussion.

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

*****

12. ORDER #21-98/99 - authorizing the City Manager to implement the 1999 Capital Improvement Program.

The following people addressed this item:

John Zappe, A Street, Knightville Neighborhood Association Chairman
Betsy Nygren, McDonald's, Waterfront Market Association President
Clarence Beckwith, Bonnybriar Road
Tex Haeuser, Planning Director

Motion was made by Councilor Larsen and seconded by Councilor Johnson for passage. Passage 5-1 (Glynn).
I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, asked why South Portland taxi drivers have to have a physical when no community around us requires it. He also stated that the elderly don’t seem to know about the Redbank Community Center. He said that he was talking to a resident of lower Sawyer Street, and was told that only one pipe was put in. He questioned how the system could be separated if only one pipe was put in. He said he hopes the City doesn’t buy the trolley car because it’s a piece of junk. He asked what is going to happen when there is no more room in the city’s cemeteries.

Clarence Beckwith, Bonnybriar Road, said he is concerned about the huge bonded debt the City will be assuming over the next five years. He commended Councilor Glynn for being a gentleman when he is attacked.

J. COUNCILORS’ ROUND ROBIN

Councilor Baxter commended the organizers of the Spring Point Festival, adding that it was a very positive experience.

Councilor Glynn noted that the Council had, this evening, received a memo from Corporation Counsel regarding the law suit filed by Concerned Neighbors. He said the Council needs to defend the need for elderly housing in South Portland, adding that he had hoped there would be an executive session this evening to discuss it.

Councilor Larsen said the bins at the transfer facility are too high, and shorter people have a hard time lifting heavier items to get them in. She asked for a breakdown of the costs so far. She noted that she had been to Bug Light Park, and there is a lot of litter there. She suggested that trash cans be placed there.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn. Passage 5-1 (Glynn), 9:26 P.M.

A TRUE COPY.

[Signature]

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING SEPT. 9, 1998 VOL. 60 PAGE 22

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Bowring arrived after the Appointment Calendar.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Glynn to accept the minutes of the 8/17/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Clerk Linda Cohen announced the Centennial Street Dance on 9/19/98 from 3 - 9 P.M. at the round-a-bout. She also noted that a new bulletin board has been hung outside the front entrance of City Hall. It will be used to post the list of weekly meetings so the public will be able to check on weekends.

City Manager Jeffrey Jordan noted the various parts of the City in which debris pickup has been completed. He said the Transfer Station has extended its hours and people can bring the storm debris there at no charge. He commended the Police, Fire and Public Works Departments for their work during and after the storm, adding that it is costing the City about $12,000 a week to clean up. Mr. Jordan announced the open house at the new Redbank Community Center tomorrow evening at 6 P.M. and urged Councilors and the public to attend.

C. PETITIONS AND COMMUNICATIONS

Report from the Finance Director regarding tax abatements.

D. APPOINTMENT CALENDAR

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

Motion was made by Councilor Glynn and seconded by Councilor Larsen to postpone this item to 9/21/98. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION


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


The following people addressed this item:

Ray Lee, Henry Street
Ed Googins, Police Chief

Motion was made by Councilor Larsen and seconded by Councilor Bowring for passage. Motion was made by Councilor Bowring and seconded by Councilor Larsen to amend the ordinance by making the language gender neutral. Passage 7-0. Passage, as amended, 6-1 (Glynn).


Ray Lee, Henry Street, addressed this item.

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

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #22-98/99 - award of bid to Aquatech, Inc., of Twinsburg, OH, for the purchase of a sewer vactor cleaner for the Treatment Plant.

There was no public discussion.

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

6. ORDER #23-98/99 - award of bid to Maietta Construction, of South Portland, ME, for the Cash Corner Sewer Separation Project.

There was no public discussion.
7. ORDER #24-98/99 - authorizing the acceptance of an Astra-Cadix 22 caliber pistol under the Asset Forfeiture Program.

Ed Googins, Police Chief, addressed this item.

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

8. ORDER #25-98/99 - accepting Candlebrook Lane as a city street.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer

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

9. ORDER #26-98/99 - authorizing repayment over time for repairs to a malfunctioning residential domestic waste water disposal unit.

The following people addressed this item:

David Turesky, Attorney for the applicant
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Ed Reidman, City Engineer

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to go into executive session to discuss private financial matters relating to the applicant and, if necessary, the legal rights and duties of the Council. Passage 7-0, 7:55 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to return to open session. Passage 7-0, 8:30 P.M.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage.
Motion was made by Councilor Glynn and seconded by Councilor Larsen to amend the order by
changing the amount owed the applicant to $14,600 and adjusting the fiscal note and interest amount accordingly. Passage 5-2 (Avery, Boudreau). Passage, as amended, 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, questioned the amount of time the School Department will be using the new Redbank facility since it wanted nothing to do with the building when it was proposed.

Clarence Beckwith, Bonnybriar Road, said he was also upset with the amount of usage the School Department will get out of the new building. He complimented the City on the work on Highland Avenue behind Brown School.

J. COUNCILORS’ ROUND ROBIN

Councilor Baxter said the property on Broadway with the Hitch World sign on it is fast becoming a dump, and he doesn’t think it’s appropriate, especially since it is one of the first things one sees when coming off the bridge.

Councilor Bowring said he is on the Cumberland County Budget Advisory Committee, and it has just received the proposed Cumberland County budget. He said that spending is up 5.2%, but South Portland’s tax burden decreases .51%. He said he will keep the Council up to date on progress of the budget.

Councilor Glynn announced that he had requested a discussion about the litigation brought against the City by Concerned Citizens be placed on the next workshop agenda.

Councilor Larsen read a letter she had written to Mr. Jordan regarding how Central Maine Power handled the public during the recent power outages caused by the storm.

Councilor Boudreau said she agrees with Councilor Baxter about Hitch World adding that she has received calls from the public. She said she is pleased with the recent RWS settlement with the DEP and complimented Jim Soule and RWS President Dale Olmstead.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to adjourn. Passage 7-0, 9:05 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING SEPT. 21, 1998 VOL. 60 PAGE 26

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Larsen to accept the minutes of the 9/9/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Clerk Linda Cohen announced a Centennial Light Decorating Contest for businesses and residents and a mobile parade of lights is being held in the last week of festivities in December. She also announced the dances being held on December 5, 1998 and that tickets will be available October 1 in the Clerk’s office and main library.

City Manager Jeff Jordan congratulated the Centennial Committee on the success of the Street Dance held this past Saturday at the round-about. He referenced a couple of items in the Council packets and announced the hazardous materials clean-up will take place on October 3 from 10 - 2 at a location to be announced. He noted that brush clean-up will end this week, but there will be no fee to take brush to the transfer facility through September 30. He announced that Sawyer Street from Broadway to High Street will be closed Thursday for repaving, and Nutter Road should re-open Friday.

Mr. Jordan presented Joe Payne, Chairman of Friends of Casco Bay, and Dick Ingalls, Harbor Commission Chairman, with the Spring Point Light Innovation Leadership Award.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of August.

Attendance Reports for the Month of August.

D. APPOINTMENT CALENDAR

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

Motion was made by Councilor Bowring and seconded by Councilor Glynn to postpone this item to 10/5/98. Passage 6-0.

*****

2. ORDER #27-98/99 - Registration Appeals Board (Democrat). Term to expire 9/29/01.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to appoint Mark
IN COUNCIL REGULAR MEETING SEPT. 21, 1998 VOL. 60 PAGE 27

Duval to this position. Passage 6-0.

* * * * *

3. ORDER #28-98/99 - Registration Appeals Board (Republican). Term to expire 9/29/01.

Motion was made by Councilor Boudreau and seconded by Councilor Glynn to postpone this item to 10/5/98. Passage 6-0.

* * * * *

4. ORDER #29-98/99 - Library Advisory Board, District 5 (Johnson). To fill an unexpired term which expires on 12/31/00.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to postpone this item to 10/5/98. Passage 6-0.

*****

5. ORDER #30-98/99 - South Portland Housing Authority (Two Tenant's nominations). Term to expire 10/10/03.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Glynn to appoint Agnes Bennett and Louise Callahan to these positions. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

6. ORDER #31-98/99 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

7. ORDER #32-98/99 - award of bid to L.P. Murray & Sons, of Cape Elizabeth, ME, for the Cottage Road and Davis Street Sewer Separation Project.
There was no public discussion.

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

* * * * *

8. ORDER #33-98/99 - award of bid to Northeast Mechanical, of South Portland, ME, for boiler repairs at the Treatment Plant.

Ed Reidman, City Engineer, addressed this item.

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

* * * * *

9. ORDER #34-98/99 - award of bid to Yankee Ford, of South Portland, ME, for the purchase of a cargo van for the Police Department; and Forest City Chevrolet, of Portland, ME, for a pick up truck for the School Department.

There was no public discussion.

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

* * * * *

10. ORDER #35-98/99 - award of bid to Hardy Pond Construction, of Westbrook, ME, for a radio tower for the Public Safety Communications Facility.

There was no public discussion.

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

I. CITIZENS DISCUSSION (SECOND PART)

Kevin Glynn, 109 Huntress Avenue, said he is running for State Representative and he has developed a web site for people to check on city issues and his campaign. He said his address is www.glynn.org.

J. COUNCILORS’ ROUND ROBIN

Councilor Baxter thanked Mr. Jordan for getting Hitch World cleaned up. He thanked the students who were here this evening, noting that this was not a typical Council meeting. He
said it was a pleasure to see the awards given to Mr. Payne and Mr. Ingalls this evening.

Councilor Bowring congratulated the recipients of the awards.

Councilor Larsen said that anyone who missed the Street Dance on Saturday missed a great time. She said she saw people of all ages having fun, and events like this should be continued.

Councilor Boudreau welcomed Mr. Chapin’s students, adding that it certainly was not a typical meeting of the Council. She said that Dick Ingalls has given a lot to the City and he has three characteristics which the students should note: he does his homework on every issue; he tolerates no nonsense, and he has a very contagious determination for success.

Mayor Avery said she is impressed with the number of programs the library offers to children. She said she was also pleased to see the awards tonight. She cited a memo from Planning Director Tex Haeuser regarding the Knightville/Mill Creek area.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to adjourn. Passage 6-0, 8:10 P.M..

A TRUE COPY.

ATTEST
Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING OCT. 5, 1998 VOL. 60 PAGE 30

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Johnson to accept the minutes of the 9/21/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Clerk Linda Cohen announced the historical tours of South Portland taking place this weekend on both days from 10 A.M. to 2 P.M. The Centennial Committee is sponsoring the tours which will be by horse-drawn carriage, trolley, city bus and, hopefully, boat.

City Manager Jeffrey Jordan thanked the Fire Department for conducting the hazardous material drop-off this past weekend. He noted that the South Portland and Portland Fire Departments held ceremonies over the weekend to recognize fallen firefighters.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

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

   Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 10/19/98. Passage 6-0.

   *****

2. ORDER #28-98/99 - Registration Appeals Board (Republican). Term to expire 9/29/01. Postponed on 9/21/98.

   Motion was made by Councilor Baxter and seconded by Councilor Johnson to postpone this item to 10/19/98. Passage 6-0.

   * * * * *

3. ORDER #29-98/99 - Library Advisory Board, District 5 (Johnson). To fill an unexpired term which expires on 12/31/00. Postponed on 9/21/98.

   Motion was made by Councilor Johnson and seconded by Councilor Baxter to postpone this item to 10/19/98. Passage 6-0.

E. CONSENT CALENDAR
IN COUNCIL REGULAR MEETING OCT. 5, 1998 VOL. 60 PAGE 31

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

Motion was made by Councilor Bowring and seconded by Councilor Baxter to take Item 10 out of order. Passage 6-0.

10. PROCLAMATION #1-98/99 - regarding the 75th Anniversary of Engine Six Call Company.

There was no public discussion.

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

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4. ORDER #36-98/99 - award of bid to PDT Architects, of Portland, ME, for architectural/engineering services for the School Department.

Reginald MacDonald, School Superintendent, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Passage 4-2 (Larsen, Glynn).

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5. ORDER #37-98/99 - award of bid to Shea Technologies, of Burnsville, MN, for the purchase of 25 computers for the School Department.

The following people addressed this item:

Roland LaBelle, School Department
Lee Akerley, School Business Manager

Motion was made by Councilor Bowring and seconded by Councilor Larsen for passage. Motion was made by Councilor Bowring and seconded by Councilor Larsen to amend the order by increasing the amount by $333 for an additional 1.1 GB of storage space. Passage 6-0. Passage, as amended, 6-0.

****

6. ORDER #38-98/99 - award of bid to Interstate Septic Systems, Inc., of Rockland, ME, for the sale of a used belt filter press.
There was no public discussion.

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

* * * * *

7. ORDER #39-98/99 - award of bid to R. J. Grondin & Sons, of Gorham, ME, for the City Hall drainage project.

Jack Roberts, Welfare Director, addressed this item.

Motion was made by Councilor Glynn and seconded by Councilor Johnson to withdraw this item. Passage 6-0.

* * * * *

8. ORDER #40-98/99 - award of bid to Bancroft Contracting Corp., of South Paris, ME, for Hinckley Park dam repair.

There was no public discussion.

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

* * * * *

9. ORDER #41-98/99 - authorizing the City Manager to sign a Municipal/State Agreement regarding a flashing beacon at the intersection of Philbrook Avenue and John Roberts Road.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

* * * * *

11. ORDER #42-98/99 - award of bid to R. B. Allen Co., of North Hampton, NH, and Broadway Woodworks, Inc., of South Portland, ME, for the purchase of communication equipment for the Fire Department.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage. Passage 6-0.
I. CITIZENS DISCUSSION (SECOND PART)

Lou Perreault and Joe Nalbach, from Engine 6 Call Company, thanked the Council for recognizing Engine 6’s 75 years of service. They noted that the celebration will be held at the Eagle’s on October 24, 1998.

Clarence Beckwith, Bonnybriar Road, said he attended the dedication of the new gym at Redbank, and a lot of the elderly are upset that they can’t use the facility more during the day. He asked how National Semiconductor will be affected by the world economy. He also asked if South Portland is considering the joint purchase of electricity.

John True, fire Chief, thanked the Council for the Proclamation regarding Engine 6. He said this community is fortunate, noting that three Companies have celebrated 100 year anniversaries. He announced that this week is Fire Prevention Week and urged people to have an exit plan in case of fire and to check the batteries in their smoke detectors.

Kevin Glynn, 109 Huntress Avenue, said he is sending out thank you flyers to the public for its support during his years on the Council. He will be delivering copies of the specimen ballots, also.

J. COUNCILORS’ ROUND ROBIN

Councilor Johnson congratulated Mr. Jordan for receiving an award for his work on the Casco Bay Estuary Project from the Governor. He thanked Mr. Jordan.

Councilor Glynn said he has been contacted by residents in Ferry Village regarding dust from the construction. He said the Council might want to keep this in mind when awarding bids in the future.

Councilor Larsen said the Friends of Casco Bay conducted a shoreline pickup a couple of weeks ago, and there were even people from Portland helping to clean up the South Portland shoreline. She said that, unfortunately, the notice of the event arrived too late to be announced at a Council meeting, and she is hoping that won’t be the case in the future.

Mayor Avery announced that $4.8 million has been passed for dredging of the Portland harbor, adding that the Dredging Committee has done a lot of work.

Councilor Baxter said the hazardous material drop off worked beautifully. He said the reconstruction of Nutter Road to slow down traffic is wonderful. He said the most contact he has had from constituents, other than about school matters, had been about big trash pick up. He noted that Portland is looking at a pay per bag system, and it’s because the public is not good at recycling.
Motion was made by Councilor Bowring and seconded by Councilor Larsen to adjourn. Passage 6-0, 8:27 P.M.

A TRUE COPY.

ATTEST

[Signature]

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING OCT. 19, 1998 VOL. 60 PAGE 35

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Bowring to accept the minutes of the 10/5/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan read a letter he had received from Harbor Commission Chair Richard Ingalls regarding speed regulations. Mr. Jordan announced an Open House at Engine 6 this Saturday from 9 A.M. to Noon. He thanked the Parks, Public Works, Police and Fire Departments for their handling of the storm on October 10th.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of September.

Attendance Reports for the Month of September.

Planning Board Report.

D. APPOINTMENT CALENDAR

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

   There was no public discussion.

   Motion was made by Councilor Bowring and seconded by Mayor Avery to appoint Edward Millett to this position. Passage 7-0.

   *****

2. ORDER #28-98/99 - Registration Appeals Board (Republican). Term to expire 9/29/01. Postponed since 9/21/98.

   Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 11/2/98. Passage 7-0.

   *****

3. ORDER #29-98/99 - Library Advisory Board, District 5 (Johnson). To fill an unexpired term which expires on 12/31/00. Postponed since 9/21/98.
There was no public discussion.

Motion was made by Councilor Johnson and seconded by Councilor Baxter to appoint Linda Johnson to this position. Passage 7-0.

* * * * *

4. ORDER #43-98/99 - Ward Clerk Pro Tempore (District 2) for the 11/3/98 election only.

There was no public discussion.

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

E. CONSENT CALENDAR

Sign Permit

5. South Portland Kiwanis requests permission to erect two off premise signs to advertise the annual Penny Raffle.

There was no public discussion.

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

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

Motion was made by Councilor Bowring and seconded by Councilor Baxter to reconsider this item. Passage 7-0 (bringing the item back to just before the final vote on 10/5/98).

6. ORDER #42-98/99 - reconsideration to amend order for the purchase of additional communications equipment for the Fire Department.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring to amend the order to include additional equipment. Passage 7-0. Passage, as amended, 7-0.
7. ORDER #44-98/99 - setting the time of opening the polls on November 3, 1998.

There was no public discussion.

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

*****

8. ORDER #45-98/99 - award of bid to Industrial Roofing Corp., of Lewiston, ME, for roof work at the Public Works garage.

There was no public discussion.

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

*****

9. ORDER #46-98/99 - award of bid to Forest City Chevrolet, of Portland, ME, for the purchase of a pick up truck for the Parks Department.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Motion was made by Councilor Boudreau and seconded by Councilor Larsen to postpone this item to 11/2/98. Passage 7-0.

*****

10. ORDER #47-98/99 - award of bid to Detroit Diesel, of Portland, ME, for a bus engine and transmission for the Bus Service.

Leroy Beaver, Director of the Bus Service, addressed this item.

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

*****

11. ORDER #48-98/99 - accepting a portion of Dimar Drive as a City street.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau for passage. Passage 7-0.
12. ORDER #49-98/99 - naming the City as Trustee of the Deferred Compensation Plan.

Bob Hodges, Director of Human Resources, addressed this item.

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

* * * * *

13. ORDER #50-98/99 - filing a written certification of notice that has been sent regarding South Portland Housing Development Corporation's request for a zone change with the City Clerk.

Tex Haeuser, Planning Director, addressed this item.

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

* * * * *

14. ORDINANCE #7-98/99 - amending Ch. 27, "Zoning," for a map change from Rural Residential District RF to Light Industrial District IL at 40 Cummings Road. First reading.

There was no public discussion.

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

* * * * *

15. ORDER #39-98/99 - award of bid to R. J. Grondin & Sons, of Gorham, ME, for the City Hall drainage project.

Clarence Beckwith, Bonnybrier Road, addressed this item.

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

I. CITIZENS DISCUSSION (SECOND PART)

John Zappe, 38 A Street, said he is the President of the Knightville Neighborhood Association, and asked the Council to please keep City Hall in Knightville.

Ray Lee, Henry Street, said he watched the recent Planning Board meeting where discussion was held about keeping building appearance the same in Knightville. He said it's not right to
tell people what their buildings can look like. He referenced an article in today’s Press Herald about “the gay issue.”

Rosamond Jones, 10 E Street, said the Knightville residents and businesses want to preserve the historic nature of the area. They also want to make Knightville pedestrian friendly.

Clarence Beckwith, Bonnybriar Road, thanked the Council for supporting the notice on behalf of the South Portland Housing Authority. He said he hopes the Planning Board and Council will support the project again, because it is really needed.

J. COUNCILORS’ ROUND ROBIN

Councilor Glynn said he echoes Mr. Beckwith’s request for support of the project. He said the project has to have the number of floors proposed to get funded.

Councilor Boudreau said she wanted to remind everyone that an election is coming, and that they will be hearing a lot of rhetoric and promises between now and then. She advised voters to contact Corporation Counsel for information on the human rights ordinance and Dana Anderson for information about the athletic and recreational questions.

Mayor Avery announced a joint meeting of the South Portland and Cape Elizabeth Councils on Thursday evening at Cape Elizabeth Town Hall at 7 P.M. The boundary study will be discussed. She said she attended the lighthouse celebration yesterday at Spring Point Museum, and the lecture was wonderful.

Councilor Baxter pointed out that the Highland Avenue fields question on the ballot is also recreational.

Councilor Bowring said “it’s Monday night; go, Patriots!”

Councilor Johnson thanked Councilor Boudreau for her comments about the upcoming election.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to adjourn. Passage 7-0, 8:28 P.M..

A TRUE COPY.

ATTEST: Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING NOV. 2, 1998 VOL. 60 PAGE 40

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Larsen to accept the minutes of the 10/19/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Mayor Avery introduced Linda Barker, a South Portland police officer, and Vladimir Lyubarsky, a Russian police officer Linda and her husband Reed are hosting as part of Project Harmony. Mayor Avery presented Vladimir with a Centennial afghan, and Officer Barker talked about the program.

City Manager Jeffrey Jordan read a letter from Larry Gross at the Southern Maine Area Agency on Aging.

City Clerk Linda Cohen noted the location and the hours of the polling places for the Tuesday election and gave information about registering to vote and how to indicate choice on the ballot.

C. PETITIONS AND COMMUNICATIONS

Planning Board report regarding zoning map change at 12 Broadway.

D. APPOINTMENT CALENDAR

1. ORDER #28-98/99 - Registration Appeals Board (Republican). Term to expire 9/29/01. Postponed since 9/21/98.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to appoint James Brewster as the member and Rita Caron as the alternate to this board. Passage 7-0.

E. CONSENT CALENDAR

Street Closing

2. The South Portland Centennial Committee requests the closing of Hinckley Drive on December 2, 1998 from 6:00 P.M. - 8:00 P.M. for fireworks display (rain date December 3, 1998).

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Bowring for passage. Passage 7-0.
F. CITIZEN DISCUSSION (FIRST PART)

Jan Greico, 108 School Street, said there has been a lack of responsiveness from elected and appointed officials regarding the congregate care facility, and she will pursue her issues at the Federal level.

Geraldine Bissonnette, Bellaire Road, said she wanted to thank Councilor Johnson for causing chaos in the City by initiating the human rights question on the ballot. She said she is not a bigot, but she was called one at the rally a couple of weeks ago. She said people already have human rights in the Constitution and State laws. She said money is being funneled in from out of town, and no one whose name appears on the list of supporters in the advertisement is a South Portland resident. She said she received a threatening phone call on Saturday.

Denise Dow, 366 Evans Street Ext., said she was representing her aunt at 7 North Kelsey Street where the Greenbelt Walkway is proposed to go right next to the house. She said her aunt has lived there for over forty years and, even though she loves the walkway, it doesn’t belong right next to the house. She said that several Councilors said they were unaware of the situation, and the City Manager didn’t respond to her letter.

Susan Odencrantz, 61 Atlantic Avenue, said she was speaking on behalf of the Pleasantdale Neighborhood Association. She cited a memo from Dave Pineo, from the Engineering Department to Planning Director Tex Haeuser, regarding the extension of the Greenbelt Walkway. She said there isn’t enough room for it under Department of Transportation standards.

Kim Preston, 9 5 Preble Street, said her comments were disregarded the last time the South Portland Housing Authority project was discussed. She said the lot is inappropriate for many of reasons, and she thinks a lot of homework wasn’t done ahead of time. She said the land shouldn’t be rezoned, and the current residents should be considered first.

Ray Ballum, 32 Carignan Avenue, said Councilor Johnson should resign.

G. PUBLIC HEARINGS AND ACTION

3. ORDINANCE #7-98/99 - amending Ch. 27, “Zoning,” for a map change from Rural Residential District RF to Light Industrial District IL at 40 Cummings Road. Passed first reading 10/19/98.

There was no public discussion.

Motion was made by Councilor Boudreau and seconded by Councilor Baxter for passage. Passage 7-0.
H. ACTION ON OLD AND NEW BUSINESS

4. ORDER #46-98/99 - award of bid to Forest City Chevrolet, of Portland, ME, for the purchase of a pick up truck for the Parks Department. Postponed on 10/19/98.

Rob Coombs, Senior Accountant and Purchasing Agent, addressed this item.

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

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5. ORDER #51-98/99 - accepting miscellaneous donations.

There was no public discussion.

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

*****

6. ORDINANCE #8-98/99 - amending Ch. 27, "Zoning," regarding the Conditional Shipyard S-1 District at 99 Preble Street. First reading.

The following people addressed this item:

Tex Haeuser, Planning Director
Gary Vogel, Attorney for SPHA and SPHDC
Jan Greico, 108 School Street
Dave Cyr, Portland Pipeline

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

*****

7. ORDINANCE #9-98/99 - amending Ch. 27, "Zoning," regarding the map for the Conditional Shipyard S-1 District at 99 Preble Street. First reading.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage of the first reading. Passage 7-0.
8. ORDER #52-98/99 - award of bid to National Attachments, Inc., of Gorham, ME, for the purchase of a hydraulic excavator for the Public Works Department.

There was no public discussion.

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

9. ORDER #53-98/99 - award of bid to Hall Implement Co., of Windham, ME, for the purchase of a riding rotary mower for the Parks Department.

There was no public discussion.

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

* * * * *

10. ORDER #54-98/99 - award of bid to Industrial Electric Supply, of East Newport, ME, for the purchase of street light poles for Thomas Knight Park.

There was no public discussion.

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

* * * * *

11. ORDER #55-98/99 - award of bid to Power Products, of Portland, ME, for the purchase of an emergency generator for the Public Safety Communications Facility.

There was no public discussion.

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

* * * * *

12. ORDER #56-98/99 - authorizing the City Manager to submit a Universal Hiring Grant application to the U.S. Department of Justice.

The following people addressed this item:

Ed Googins, Police Chief
Clarence Beckwith, Bonnybriar Road
Ken Greenleaf, High School Resource Officer
Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Passage 5-2 (Glynn, Larsen).

*****


There was no public discussion.

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

*****

14. ORDER #57-98/99 - accepting Taylor Lane as a City street.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to postpone this item to 11/16/98. Passage 7-0.

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, 28 Henry Street, said he warned everyone in the spring that things would get nasty over the ballot question, and the City is now divided. He said people who didn’t discriminate against gays before are doing it now. He said he would hire a gay person, if he was an employer, for fear of being sued. He advised South Portland people to think very carefully.

Clarence Beckwith, Bonnybriar Road, urged everyone to get out and vote. He said the City is paying four times the assessed value of the land in question for the athletic fields. He said a revaluation must need to be done. He said he is in favor of buying the land, but he hates to be taken to the cleaners, and he won’t support the second bond question.

J. COUNCILORS’ ROUND ROBIN

Councilor Larsen encouraged everyone to vote and noted that it will be her daughter’s first time to vote.

Councilor Boudreau urged people to get out and vote, especially in favor of the human rights ordinance. She said we have learned, in the last six months, that we do need the ordinance.

Mayor Avery said that Unum invited her to attend “A Day in the Life,” which is about living with disabilities. She said there was a lady there who had been blind since birth, and she owns her own business and speaks to people about not letting disabilities hold them back. She said the City is fortunate to have Unum as a disability insurer.
Councilor Baxter said he has talked with Mrs. Dow three times and walked the property where the Greenbelt is proposed to go. He urged everyone to get out and vote.

Councilor Bowring, who is on the Cumberland County Budget Advisory Committee, said that public hearings on the budget are coming up. He said that spending is up by 4%, but South Portland’s share is down .81% or $400,000 less than last year.

Councilor Johnson encouraged everyone to go out and vote. He said he has reflected on the meaning of democracy, and it can’t be a democracy if some people in the community are being looked at as being of lesser value. He urged voters to make democracy work tomorrow.

Councilor Glynn said he learned a lot in the Ferry Village Neighborhood law suit process. He said the residents felt surprised, and he has been working with some residents on a notification change that would require wider notice as a proposed building gets taller. He said it would be on the next workshop.

Motion was made by Councilor Bowring and seconded by Councilor Boudreau to adjourn. Passage 7-0, 9:20 P.M.

A TRUE COPY.

ATTEST Linda C. Cohen, City Clerk

Linda C. Cohen, City Clerk
IN COUNCIL REGULAR MEETING NOV. 16, 1998 VOL. 60 PAGE 46

ROLL CALL: Mayor Avery called the meeting to order at 7:00 P.M. Councilor Johnson arrived after Item A.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Baxter and seconded by Councilor Larsen to accept the minutes of the 11/2/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Clerk Linda Cohen introduced Sheila McDonough, the liaison between the Centennial Committee and the schools, who announced the Centennial projects completed or in the works by the students in all of the South Portland schools. She also showed the 1998 SPHS yearbook with the back cover devoted to the Centennial and a birthday card signed by all of the middle school students at the 8th grade dance. Ms. Cohen noted that the Centennial Committee had raised over $48,000 from South Portland businesses and outside companies which do business in South Portland. She highlighted the remaining events in the celebration.

City Manager Jeffrey Jordan highlighted items in the City Council packets.

Mayor Avery noted that the dredging of Portland Harbor is underway, and advised people who use the Casco Bay Bridge to watch for the lights indicating the bridge is going up and take an alternate route.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of October.

Attendance Reports for the Month of October.

D. APPOINTMENT CALENDAR

1. ORDER #58-98/99 - Conservation Commission, District 5 (Johnson). Term to expire 11/20/01.

There was no public discussion.

Motion was made by Councilor Johnson and seconded by Councilor Baxter to appoint Allen Ridley to this position. Passage 7-0.

*****

2. ORDER #59-98/99 - Conservation Commission, At Large (Glynn). Term to expire 11/20/01.
IN COUNCIL REGULAR MEETING NOV. 16, 1998 VOL. 60 PAGE 47

There was no public discussion.

Motion was made by Councilor Glynn and seconded by Councilor Larsen to appoint Ray Lee to this position. Failed 3-4 (Avery, Boudreau, Baxter, Bowring).

* * * * *

3. ORDER #60-98/99 - Conservation Commission, At Large (Larsen). Term to expire 11/20/01.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Boudreau to appoint Dennis Sisti to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Gary Vogel, Attorney for SPHDC
Jan Grieco, 108 School Street
Karen West, 380 Sawyer Street
Paulette Dodge, 159 1/2 High Street
Clarence Beckwith, Bonnybriar Road
Bruce Grieco, 108 School Street
Kelly Preston, 95 Preble Street
David Swander, High Street
Ray Lee, Henry Street

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

* * * * *

5. ORDINANCE #9-98/99 - amending Ch. 27, “Zoning,” regarding the map for the Conditional Shipyard S-1 District at 99 Preble Street. Passed first reading on 11/2/98.

There was no public discussion.
Motion was made by Councillor Glynn and seconded by Councillor Baxter for passage. Passage 7-0.

* * * * *

6. ORDINANCE #10-98/99 - amending Ch. 27, "Zoning" for a map change from Residential District G to Limited Business District LB at 12 Broadway. Passed first reading on 11/2/98.

Bob Danielson, attorney for the applicant, addressed this item.

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

H. ACTION ON OLD AND NEW BUSINESS

7. ORDER #57-98/99 - accepting Taylor Lane as a City street. Postponed on 11/2/98.

There was no public discussion.

Councilors Larsen and Bowring disclosed that their husband and father-in-law, respectively, were on the Portland Water District. The remaining Councilors said they could see no conflict.

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

* * * * *

8. ORDER #61-98/99 - accepting miscellaneous donations.

There was no public discussion.

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

* * * * *

9. ORDER #62-98/99 - award of bid to Howard P. Fairfield, Inc., of Skowhegan, ME, for the purchase of a multipurpose tractor for the Public Works Department.

There was no public discussion.

Motion was made by Councillor Boudreau and seconded by Councillor Larsen for passage. Passage 7-0.
10. ORDER #63-98/99 - award of bid to North Star Communications, Inc., of Cumberland, ME, for a telephone system for the Public Safety Communications Facility.

The following people addressed this item:

Dimiti Howard, Telephone Consultant
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Ed Googins, Police Chief
Rob Coombs, Senior Accountant/Purchasing Agent

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

* * * * *

11. ORDER #64-98/99 - accepting a Local Law Enforcement Block Grant from the Bureau of Justice Assistance for the Police Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Ed Googins, Police Chief

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

* * * * *

12. ORDER #65-98/99 - requesting that the Planning Board evaluate site plan notice requirements.

The following people addressed this item:

Ray Lee, Henry Street
Tex Haeuser, Planning Director

Motion was made by Councilor Glynn and seconded by Councilor Larsen for passage. Failed 1-6 (Avery, Boudreau, Baxter, Bowring, Johnson, Larsen).

* * * * *

Motion was made by Councilor Baxter and seconded by Councilor Larsen to waive reading the entire ordinance. Passage 6-1 (Glynn).

The following people addressed this item:

Tex Haeuser, Planning Director
Romi Jones, 10 E Street
John Zappe, A Street
Ray Lee, Henry Street

Motion was made by Councilor Boudreau and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Boudreau and seconded by Councilor Larsen to amend the ordinance on page 10 in Section I by adding the words “per facade” to the last sentence after “per business.” Passage 7-0. Passage of first reading, as amended, 6-1 (Glynn).

I. CITIZENS DISCUSSION (SECOND PART)

Tex Haeuser, Planning Director, congratulated Councilor Glynn on his election to the Legislature and wished him luck.

Clarence Beckwith, Bonnybriar Road, wished Councilor Glynn well in his new job, adding that he will do a great job like he did as a Councilor. He also commended the paving jobs on Highland Avenue and Nutter Road.

Ray Lee, Henry Street, congratulated Councilor Glynn on doing a fantastic job as a Councilor, adding that he hopes he takes a term off and comes back for his district Council seat. He also congratulated him on his win as a State Representative. He questioned the new signs in City Hall that do not have Braille.

J. COUNCILORS’ ROUND ROBIN

Mayor Avery noted that this is her last night as mayor, and thanked the Councilors for a very good year, adding that they all worked well together in a lot of areas, even though they didn’t always agree. She thanked the Corporation Counsel, City Clerk and City Manager for all of their support and said she had enjoyed working with all of the department heads. She announced that there would not be a workshop on the 5th Monday of this month, and she wished Councilor Glynn well in Augusta.

Councilor Johnson wished Councilor Glynn good luck, adding that Kevin will be occupying his (Birger’s) old seat. He told him that he will enjoy Augusta and added that Councilor Glynn has been what in England is called “Her Majesty’s Royal Opposition.” He said that is an important role.

Councilor Glynn thanked everyone who made kind comments, and said it has been a pleasure serving on the Council for the last 9 years. He said he looks forward to working with the
Council in the future, and he hopes the relationship between the Council, Board of Education and State Delegation will improve. He said his goal is to get more money for education.

K. EXECUTIVE SESSION

Motion was made by Councilor Baxter and seconded by Councilor Boudreau to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty and, pursuant to 1 M.R.S.A. §405 (6) (D), labor negotiations with IAFF Local #1476. Passage 7-0, 10:47 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Boudreau to come out of executive session. Passage 7-0, 11:47 P.M.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to grant Abatement #98/99-07 in the amount of $781.53 for FY 96/97. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to grant Abatement #98/99-08 in the amount of $372.90 for FY 97/98. Passage 7-0.

Motion was made by Councilor Glynn and seconded by Councilor Baxter to adjourn. Passage 7-0, 11:50 P.M.

A TRUE COPY.

Linda C. Cohen, City Clerk

After adjournment, the incoming City Council caucused for Mayor for 1998/99 and went over inaugural procedure.
Mayor Avery called the meeting to order at 4:10 P.M. All Councilors were present.

Mayor Avery invited the Reverend McCall to offer the invocation.

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

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


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

City Clerk Cohen called the Roll.

Mayor Avery announced Councilor Boudreau as Mayor for 1998/99 with four votes.

Mayor Boudreau presented the Official Portrait and a Centennial afghan to out-going Mayor Avery.

Mayor Boudreau presented out-going Councilor Glynn with a plaque.

Mayor Boudreau then presented the Inaugural Address.

Councilor Fickett moved that the Inaugural Address be spread on the records. Councilor Johnson seconded the motion. Mayor Boudreau took the vote and ordered the Inaugural Address be spread on the records.

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

Councilor Baxter moved that Council recess until 7:00 p.m. Councilor Larsen seconded the motion. Mayor Boudreau took the vote and declared the Council recessed until 7:00 P.M. this evening.
IN COUNCIL INAUGURAL MEETING DEC. 7, 1998 VOL. 60 PAGE 53

ROLL CALL: Mayor Boudreau reconvened the meeting at 7:05 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Avery to accept the minutes of the 11/16/98 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

Mayor Boudreau presented plaques to the Centennial Committee members: Lenora Bangert, Ralph Baxter, Jr., Cheryl Beeman, Matthew Dube, Lori Gaudreau, Jane Harmon, Linda Johnson, John Lee, Rosella Loveitt, Keith Mcalary, Sheila McDonough, Betsy Nygren, Wayne Ross, Arthur Tordoff, Councilors Ralph Baxter, Sr., Nancy Larsen, & Susan Avery and City Clerk Linda Cohen. Mayor Boudreau commended the Committee for doing an excellent job and thanked the members for their many months of meetings and events.

City Manager Jeff Jordan cited items in the Council packet.

Ms. Cohen announced the winners of the Centennial Decorating Contests: Gloria Twomey, 172 Sandy Hill Road, Ronald & Louise Strout, 921 Highland Avenue and Ian Gleason, 1129 Broadway in the residential contest and Hearts & Flowers, 700 Broadway, Aromas, 271 Preble Street and McDonald’s, Waterman Drive in the business contest.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01.

   Motion was made by Councilor Fickett and seconded by Councilor Baxter to postpone this item to 12/21/98. Passage 7-0.

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2. ORDER #67-98/99 - nomination to the Governor for an appointment to the Greater Portland Public Development Commission. Term to expire 8/8/03.

   There was no public discussion.

   Motion was made by Councilor Avery and seconded by Councilor Bowring to nominate Linda Johnson. Passage 7-0.
IN COUNCIL INAUGURAL MEETING DEC. 7, 1998 VOL. 60 PAGE 54

3. ORDER #68-98/99 - Waterfront Advisory Committee (Mayor). To fill an unexpired term which expires 3/20/99.

Motion was made by Mayor Boudreau and seconded by Councilor Bowring to postpone this item to 12/21/98. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Tim Carr, 17 Edgewood Road, President of the South Portland Land Trust, said something needs to be done to warn motorists of intersections with the Greenbelt Walkway. He also said the City should sign the agreement with Mr. Hale, because there aren’t any problems involved that are insurmountable.

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Bill Ciccarone and Jack Reckitt, by letter
John Zappe, Vice President of the Waterfront Market Association
Ray Lee
Rommy Jones, 10 E Street
Tex Haeuser, Planning Director

Motion was made by Councilor Avery and seconded by Councilor Bowring for passage. Motion was made by Councilor Bowring and seconded by Councilor Larsen to amend the ordinance in Section H deleting the reference to EIFS under unacceptable exteriors and replacing it with “smooth stucco-like finishes.” Passage 7-0. Passage, as amended, 5-2 (Larsen, Fickett).

H. ACTION ON OLD AND NEW BUSINESS

5. ORDINANCE #12-98/99 - amending Chapter 14, "Licenses, Permits and Business Regulations Generally" §14-03 “Towing and Wreckers” regarding fees. First reading.

There was no public discussion.

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

** ** **

6. ORDER #69-98/99 - authorizing payment to Oest Associates, of South Portland, for
IN COUNCIL INAUGURAL MEETING DEC. 7, 1998 VOL. 60 PAGE 55

services associated with the South Portland/Cape Elizabeth Boundary Survey Project.

The following people addressed this item:

Gerry Watts, Oest Associates
Dan Bolinder, Oest Assoc.
Clarence Beckwith, Bonnybriar Road
Ray Lee

Motion was made by Councilor Avery and seconded by Councilor Bowring for passage. Motion was made by Councilor Baxter and seconded by Councilor Larsen to amend the order by changing the amount to $3,013.75. Passage 4-3 (Boudreau, Avery, Fickett). Passage, as amended, 4-3 (Boudreau, Fickett, Avery).

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7. ORDER #70-98/99 - filing a written certification that notice has been sent regarding Brown Development Corporation's request for a zone change at Map 54 Lot 14 with the City Clerk.

There was no public discussion.

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

8. ORDER #71-98/99 - award of bid to O'Connor GMC, of Westbrook, ME, for the purchase of a service vehicle for the Public Works Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ge Erskine, Public Works Director

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

1. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said the Housing Authority was very pleased with how it was treated during the discussion about its latest project. He said they will be working well into the winter to get as much done as possible.

Ray Lee, said he hopes 1999 is better than 1998 was, because a split developed in the city over the gay rights issue. He said it's too bad more people didn't attend the Centennial events, because other communities get big turn outs at their events. He said the people he talked to said that nothing brought the community together. He said a lot of people didn't
even know it was the City’s Centennial. He said the dance at the Sheraton was for the haves of the community, and there was no place for the have nots.

Rosella Loveitt, Preble Street, said she didn’t know where Mr. Lee or his friends had been, because there was much advertising about the Centennial in the South Portland Journal, the Sentry and The Portland Press Herald and Maine Sunday Telegram. She said that many people told her the fireworks were the best they had ever seen, and many people, like her, didn’t have to come down to the park to see them, because they could see them from their homes. She said many people were happy with the events. She noted that she was on the 50th and 75th Committees, and she and the other Centennial Committee members all worked hard. She said it was a very successful Centennial.

J. COUNCILORS’ ROUND ROBIN

Councilor Avery thanked the Council, City Clerk, Corporation Counsel and City Manager for working with her during her year as mayor. She said it was a difficult year, with a lot going on. She said the people present at all the Centennial events were ecstatic, adding that the park was packed Friday evening for the tree lighting, even with the bridge stuck. She said there was a tremendous sense of community. She thanked the department heads, and said she looks forward to working with the new mayor.

Councilor Baxter thanked Councilor Avery for her excellent leadership. He noted that there were a lot of people, outside the Centennial Committee, who helped. He thanked the Committee, adding that Matt Dube will be around to lead the 200th Celebration Committee.

Councilor Bowring thanked Councilor Avery and congratulated Mayor Boudreau. He thanked the entire Centennial Committee for a fantastic job. He said that people who saw the fireworks would rather go there again than to Portland. He said that both dances were well received, and people shouldn’t criticize unless they were involved.

Councilor Larsen said it was a pleasure to serve on the Committee, and she thanked Councilor Baxter for putting her on it. She commended Linda Cohen for her work and said it was a privilege to work with Rosella Loveitt and Lenora Bangert. She said the fireworks were seen from Falmouth. She noted that the Committee’s goal was to light the bay, and “we lit it!”

Councilor Fickett pointed out that his Great-Grandfather was on the first City Council; that’s why he wanted to get back on so he could be on the last Council of the century.

Mayor Boudreau thanked former Mayor Avery, adding that she will be famous for bridges and dredges. She said it’s nice to see the lights flashing when the bridge goes up, and Councilor Avery’s hard work paid off. She wished Councilor Glynn the best in his work with the Legislature. She said she served South Portland well. She thanked the Council for allowing her to serve as mayor.
K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session to discuss, pursuant to 1 M.R.S.A §405(6)(e), pending litigation: Maine Civil Liberties Union v. City of South Portland and Concerned Neighbors et. al. v. City of South Portland et. al. Passage 7-0, 9:27 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to return to open session. Passage 7-0, 10:07 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to adjourn. Passage 7-0, 10:09 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING DEC. 21, 1998 VOL. 60 PAGE 58

ROLL CALL: Mayor Boudreau called the meeting to order at 7:03 P.M. Councilor Baxter arrived after public hearings.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Avery to accept the minutes of the 12/7/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan passed out information about Fairchild Semiconductor’s acquisition of Samsung and referenced other items in the Council packets. He wished residents and Councilors Happy Holidays.

City Clerk Linda Cohen announced that 1998 dog licenses expire on 12/31, and 1999 hunting and fishing licenses are in.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of November.

Attendance Reports for the Month of November.

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01. Postponed on 12/7/98.

   Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 1/4/99. Passage 6-0.

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   Motion was made by Councilor Avery and seconded by Councilor Bowring to postpone this item to 1/4/99. Passage 6-0.

   *****

3. ORDER #72-98/99 - Board of Assessment Review, District 1 (Boudreau). Term to expire 12/31/01.

   There was no public discussion.
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Motion was made by Mayor Boudreau and seconded by Councilor Avery to appoint Mallory Garrison to this position. Passage 6-0.

*****

4. ORDER #73-98/99 - Board of Assessment Review, District 5 (Johnson). Term to expire 12/31/01.

Motion was made by Councilor Johnson and seconded by Councilor Avery to postpone this item to 1/4/99. Passage 6-0.

*****

5. ORDER #74-98/99 - Board of Assessment Review, At Large (Fickett). Term to expire 12/31/01.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 1/4/99. Passage 6-0.

*****

6. ORDER #75-98/99 - Board of Assessment Review, At Large (Larsen). Term to expire 12/31/01.

Motion was made by Councilor Larsen and seconded by Councilor Bowring to postpone this item to 1/4/99. Passage 6-0.

*****

7. ORDER #76-98/99 - Library Advisory Board, District 2 (Avery). Term to expire 12/31/01.

Motion was made by Councilor Avery and seconded by Councilor Bowring to postpone this item to 1/4/99. Passage 6-0.

*****

8. ORDER #77-98/99 - Library Advisory Board, District 4 (Bowring). Term to expire 12/31/01.

Motion was made by Councilor Bowring and seconded by Councilor Avery to postpone this item to 1/4/99. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

There was no public discussion.

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

* * * * *


There was no public discussion.

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

* * * * *


There was no public discussion.

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

* * * * *

12. Pape Auto Motion, Inc. d/b/a Pape Mitsubishi, 2123 Broadway. Used Car Lot. Requesting increase from 60 to 78 cars on lot. Renewal 12/31/98 to 12/31/99.

There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

13. ORDER #78-98/99 - accepting miscellaneous donations.

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

14. ORDER #79-98/99 - award of bid to Loranger Door and Window Co., Inc., of Portland, ME, for the purchase of replacement windows for the Police Department.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Johnson to allow Councilor Bowring to abstain. Passage 6-0 (Bowring abstaining).

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

15. ORDER #80-98/99 - award of bid to Shea Technologies, of Burnsville, MN, for the purchase of computers; and to Softmart, of Downingtown, PA, for the purchase of printers for the School Department.

The following City employees addressed this item:

Roland LaBelle, School Department
Lee Akerley, School Department Business Manager

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

16. ORDER #81-98/99 - award of bid to A. H. Grover, of Cumberland, ME, for the Bug Light Park Project.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to commit this item to the 1/11/99 workshop. Passage 7-0.

17. ORDER #82-98/99 - award of bid to Curtis Walter Stewart Architects, of Portland, ME, for architectural/engineering services for a Community Recreation Center and Swimming Pool Renovations.

Dana Anderson, Parks and Recreation Director, addressed this item.
Motion was made by Councilor Bowring and seconded by Councilor Avery for passage. Passage 7-0.

** * * * *

18. ORDER #83-98/99 - accepting Whispering Pines Drive as a City Street.

Ed Reidman, City Engineer, addressed this item.

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

** * * * *

19. ORDER #84-98/99 - accepting a donation in the amount of $10,000 and establishing the William H. Linskey Memorial Scholarship Fund.

There was no public discussion.

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

** * * * *

20. ORDER #85-98/99 - approving the location of the South Portland/Cape Elizabeth boundary as determined by Oest Associates.

There was no public discussion.

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

** * * * *

21. ORDER #86-98/99 - authorizing the City Manager to sign a Federal Equitable Sharing Agreement allowing the South Portland Police Department to be eligible to receive forfeited assets.

There was no public discussion.

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

** * * * *

22. ORDER #87-98/99 - authorizing the City Manager to sign a Purchase and Sale Agreement
with Theodore Wainwright for property shown as Map 56 Lot 4D.

The following people addressed this item:

Dana Anderson, Parks and Recreation Director
Ray Lee, Henry Street

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

23. RESOLVE #2-98/99 - authorizing the sale of bond anticipation notes in the amount of $1,000,000 for the purchase of property from Theodore Wainwright shown as Map 56 Lot 4D.

There was no public discussion.

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

24. ORDER #88-98/99 - authorizing the City Manager to execute a memorandum of understanding with Turner’s Island LLC regarding the Greenbelt Walkway.

The following people addressed this item:

Tim Carr, 17 Edgewood Road
Warren Morgan, 103 Chapel Street
Ray Lee, Henry Street
Susan Odencrantz, 61 Atlantic Avenue
David Swander, High Street

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

25. ORDER #89-98/99 - award of bid to Cerulean Technology, of Marlborough, MA, and RCM, of Falmouth, ME, for a mobile communication and information system for the Police Department.

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

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, 28 Henry Street, asked about the missing Braille from the new signs in City Hall and asked why he has to stop for stop signs when City vehicles don’t. He said he has seen City buses go through the stop sign in Willard Square doing about 40 mph.

Tex Hauser, Planning Director, thanked the Council for its consideration on the Turner’s Island item. He said a lot of people had to come together on this in a short period of time. He especially wanted to thank Mayor Boudreau and Councilor Avery.

J. COUNCILORS’ ROUND ROBIN

Councilor Baxter asked about the possibility of rerouting traffic to the working side of the bridge when one side is broken down. He thanked those involved in making the Turner’s Island project work and added that he is looking forward to walking on the Greenbelt Walkway from Bug Light Park to the new athletic fields at Wainwright Farms.

Councilor Bowring echoed Councilor Baxter’s statements about the Walkway and wished everyone Happy Holidays.

Councilor Johnson said he is glad that the Council is taking care to make the City a people’s place.

Councilor Larsen said she hopes everyone enjoys a safe holiday.

Councilor Fickett announced that Highland Avenue has been invaded by beavers. He said he was bothered by zoning when Mr. Wainwright lost his rights and stated “when freedom fails, famine moves in.”

Mayor Boudreau thanked the Councilors who supported the Walkway at Turner’s Island, adding that she hopes the State looks favorably on the grant. She said the Council was criticized for supporting the Knightville/Mill Creek area when the bridge rerouted traffic there, but now the area is prospering, and she is sure the portion of the Walkway approved tonight will be the same. She wished everyone Happy Holidays.

Councilor Avery said it may be necessary to talk to the Department of Transportation Director again about a contingency plan for people stuck on the bridge. She said she is thrilled that the dredging project is going so well and wished everyone Happy Holidays.

Motion was made by Councilor Bowring and seconded by Councilor Avery to adjourn. Passage 7-0, 9:21 P.M.

A TRUE COPY.

ATTEST: Linda C. Cohen, CMC, City Clerk
ROLL CALL: Mayor Boudreau called the meeting to order at 7:05 P.M. Councilor Avery was absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Larsen to accept the minutes of the 12/21/98 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan read a portion of a memo from the Police Chief about community policing.

City Clerk Linda Cohen asked members of the audience who were present at the Centennial dances to please stop by the Clerk’s office and identify themselves in various pictures taken that evening. She has compiled a photo album and would like to have the names for the historical record.

C. PETITIONS AND COMMUNICATIONS

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01. Postponed since 12/7/98.

   Motion was made by Councilor Fickett and seconded by Councilor Baxter to postpone this item to 1/20/99. Passage 6-0.

   *****

2. ORDER #68-98/99 - Waterfront Advisory Committee (Mayor). To fill an unexpired term which expires 3/20/99. Postponed since 12/7/98.

   Motion was made by Mayor Boudreau and seconded by Councilor Bowring to postpone this item to 1/20/99. Passage 6-0.

   *****

3. ORDER #73-98/99 - Board of Assessment Review, District 5 (Johnson). Term to expire 12/31/01. Postponed on 12/21/98.

   Motion was made by Councilor Johnson and seconded by Councilor Bowring to postpone this item to 1/20/99. Passage 6-0.
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4. ORDER #74-98/99 - Board of Assessment Review, At Large (Fickett). Term to expire 12/31/01. Postponed on 12/21/98.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 1/20/99. Passage 6-0.

*****

5. ORDER #75-98/99 - Board of Assessment Review, At Large (Larsen). Term to expire 12/31/01. Postponed on 12/21/98.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Bowring to appoint Philip Notis to this position. Passage 6-0.

*****


There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to appoint Marian Peterson to this position. Passage 6-0.

*****

7. ORDER #77-98/99 - Library Advisory Board, District 4 (Bowring). Term to expire 12/31/01. Postponed on 12/21/98.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 1/20/99. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Stanley Cox, 460 Highland Avenue, said he thought the City was moving toward zoning that would not make existing structures and uses non-conforming, but the new Knightville/Mill Creek zone made a lot of existing buildings non-conforming. He asked the Council to re-think its policy for existing buildings when re-zoning occurs.

State Representative Kevin Glynn, District 27, invited the public to attend a symposium at SMTC on 1/9/99 from 9 A.M. to Noon. The symposium will be chaired by him and co-sponsored by other State Representatives for the purpose of discussing Maine’s economic
IN COUNCIL REGULAR MEETING JAN. 4, 1999 VOL. 60 PAGE 67

future.

Joe Conroy, 146 Walnut Street, said he is a tenant at the Center For Environmental Enterprise at SMTC, and he urged the Council to pass Item 8.

G. PUBLIC HEARINGS AND ACTION

8. ORDER #90-98/99 - authorizing the City Manager to submit a Phase I I Community Development Block Grant application on behalf of Center for Environmental Enterprise.

The following people addressed this item:

Phil Helgerson, Center for Environmental Enterprise
Andy McCusker, Yarmouth
George Crockett, Greater Portland Public Development Commission
Widgery Thomas, Greater Portland Building Fund
Joe Conroy, 146 Walnut Street
Ray Lee, Henry Street

Motion was made by Councilor Bowring and seconded by Councilor Johnson for passage. Passage 4-2 (Larsen, Fickett).

H. ACTION ON OLD AND NEW BUSINESS

9. ORDER #91-98/99 - authorizing the City Manager to execute the following documents regarding the relocation of the Greenbelt Walkway at the South Portland Congregate Housing Associates Project:

1. Amended Quitclaim Deed of Easement
2. Amendment to License Agreement
3. Agreement to construct greenbelt, and
4. Accepting a bus shelter easement

The following people addressed this item:

Peggy Fuller, Grand Street
Tex Haeuser, Planning Director
Clarence Beckwith, Bonnybriar Road
David Swander, High Street
Ray Lee, Henry Street

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to the 1/20/99 meeting. Passage 6-0.
10. ORDER #92-98/99 - award of bid to Radio Communications Management, of Falmouth, ME, for the purchase of two radio communication consoles for the Public Safety Communications Facility.

The following people addressed this item:

Ed Googins, Police Chief
Jim Matthews, RCM

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

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said that City Hall is not accessible to the blind. He was complaining, again, about the directory sign in the back hall. He said he plans to pursue the issue. He said he understood there was a bad accident on the South Portland side of the bridge, and the ambulance had to go to Portland to turn around to get to it. He said the bridge is never going to function properly.

Clarence Beckwith, Bonnybriar Road, said he is bothered that the Ferry Village group waits until after the public hearings have happened to raise issues with the Housing Authority's project. He said that everything that could possibly be done has been done to satisfy them, and they need to accept the fact that the building is going to be built and get beyond it.

J. COUNCILORS' ROUND ROBIN

None.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Larsen to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 6-0, 8:58 P.M. Motion was made by Councilor Larsen and seconded by Councilor Bowring to come out of executive session. Passage 6-0, 9:24 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to grant Abatement #98/99-11 in the amount of $4,386.01 plus interest and costs to date for FY96/97 and 97/98 with the intention of leaving $1000 still owing and interest and costs to date for FY98/99. Passage 6-0.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to adjourn. Passage 6-0, 9:25 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING JAN. 20, 1999 VOL. 60 PAGE 69

ROLL CALL: Mayor Boudreau called the meeting to order at 7:00 P.M. Councilor Bowring arrived after Item A; Councilor Avery arrived after Item D.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Larsen and seconded by Councilor Baxter to accept the minutes of the 1/4/99 meeting. Passage 5-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeff Jordan read a letter from Wright Express, commending the Fire Department, and referenced other items in the Council packets.

C. PETITIONS AND COMMUNICATIONS

Planning Board Report regarding a Zoning Map change at 111 Summit Terrace.

Planning Board Report regarding Zoning Map change on Sunset Avenue.

Department Reports for the Month of December.

Attendance Reports for the Month of December.

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01. Postponed since 12/7/98.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 2/1/99. Passage 6-0.

*****

2. ORDER #68-98/99 - Waterfront Advisory Committee (Mayor). To fill an unexpired term which expires 3/20/99. Postponed since 12/7/98.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Bowring to appoint Philip McGouldrick to this position. Passage 6-0.

*****

3. ORDER #73-98/99 - Board of Assessment Review, District 5 (Johnson). Term to expire 12/31/01. Postponed since 12/21/98.
Motion was made by Councilor Johnson and seconded by Councilor Bowring to postpone this item to 2/1/99. Passage 6-0.

*****

4. ORDER #74-98/99 - Board of Assessment Review, At Large (Fickett). Term to expire 12/31/01. Postponed since 12/21/98.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to appoint George Koutalakis to this position. Passage 6-0.

*****

5. ORDER #77-98/99 - Library Advisory Board, District 4 (Bowring). Term to expire 12/31/01. Postponed since 12/21/98.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to appoint William Smith to this position. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Colin Peters, Pine Street, said it was another bad day for the Casco Bay Bridge. He said the flashing lights on South Portland's side didn't work in the A.M., and they sent a false signal on the Portland side at the end of the day. He said he doesn't think that sea travel should have priority over land travel.

Ray Lee, Henry Street, said he toured the new public dispatch facility today, and he thinks a plaque should be erected in the late Tom Carmody's honor. Officer Carmody was the Youth Aid Officer for years, and he touched a lot of kids' lives. He said he would pay for the plaque if the City doesn't have the money. He referenced a flyer he had received regarding the zone change on Lucarelli's property.

Hans Hackett, 77 Grand Street, spoke against the Lucarelli property zone change.

Catherine Shallow, 11 Bowers Street, spoke against the Lucarelli property zone change.

Karine Odlin, 210 Pine Street, spoke against the Lucarelli property zone change.

Clarence Beckwith, Bonnybriar Road, asked how many apartments can go on the Lucarelli property.
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Nancy Plourde, Grandview Avenue, spoke against the Sunset Avenue property zone change.

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

7. ORDER #91-98/99 - authorizing the City Manager to execute the following documents regarding the relocation of the Greenbelt Walkway at the South Portland Congregate Housing Associates Project: 1) Amended Quitclaim Deed of Easement, 2) Amendment to License Agreement, 3) Agreement to construct Greenbelt, and 4) Accepting a bus shelter Easement.

Gary Vogel, Attorney for SPHDC, addressed this item.

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

* * * *

8. ORDER #93-98/99 - authorizing the City Manager to sign a lease agreement with the Maine Department of Transportation for two City buses.

Leroy Beaver, Bus Service Director, addressed this item.

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

* * * *


The following people addressed this item:

Teresa Carlson, 15 Bowers Street, by letter
Marty and Amy Zanghi, 76 Everett Avenue, by letter
Ralph Pundt, 87 Vincent Street
Dolores Broberg, 38 Bellevue Avenue
Jean Morisette, Thompson Street
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Ed Laing, 289 Pine Street
Mark O'Donnell, 48 Vincent Street
George Hackett, 157 Stanford Street
Andrew Berglund, 76 Vincent Street
Joan Laidley, 374 Sawyer Street
Sarah Taylor, 54 Everett Avenue
Joyce Laing, 289 Pine Street
Al Brewer, 21 Deake Street
Clarence Beckwith, Bonnybriar Road
Kathy Latendresse, 199 High Street
Tex Haeuser, Planning Director

Motion was made by Councilor Bowring and seconded by Councilor Avery to deny passage of the first reading. Passage 6-1 (Fickett).

*****

10. ORDINANCE #14-98/99 - amending Ch. 27, “Zoning,” for a map change from Non-Residential Industrial District INR to Residential District G at Map 54 Lot 14 on Sunset Avenue. First reading.

The following people addressed this item:

Brian Plourde, 106 Grandview Avenue
Sean Frank, Sebago Technics
Terry Brown, Brown Development

Motion was made by Councilor Baxter and seconded by Councilor Fickett for passage of the first reading. Passage 5-2 (Avery, Bowring).

*****

11. ORDER #94-98/99 - award of bid to A. H. Grover, of Cumberland, ME, for the Bug Light Park Project.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Mitchell Rasor, Orcutt Associates
Dana Anderson, Parks and Recreation Director

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Motion was made by Mayor Boudreau and seconded by Councilor Avery to amend the order to authorize the City Manager to establish a contingency of $15,000 from capital reserves to cover only unforeseen problems related to this project. Passage 4-3 (Baxter, Larsen, Fickett). Passage, as amended, 4-3 (Larsen, Fickett, Baxter).
12. ORDER #95-98/99 - award of bid to Mitchell & Associates, of Portland, ME, for architectural and engineering services for athletic and recreation fields.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

I. CITIZENS DISCUSSION (SECOND PART)

None.

J. COUNCILORS' ROUND ROBIN

Councilor Fickett explained where the impeachment process came from.

Mayor Boudreau thanked the people who contacted her about serving on Project Plan and the recycling committee. She said Project Plan is all set, and the recycling committee isn’t. She said she received calls on Sunday afternoon about people not cleaning up after their dogs on the beach. She congratulated Ge Erskine for winning the Great Person Award.

Councilor Avery said she has been receiving calls about the fact that she won’t use the Casco Bay Bridge. She asked Mr. Jordan to meet with her and John Melrosse. She said that people are concerned that they can’t get anywhere in an emergency situation. She said that it might be a good idea to have MDOT come to South Portland and hold a public hearing. She also encouraged dog owners to clean up after their dogs.

Councilor Baxter said it is well known that he thinks the bridge problems are grossly exaggerated, but he has never understood the priority situation during rush hours. He suggested that be changed. He echoed Mayor Boudreau’s comments about Mr. Erskine and noted that bicycles on the Greenbelt is an issue that will be resurfacing.

Councilor Bowring congratulated Mr. Erskine, adding that he does a lot for people well above and beyond his job description.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session to discuss, pursuant to 1 M.R.S.A. §405 (6)(e), pending litigation: South Portland Associates v. City of South Portland and, pursuant to 1 M.R.S.A. §405 (6)(D), labor negotiations with IAFF Local #1476. Passage 7-0, 10:03 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Avery to come out of executive session. Passage 7-0, 10:40 P.M.
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Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn. Passage 7-0, 10:41 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING FEB. 1, 1999 VOL. 60 PAGE 75

ROLL CALL: Mayor Boudreau called the meeting to order at 7:03 P.M. All Councilors were present.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Larsen and seconded by Councilor Bowring to accept the minutes of the 1/20/99 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan cited a letter from Hugh Stearns commending Police and Fire Departments.

C. PETITIONS AND COMMUNICATIONS

David Flood, of the South Portland Sentry, presented the Great Person Award for 1999 to Arvin “Ge” Erskine. Mr. Erskine thanked the paper, Tex Haeuser for nominating him and the voters.

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01. Postponed since 12/7/98.

Motion was made by Councilor Fickett and seconded by Councilor Baxter to postpone this item to 2/17/99. Passage 7-0.

*****

2. ORDER #73-98/99 - Board of Assessment Review, District 5 (Johnson). Term to expire 12/31/01. Postponed since 12/21/98.

There was no public discussion.

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

*****

3. ORDER #96-98/99 - Conservation Commission, Associate Member (Commission). Term to expire 11/20/01.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Avery to appoint John Dore to this position. Passage 7-0.
E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

4. ORDINANCE #14-98/99 - amending Ch. 27, “Zoning,” for a map change from Non-Residential Industrial District INR to Residential District G at Map 54 Lot 14 on Sunset Avenue. Passed first reading on 1/20/99.

The following people addressed this item:

Sean Frank, Sebago Technics Engineer
Guilford Industries Representative
Nancy Plourde, Grandview Avenue
Tex Haeuser, Planning Director
Joanne Divine, Carrignan Avenue
Ray Lee, Henry Street
Mr. Brown, Brown Development

Motion was made by Councilor Fickett and seconded by Councilor Baxter for passage. Motion was made by Mayor Boudreau and seconded by Councilor Bowring to postpone this item to 2/17/99. Withdrawn. Motion was made by Mayor Boudreau and seconded by Councilor Bowring to commit this item to the Council workshop of 2/22/99. Passage 5-2 (Baxter, Fickett).

H. ACTION ON OLD AND NEW BUSINESS

5. ORDER #97-98/99 - accepting miscellaneous donations.

There was no public discussion.

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

*****


The following persons addressed this item:

Rob Soucy, 21 Snowberry Drive
Clarence Beckwith, Bonnybriar Road

Councilor Bowring stated that his wife is the niece of the owner of this business, but that she receives no financial benefit. The Councilors saw no conflict of interest.
IN COUNCIL REGULAR MEETING FEB. 1, 1999 VOL. 60 PAGE 77

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

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, congratulated Ge Erskine. He asked why the polling places decision was being appealed. He said, if the rumor is true that Mr. Lucarelli is going to put low income apartments on his land, Council Chambers may soon be packed again with people opposed to that plan. He asked why the barriers haven't been removed from the bridge so that people can turn around when the bridge goes up. He noted that the lights have been malfunctioning.

Clarence Beckwith, Bonnybriar Road, congratulated Ge Erskine. He asked if there is a huge cost overrun at the public dispatch facility. He said he hopes the Council won't close polling places again.

J. COUNCILORS' ROUND ROBIN

Councilor Fickett said he is opposed to appealing the polling place decision and closing polling places. He said all voting should take place in the schools so the Council can control the activity there.

Mayor Boudreau said she just went to her second meeting of the Police Academy, and it was lots of fun and very interesting. She said that Officer Everett Moulton did an excellent job.

Councilor Avery thanked the police officer who helped her recently when her engine died in the middle of Broadway.

Councilor Baxter said he toured the new dispatch facility with Mike Holmes, and he was impressed with the quality and attention to detail plus the fact that secondhand items were used in some places. He said the water leakage is minimal and not coming from the roof.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Johnson to go into executive session to discuss, pursuant to 1 M.R.S.A. §405 (6)(A), discussion of public employee’s employment status - City Manager’s evaluation. Passage 7-0, 8:40 P.M.

Motion was made by Mayor Boudreau and seconded by Councilor Larsen to come out of executive session. Passage 6-0 (Johnson absent), 10:29 P.M.

Motion was made by Councilor Larsen and seconded by Mayor Boudreau to adjourn. Passage 6-0, 10:30 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING FEB. 17, 1999 VOL. 60 PAGE 78

ROLL CALL: Mayor Boudreau called the meeting to order at 7:04 P.M. Councilor Johnson was absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Avery to accept the minutes of the 2/1/99 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan cited items in the Council packets and brought the mylar of the new boundary between Cape Elizabeth and South Portland around so that all Councilors could sign it and the City Clerk could attest it. Mayor Boudreau read a letter from the International City Manager's Association awarding Mr. Jordan for his service. She also presented a plaque to former Library Advisory Board member Hugh Stearns.

C. PETITIONS AND COMMUNICATIONS

Monthly reports for January, 1999

Attendance reports for January, 1999

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01. Postponed since 12/7/98.

   Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 3/1/99. Passage 6-0.

   *****

2. ORDER #99-98/99 - Civil Service Commission, District Three (Baxter). Term to expire 03/01/04.

   There was no public discussion.

   Motion was made by Councilor Baxter and seconded by Councilor Larsen to appoint Richard Sirois to this position. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Portland Water District Trustee Peter Larsen presented the City with a refund check for $30,000 for overassessment of water use. He said there will be an overall 4.3% decrease
IN COUNCIL REGULAR MEETING FEB. 17, 1999 VOL. 60 PAGE 79

in rates in the next fiscal year.

Ray Lee, Henry Street, said he had received many calls in the last two weeks from people in South Portland about the City Clerk being in Augusta lobbying. He said there are State Representatives who can handle the City's lobbying, and questioned whether or not she is supposed to file as a lobbyist with the Ethics Commission. He asked the Councilors if they knew how their employee was spending her time and stated that, perhaps, the City Clerk's office is overstaffed. He also asked who gave Corporation Counsel permission to file an appeal in the polling place lawsuit. He said he received a call about the new public works sweeper blowing up, and he also heard the back hoe is a piece of junk.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

3. ORDER #100-98/99 - accepting miscellaneous donations.

There was no public discussion.

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

****

4. ORDER #101-98/99 - authorizing the Finance Director to accept prepayment of taxes not yet due or assessed for fiscal year July 1, 1999 to June 30, 2000.

There was no public discussion.

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

****

5. ORDER #102-98/99 - authorizing the acceptance of nine weapons under the Asset Forfeiture Program.

There was no public discussion.

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

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said the success of the South Portland Housing Authority is due, in large part, to the Chairman of the Board Elizabeth Ross. He said that
work is going along well on the new facility, despite all of the delays.

J. COUNCILORS’ ROUND ROBIN

Mayor Boudreau said she is aware of the City Clerk’s attendance in Augusta, adding that the Clerk is a highly respected and experienced elections official who is often asked to speak there. She said it is a credit to the City that the Clerk not only speaks on issues important to the City of South Portland but to the rest of the municipalities in the State as well. She announced that the Project Plan Committee will hold a public forum on Saturday, February 27, 1999 at 9 A.M. in the machine tool building. Former Planning Director Evan Richert will make a presentation, and then the public will be invited to make comments. She said there will be a community forum on the Sunset Avenue rezoning at St. John’s Church at 7 P.M. on Thursday, 2/18/99, and she encouraged Councilors to attend.

Councilor Bowring said he attended the recent Coalition for Equitable School Funding meeting in Westbrook, and thanked Corporation Counsel Mary Kahl for alerting Councilors to the meeting.

Councilor Larsen said she also attended that meeting, and Portland Representative Brennan explained the proposed funding formula and its impact on York and Cumberland Counties. She said she would make sure Councilors get a copy of the literature she received.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session to discuss, pursuant to 36 M.R.S.A. §841, application(s) for abatement of property taxes on account of infirmity or poverty; and, pursuant to 1 M.R.S.A. §405 (6)(E), consultation with public agency’s attorney regarding the Portland Bangor Waste Oil Site. Passage 6-0, 7:40 P.M.

Motion was made by Councilor Avery and seconded by Councilor Larsen to return to open session. Passage 6-0, 8:13 P.M.

Motion was made by Councilor Avery and seconded by Councilor Bowring to grant abatement #9-98/99 in the amount of $1,124.28 plus interest and costs to date. Passage 6-0.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to adjourn. Passage 6-0, 8:14 P.M.

A TRUE COPY.

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Bowring to accept the minutes of the 2/17/99 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan cited items in the Council packets and passed out a memo from RWS General Manager Charles Foshay regarding LD 429 which was submitted by Representative Glynn. Mr. Jordan welcomed Rick Bowers as the new Director of Information Technology.

C. PETITIONS AND COMMUNICATIONS

Report from the Finance Director regarding tax abatements.

D. APPOINTMENT CALENDAR

1. ORDER #66-98/99 - Conservation Commission, At Large (Fickett). Term to expire 11/20/01. Postponed since 12/7/98.

   There was no public discussion.

   Motion was made by Councilor Fickett and seconded by Councilor Bowring to appoint Stanley Cox to this position. Passage 6-0.

   *****

2. ORDER #103-98/99 - Board of Assessment Review, District 4 (Bowring). Term to expire 3/16/02.

   There was no public discussion.

   Motion was made by Councilor Bowring and seconded by Councilor Avery to appoint Paul Cloutier to this position. Passage 6-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Ray Lee, Henry Street, said he mentioned at the last meeting that two employees were going to Augusta to speak against the people. He asked what meeting the Council had to give them the authority to do that. He said he read the City Clerk's job description and it says she serves the City.
IN COUNCIL REGULAR MEETING MAR. 1, 1999 VOL. 60 PAGE 82

Tom Harder, Sandy Hill Road, said it's hard for him to believe that City employees are going to Augusta to testify against the people. He asked if they were paid mileage or used a City car. He said the City pays MMA to lobby.

G. PUBLIC HEARINGS AND ACTION

3. Roland Beaulieu, d/b/a Harvey's Lunch, FSE/Mobile Food Service. Renewal, requesting 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 Fickett and seconded by Councilor Larsen for passage. Passage 6-0.

H. ACTION ON OLD AND NEW BUSINESS

4. RESOLVE #3-98/99 - endorsing the private fundraising campaign for Bug Light Park.

There was no public discussion.

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

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5. ORDER #104-98/99 - award of bid to Maietta Construction, of South Portland, ME, for Phase III of the Highland Avenue Landfill Closure Project.

There was no public discussion.

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

***

6. ORDER #105-98/99 - award of bid to Summit Environmental, of Auburn, ME, for inspection services for the Highland Avenue Landfill Closure Phase III Project.

There was no public discussion.

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

***

7. ORDER #106-98/99 - authorizing payment of $7327.90 for settlement of the City's potential liability in the Portland-Bangor Waste Oil Site and authorizing the City Manager to sign any related settlement documents.
There was no public discussion.

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

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said he attended the Project Plan forum at SMTC on Saturday, adding that it was well attended and very informative. He said Public Works Director Ge Erskine invited him over to see the new sweeper lookalike and explained that the backhoe had been fixed.

J. COUNCILORS' ROUND ROBIN

Mayor Boudreau thanked Mr. Beckwith for his comments, adding that he always makes sure he has the correct information. She noted that she had spent two days last week touring recycling facilities in Vermont and Massachusetts. She thanked everyone who attended Project Plan. She said she is distressed with the negativity coming from a small group of the public about employees who are working hard to do a good job. She encouraged the public to give those employees its support.

Councilor Avery said she appreciates Mayor Boudreau's comments about City staff. She said that, as a two time Mayor, she has worked closely with Corporation Counsel Mary Kahl, City Clerk Linda Cohen, and City Manager Jeff Jordan, and they know how to deliver a message well. She said that testimony from communities is important to and valued by the Legislature, and it is very important to have South Portland represented there. She noted that Senator Amero had singled Linda Cohen out and commended her for her attendance in Augusta. Councilor Avery said she wants employees to keep going to Augusta. She encouraged the public to go to the workshops regarding the future of the City's schools and get informed. She said that Evan Richert's presentation at Project Plan was food for thought, and she had received two calls in favor of the project.

Councilor Baxter noted that it's budget time, and the School Board is holding a series of public hearings. He encouraged the public to attend.

Councilor Bowring said he went to a Dyer School meeting, and he also encouraged the public to become informed about the schools. He said he had to leave the Project Plan forum early because it was his child's birthday, but the presentation by Evan Richert was excellent, and he encouraged the public to watch the replays on SPCTV. With regard to staff going to Augusta, he said he had spoken with State Representatives from South Portland and other areas, and they said that the information shared from staff is crucial. He said the employees are fighting for the betterment of South Portland, and it is very important that South Portland be represented in Augusta. He said the employees should be commended, adding that both Democrats and Republicans have commented on the value of having our dedicated and knowledgeable staff speaking in Augusta.

Councilor Larsen said she was impressed by the advertising for Project Plan and commended whoever did it. She said that whoever didn't know about the forum had to have been out of town. She said it showed we encouraged public input.
Councilor Fickett began a series of lessons on democracies and republics.

Motion was made by Councilor Bowring and seconded by Councilor Avery to adjourn. Passage 6-0, 7:52 P.M.

A TRUE COPY.

ATTEST

Linda C. Cohen, CMC, City Clerk
ROLL CALL: Mayor Boudreau called the meeting to order at 7 P.M. Councilors Baxter and Bowring were absent.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Larsen and seconded by Councilor Avery to accept the minutes of the 3/1/99 meeting. Passage 5-0.

B. COMMUNICATIONS FROM CITY MANAGER


C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of February.

Attendance Reports for the Month of February.

D. APPOINTMENT CALENDAR

1. ORDER #107-98/99 - Planning Board, District 4 (Bowring). Term to expire 4/1/02.

Motion was made by Councilor Avery and seconded by Councilor Larsen to postpone this item to 4/5/99. Passage 5-0.

2. ORDER #108-98/99 - Planning Board, District 5 (Johnson). Term to expire 4/1/02.

There was no public discussion.

Motion was made by Councilor Johnson and seconded by Councilor Avery to appoint Carol Thorne to this position. Passage 5-0.


There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen to appoint Clarence Beckwith to this position. Passage 5-0.
4. ORDER #110-98/99 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/02.

There was no public discussion.

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

*****

5. ORDER #111-98/99 - Waterfront Advisory Committee (Mayor). Term to expire 3/20/02.

Motion was made by Mayor Boudreau and seconded by Councilor Avery to postpone this item to 4/5/99. Passage 5-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Peggy Fuller, Grand Street, said she was here for the Willard Neighborhood Association, and she wanted to thank Mayor Boudreau for her hard work on Project Plan. She said that Barbara Davis got as far as Willard Square, after the public forum, and thought what a great idea it might be to put a roundabout there. She invited the public to attend the Association's next meeting on April 1 at 7 P.M. at the Boys and Girls Club. She noted that Willard is one of the oldest neighborhoods in the State of Maine.

Woody Leland, 1695 Broadway, said that SPCASA will be contacting every Councilor about its initiative regarding cigarettes. The group wants to get something going sooner than the State project to ban smoking in all restaurants.

Joe Nicoletti, 434A Preble Street, said that the Willard Square area is a matter of beautification and traffic control. He said that traffic needs to be slowed down, and a roundabout there is a good idea and, maybe, a bus kiosk could be placed there, too. He said he is willing to help in any way.

John Murphy, 6 Willard Street, passed out pictures showing a lot of erosion at Willard Beach. He said the problem needs to be addressed quickly. He asked if any plans have been made for sidewalks on the side streets near the beach.

G. PUBLIC HEARINGS AND ACTION


There was no public discussion.
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Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Passage 5-0.

H. ACTION ON OLD AND NEW BUSINESS


There was no public discussion.

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

* * * * *

8. ORDER #113-98/99 - setting April 7, 1999 as the date for public hearing in City Council Chambers for the proposed 1999/2000 budget.

There was no public discussion.

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

* * * * *


The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
John Murphy, Willard Street
John True, Fire Chief

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

* * * * *

10. ORDER #115-98/99 - award of bid to Valcom, of South Portland, ME, for an office automation and municipal systems network.

The following people addressed this item:

Jack Eton, Workgroup Technology Partners
Mark Alexander, Baker, Newman and Noyes
IN COUNCIL REGULAR MEETING MAR. 15, 1999 VOL. 60 PAGE 88

John Murphy, Willard Street
Rick Bowers, Director of Information Technology
Clarence Beckwith, Bonnybriar Road
Rob Coombs, Senior Accountant

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

* * * *

11. ORDER #116-98/99 - authorizing the City Manager to sign a reciprocity agreement with the City of Saco regarding sludge spreading.

The following people addressed this item:

Pat Cloutier, Pollution Abatement Director
Clarence Beckwith, Bonnybriar Road

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

* * * *

12. ORDER #117-98/99 - authorizing the City Manager to sign an amendment to the contract with Wright-Pierce for engineering services for the Pollution Abatement Department.

There was no public discussion.

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

* * * *

13. ORDER #118-98/99 - accepting an easement deed from EIC, Inc. for a sidewalk along Gorham Road.

There was no public discussion.

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

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, said the judge denied the stop order the Concerned Neighbors wanted for the Housing Authority Project. He said he was shocked at the size of the proposed budget, and he asked if National Semiconductor is still making the investment
IN COUNCIL REGULAR MEETING MAR. 15, 1999 VOL. 60 PAGE 89

in new equipment that was approved under the TIF.

J. COUNCILORS’ ROUND ROBIN

Councilor Larsen said her mother suffered a stroke over the weekend, and the police and fire personnel were absolutely wonderful and truly appreciated. She said the orange medical cards the City distributes were a tremendous help. She announced that she will be participating in a project called “Shanty Town” on 4/16/99 at the University of New England Westbrook campus. The program is designed to raise money for and awareness of the homeless, and participants will be sleeping outside all night in cardboard boxes. She said that anyone who would like to sponsor her can give her a call.

Councilor Fickett talked about French Justice Toqueville and his observations in the United States.

Mayor Boudreau said the next meeting of Project Plan will be at 6:30 P.M. on 3/17 at the Brown School Auditorium. She announced a meeting in Pleasantdale on 3/24/99 at 7 P.M. at the Elm Street United Methodist Church to discuss the Greenbelt Walkway.

Motion was made by Councilor Avery and seconded by Councilor Larsen to adjourn. Passage 5-0.

A TRUE COPY.

ATTEST

[Signature]

Linda C. Cohen, CMC, City Clerk

CITY OF SOUTH PORTLAND

1898

MAINE
IN COUNCIL REGULAR MEETING APR. 5, 1999 VOL. 60 PAGE 90

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 Bowring to accept the minutes of the 3/15/99 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan announced dates for free drop off of yard waste at the transfer station.

Mr. Jordan introduced School Superintendent Reginald MacDonald to discuss the Jobs for Maine Graduates Program. Mr. MacDonald introduced David Perron, from Memorial Middle School, who heads up Project Reach. Two students, Shawn Emerton and Danielle Margel, along with Pete Thibodeau, President of JMG, presented gifts to Maine Community Foundation, People’s Heritage, and Blue Cross/Blue Shield.

Mr. Jordan announced the budget workshops would be held on April 10, 17 and 24 from 8 A.M. to approximately 1:45 P.M. The City Council and School Board will hold a joint workshop on April 28 at the High School Library.

Two environmental cleanups will take place: one on April 17, by the South Portland Land Trust in conjunction with several neighborhood groups will concentrate on the shoreline, and one on May 15 will occur in the Waterfront Market area.

Mr. Jordan welcomed Police Chief Ed Googins back from the FBI and commended Buzz Sanborn for doing a great job in his absence.

Mayor Boudreau presented Lt. Cliff Sargent with a plaque for his 34 years of service to the Fire Department.

Mr. Jordan asked the public to keep an eye on the transfer facility and Bug Light Park and report suspicious behavior to the police. Both locations have suffered considerable damage resulting in substantial financial cost to the City.

C. PETITIONS AND COMMUNICATIONS

Planning Board Report Regarding a Zone Map Change on Highland Avenue.

D. APPOINTMENT CALENDAR

IN COUNCIL REGULAR MEETING APR. 5, 1999 VOL. 60 PAGE 91

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Avery to appoint Herbert Haase to this position. Passage 7-0.

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There was no public discussion.

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

********

3. ORDER #119-98/99 - Board of Assessment Review, District 3 (Baxter). To fill an unexpired term which expires 3/16/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 4/21/99. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Jean Heath, 80 Everett Avenue, said she has a lot of questions about the Lucarelli tower and she wants the answers in writing by the close of business Friday. She said she wants to know what laws were used to base the decision to grant the permit and what research was done. She said she will involve the Attorney General if she doesn’t get the answers she wants.

Dolores Broberg, Bellevue Avenue, read a letter against the tower.

Amy Witt, 77 Grand Street, said the letter Hans Hackett wrote deserves an answer by the end of the week.

Ray Lee, Henry Street, said that Helen Goodine, who used to be an election clerk, passed away. He said he had watched the re-run of the show where it is suggested that streets be narrowed to make them safer. He said if that’s the goal, why are we widening the Maine Turnpike.

Nancy Plourde, Grandview Avenue, said the owner of the Sunset Avenue property won’t sell if the property remains Industrial. She said she supports the recommendation of the Planning Director to change the zone to Residential A not Residential G.
IN COUNCIL REGULAR MEETING APR. 5, 1999 VOL. 60 PAGE 92

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Joanne Devine, 33 Carignan Avenue
Nick DiBiase, Carignan Avenue
Sean Frank, representing Brown Development
Clarence Beckwith, Bonnybriar Road
Brian Plourde, Grandview Avenue
Ray Lee, Henry Street

Motion was made by Councilor Avery and seconded by Councilor Larsen to postpone this item so it could go to workshop for discussion about changing the zone to A. Motions were withdrawn. Motion was made by Councilor Avery and seconded by Councilor Larsen to deny passage. Motions were withdrawn. Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Failed 3-4 (Boudreau, Avery, Bowring, Larsen).

* * * *


There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

6. ORDER #120-98/99 - accepting miscellaneous donations.

There was no public discussion.

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

* * * *

7. ORDER #121-98/99 - award of bid to Portland North, of Falmouth, ME, for the purchase of a school bus for the School Department.

Clarence Beckwith, Bonnybriar Road, addressed this item.
IN COUNCIL REGULAR MEETING APR. 5, 1999 VOL. 60 PAGE 93

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

*****

8. ORDER #122-98/99 - award of contract to Process Inc., d/b/a MUNIS, of Falmouth, ME, for the purchase and installation of a Financial Information System.

The following people addressed this item:

Ralph St. Pierre, Finance Director
Ray Lee, Henry Street

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

*****

9. ORDER #123-98/99 - award of bid to H.P. Fairfield, of Skowhegan, ME, for the purchase of a street sweeper for the Public Works Department.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Ge Erskine, Public Works Director

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

*****

10. ORDER #124-98/99 - award of bid to Nations Rent, of South Portland, ME, for the purchase of an air compressor for the Public Works Department.

There was no public discussion.

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

*****

11. ORDER #125-98/99 - appealing the denial of the Public Works Director for curb cuts on Nelson and Nutter Roads for the new community recreation center.
The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Ge Erskine, Public Works Director

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

* * * * *

12. ORDER #126-98/99 - authorizing the City Manager to sign a contract with First USA Financial Services, of Salt Lake City, Utah, for a purchasing card program.

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

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

* * * * *


The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Baxter and seconded by Councilor Avery for passage of the first reading. Motion was made by Councilor Baxter and seconded by Councilor Bowring to amend the ordinance to include the repeal of sections 2-16 and 2-160. Passage 6-1 (Fickett). Motion was made by Mayor Boudreau and seconded by Councilor Avery to amend the ordinance in §2-186 to add the word “shall” before “disclose” and “reasonably” before the word “give” in the last sentence. Passage 5-2 (Larsen, Fickett). Passage of first reading, as amended, 5-2 (Fickett, Larsen).

* * * * *


Sean Frank, Sebago Technics, addressed this item.

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

I. CITIZENS DISCUSSION (SECOND PART)

Clarence Beckwith, Bonnybriar Road, read a letter Housing Authority Director Bill Willette had received in which Bill was invited to Washington DC to receive a commendation.

J. COUNCILORS’ ROUND ROBIN

Motion was made by Councilor Bowring and seconded by Councilor Avery to waive Round Robin. Passage 7-0.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session to discuss, pursuant to 1 M.R.S.A. § (6)(D), labor negotiations with the South Portland Firefighters IAFF Local #1476, South Portland Fire Command Officers Bargaining Unit, South Portland Police Command and Supervisory Unit Local #340, South Portland Police Patrolmen’s Association, and Local #481 American Federation of State, County and Municipal Employees. Passage.

Motion was made by Councilor Avery and seconded by Councilor Bowring to come out of executive session. Passage 7-0, 11:39 P.M.

Motion was made by Councilor Avery and seconded by Councilor Bowring to adjourn. Passage 7-0, 11:40 P.M.

A TRUE COPY.

Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING APR. 21, 1999 VOL. 60 PAGE 96

ROLL CALL: Mayor Boudreau called the meeting to order at 7:00 P.M. All councilors were present. At the request of Mayor Boudreau, a moment of silence was observed for the victims of the shooting at Columbine High School in Littleton, CO.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Bowring to accept the minutes of the 4/5/99 meeting. Passage 7-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan noted the retirement of Deputy Chief Gary Littlefield from the Fire Department. Gary is the new Fire Chief in Westbrook.

Mr. Jordan read a letter from David Morton, Chairman of the Board of Trustees at Spring Point Museum, in which Mr. Morton announced the museum’s name change to Portland Harbor Museum.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the Month of March

Attendance Reports for the Month of March

D. APPOINTMENT CALENDAR

1. ORDER #119-98/99 - Board of Assessment Review, District 3 (Baxter). To fill an unexpired term which expires 3/16/00. Postponed on 4/05/99.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to appoint Brian Linscott to this position. Passage 7-0.

***

2. ORDER #127-98/99 - Planning Board, At Large (Fickett). To fill an unexpired term which expires 4/01/00.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to appoint Judy Carpenter to this position. Passage 7-0.
3. ORDER #128-98/99 - SPCTV Advisory Committee (Mayor). Term to expire 7/15/01.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Bowring to appoint Linda Mullin to this position. Passage 7-0.

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Bob Schwartz, Scamman Street, asked if the City was thinking about re-joining COG and expressed his opposition to doing so. He said the City always fared better by going it alone when it came to bids and other purchases. He said the $23,000 would be better spent on employees’ salaries.

Ray Lee, Henry Street, said that COG is like RWS, which we should have gotten out of years ago. He said the proposed conflict of interest ordinance will open the City up to widespread corruption. He said that allowing a development to go in next to the new ball fields will come back to haunt the City later, when the neighbors complain about the fields like they have in the past in other areas.

Robert Fickett, Highland Avenue, said he is opposed to re-joining COG, adding that he couldn’t see anything good they ever did for the City. He said the City always does better on its own for purchases.

G. PUBLIC HEARINGS AND ACTION


The following people addressed this item:

Janice Doctor, High Street
Katherine Latendresse, by e-mail

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

* * * * *


Gary Smith, Whispering Pines Drive, addressed question from the Council.
Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Motion was made by Councilor Bowring and seconded by Councilor Johnson to amend the ordinance to require notice be placed in the deeds regarding the sewer connection fee. Failed 2-5 (Boudreau, Avery, Baxter, Larsen, Fickett) Passage 7-0.

6. ORDER #129-98/99 - purchase of Police Department equipment under the Justice Department Block Grant Program.

Ed Googins, Police Chief, addressed this item.

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


There was no public discussion.

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

Hearing no objections from the Council, Mayor Boudreau took Item #14 out of order. Mayor Boudreau pointed out that her daughter had helped out at this establishment, but she had not received monetary compensation.

14. ORDER #133-98/99 - amending the lease agreement with Lobstah Cafe.

There was no public discussion.

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

8. Lobstah Cafe, d/b/a Lobstah Cafe, 1 Portland St. Pier. FSE/Restaurant with Malt & Vinous and Special Amusement Permit. Upgrade of existing business.

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

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There was no public discussion.

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

H. ACTION ON OLD AND NEW BUSINESS

10. RESOLVE #4-98/99 - regarding nuclear disarmament.

The following people addressed this item:

Dr. Harry Bliss, Bay Road
Dr. Peter Wilke, Mountain View Road, Sebago
Muriel Britton, Birch Road
Dr. Cynthia Sortwell, Drew Road

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

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There was no public discussion.

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

*****

12. ORDER #131-98/99 - award of bid to Weststate Construction Corp., of Bradford, NH, for the SMTC #1 and #2 Pump Stations Upgrade.

There was no public discussion.

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

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The following people addressed this item:

Elizabeth Sawyer, Assessor
Rob Coombs, Senior Accountant

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

I. CITIZENS DISCUSSION (SECOND PART)

Janice Doctor, High Street, said that South Portland would be one of the first places attacked by nuclear missiles because of its oil tanks and added that the country isn’t really well protected. She thanked the Council for reading her daughter’s comments into the record on the conflict ordinance. She said that kids do better in smaller schools and classrooms.

J. COUNCILORS’ ROUND ROBIN

Councilor Bowring said that Bug Light Park is coming along great. He said he happened to speak with the architect on the new doctor’s building going in Knightville, and was told the project would not have been possible without the new building design standards for that area.

Councilor Johnson said he hopes Councilors heard the letter read by the Manager earlier regarding the name change for Spring Point Museum. He said he would like to know how they feel about the change.

Councilor Larsen thanked everyone who pledged money for “Shanty Town,” adding that she and her husband raised $400, and her awareness was also raised. She said it was very scary to crawl into a cardboard box to sleep for the night, knowing that there really wasn’t anywhere else to go.

Councilor Fickett read from John Adams regarding inflation.

Mayor Boudreau explained her policy about allowing some letters to be read into the record and not allowing others. She said she will not allow letters to be read that contain derogatory comments about staff, and she advised the public that, in order to have a letter read aloud at a Council meeting, it had better not contain those types of remarks. She asked everyone to say a prayer for the people of Littleton, CO and Kosovo.

Councilor Avery thanked City Clerk Linda Cohen for a job well done on the Annual City
Dinner last Friday evening, adding that it was wonderful to see so many people there from boards and the staff. She said people really enjoyed the evening. She asked people to please clean up after their dogs when they take them out for walks. She said it is a shame that the museum’s name was changed because people will be looking for it in Portland now.

Councilor Baxter echoed Councilor Avery’s comments about the City Dinner and especially thanked the City Clerk for the very chocolate dessert. He said he hoped the Councilors were receiving minutes of the Building Committee’s meetings and noted that no figures have been given for the project. He said there are drawings in a couple of the schools. He said he hopes the City Manager has checked on the property about which an anonymous letter was received by Councilors. He said he agrees with Councilor Avery about the museum, adding that he regrets losing the Spring Point name and relation with South Portland.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session to discuss, pursuant to 1 M.R.S.A. §405 (6)(e), pending litigation: South Portland Associates v. City of South Portland. Passage 7-0, 10:06 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to come out of executive session. Passage 7-0, 10:42 P.M..

Motion was made by Councilor Larsen and seconded by Councilor Baxter to adjourn. Passage 7-0, 10:42 P.M.

A TRUE COPY.

ATTEST  
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING MAY 3, 1999 VOL. 60 PAGE 102

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

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Avery and seconded by Councilor Baxter to accept the minutes of the 4/21/99 meeting. Passage 5-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan read a letter from Rev. Paul Basham that he wrote to Lt. Jeff Webster regarding a fire prevention presentation made at Lighthouse Day Care.

Mr. Jordan noted that Broadway will be closed for the next six weeks between Lincoln and Main Streets.

T-shirts were presented to the City Council by the Waterfront Market Association. The shirts are to be worn on May 15th, when another spring clean up will occur. There will be a cookout at 12:30 P.M. at Legere Park for the participants.

C. PETITIONS AND COMMUNICATIONS

Planning Board report regarding a proposed Transitional Residential District RT on Cottage Road.

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

F. CITIZEN DISCUSSION (FIRST PART)

Charlie DiPierro, representing his parents who have property near Rigby Yard, said the City promised to restore his parents property after work was done on Trunk Line B over 10 years ago, and it hasn’t been done. There is a lot of standing water on the property and the woods are now a swamp. He asked the City to, at least, clean up the trees and debris and drain the property.

Ray Lee, Henry Street, said that the schools should not be consolidated and that all the kids shouldn’t be placed in one school or they could end up like the recent incident he said occurred in Ohio.

G. PUBLIC HEARINGS AND ACTION

H. ACTION ON OLD AND NEW BUSINESS

1. PROCLAMATION #2-98/99 - proclaiming Patrolman Steven Connors as Police Officer of
the Year for 1998.

Ed Googins, Police Chief, addressed this item.

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

* * * * *

2. PROCLAMATION #3-98/99 - proclaiming May 21, 1999 as Arbor Day within the City of South Portland.

There was no public discussion.

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

* * * * *

3. ORDER #134-98/99 - appealing the denial of the Public Works Director for curb cuts on Commercial Street for C-B Kenworth, Inc.

The following people addressed this item:

John Mitchell, Mitchell and Associates
Art Hicks, C B Kenworth

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

* * * * *

4. ORDER #135-98/99 - award of bid to Fred’s Auto, of South Portland, ME; Charles Hippler of Manchester, ME; Gary’s Auto Repair, of Berwick, ME; Ralph Baxter Sr., of South Portland, ME; and Vernon Larkin, of Berwick, ME, for the sale of used vehicles.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Johnson to take the Baxter sale out of the order and vote on it separately. Passage 4-0 (Baxter abstaining).

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage of the remaining items on the order. Passage 5-0.

Motion was made by Councilor Avery and seconded by Mayor Boudreau to waive Ordinance §2-190(b) because it is in the best interest of the City. Passage 4-0 (Baxter abstaining).
Motion was made by Councilor Avery and seconded by Councilor Johnson to award the Baxter bid. Passage 4-0 (Baxter abstaining).

5. ORDER #136-98/99 - award of bid to Lew Horton Distributing Co., of Westboro, MA, for the sale of used, lost, stolen and abandoned firearms.

Motion was made by Councilor Johnson and seconded by Councilor Avery to withdraw this item. Passage 5-0.

6. ORDER #137-98/99 - authorizing the expenditure of $276,319.00 from Capital Reserve/Tax Stabilization Account for lease buyouts and capital outlay.

Ray Lee, Henry Street, addressed this item.

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

Motion was made by Councilor Avery and seconded by Councilor Baxter to waive reading the ordinance in its entirety. Passage 5-0.


The following people addressed this item:

Ray Lee, Henry Street
Tex Haeuser, Planning Director

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage of the first reading. Passage 5-0.

8. ORDINANCE #18-98/99 - amending Chapter 27, “Zoning,” for a map change creating a Transitional Residential District RT on Cottage Road. First reading.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Baxter for passage of the first reading. Passage 5-0.
I. CITIZENS DISCUSSION (SECOND PART)

None.

J. COUNCILORS’ ROUND ROBIN

Councilor Fickett said he studied the book *Foundations of the 19th Century* and considered it a dangerous book.

Mayor Boudreau encouraged everyone to get out and enjoy the beauty that is South Portland.

Motion was made by Councilor Avery and seconded by Councilor Baxter to adjourn. Passage 5-0, 8:35 P.M.

A TRUE COPY.

[Signature]
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING MAY 17, 1999 VOL. 60 PAGE 106

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

Motion was made by Councilor Larsen and seconded by Councilor Bowring to waive Council Standing Rules 3e and 4 to add Item 9 to the agenda. Passage 6-0.

A. ACCEPTANCE OF MINUTES

Motion was made by Councilor Bowring and seconded by Councilor Larsen to accept the minutes of the 5/3/99 meeting. Passage 6-0.

B. COMMUNICATIONS FROM CITY MANAGER

City Manager Jeffrey Jordan referenced items in the Council packets and passed out information about school funding and a letter from Public Works Director Ge Erskine to Sheriff Mark Dion.

Mayor Boudreau presented a plaque to Officer Kenneth Greenleaf, who is leaving after 13 years on the police force, to pursue a teaching degree.

C. PETITIONS AND COMMUNICATIONS

Department Reports for the month of April.

Attendance Reports for the month of April.

D. APPOINTMENT CALENDAR

E. CONSENT CALENDAR

Street Closing

1. The Southern Maine Soap Box Derby Association requests the closing of Surfsite Road and the section of Pickett Street between Fort Road and Adams Street on June 18, 1999 from 2:00 P.M. to 6:00 P.M. and on June 19, 1999 from 7:00 A.M. to 6:00 P.M..

Veronica Carter, Sawyer Street, addressed this item.

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

F. CITIZEN DISCUSSION (FIRST PART)

G. PUBLIC HEARINGS AND ACTION

2. ORDINANCE #17-98/99 - amending Chapter 27, "Zoning," creating a Transitional
IN COUNCIL REGULAR MEETING MAY 17, 1999 VOL. 60 PAGE 107

Residential District RT. Passed first reading May 3, 1999.

The following people addressed this item:

Ray Lee, Henry Street
Tex Haeuser, Planning Director

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

* * * * *


Tex Haeuser, Planning Director, addressed this item.

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

H. ACTION ON OLD AND NEW BUSINESS

4. ORDER #138 - 98/99 - accepting miscellaneous donations.

The following people addressed this item:

Ray Lee, Henry Street
Ed Googins, Police Chief

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

* * * * *

5. ORDER #139 - 98/99 - accepting a donation of property at the end of Bagley Avenue from Philip R. Yerxa Trust. Passage requires majority vote.

There was no public discussion.

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

* * * * *

6. ORDER #140 - 98/99 - authorizing the Chief of Police to destroy used, lost, stolen and abandoned firearms.
Ray Lee, Henry Street, addressed this item.

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

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7. ORDER #141 - 98/99 - award of bid to Drummond, Woodsum and MacMahon, of Portland, ME, for labor negotiations for the Police Command and Police Patrol units.

Bob Hodges, Human Resources Director, addressed this item.

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

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8. RESOLVE #5 - 98/99 - pursuant to §612 of the City Charter, determining details of issuance of $6,700,000 principal amount of bonds.

Ray Lee, Henry Street, addressed this item.

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

****


Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Motion was made by Councilor Bowring and seconded by Councilor Baxter to amend the order by changing the total to $26,240 and the amount charged to Capital Reserve to $19,931. Passage 6-0. Passage, as amended, 4-2 (Larsen, Fickett).

I. CITIZENS DISCUSSION (SECOND PART)

Ray Lee, Henry Street, said he didn’t know his street was going to be dug up, and he couldn’t understand why it was blocked off the way it was. He asked about the sewer separation project.

J. COUNCILORS’ ROUND ROBIN

Councilor Larsen said she worked at the Knightville cleanup on Saturday, and the group did a
IN COUNCIL REGULAR MEETING MAY 17, 1999 VOL. 60 PAGE 109

great job. She said she will still work there when she is 90, adding that she really appreciated the people who helped out.

Councilor Fickett said he is working on research for the next round robin.

Mayor Boudreau thanked everyone for participating in the cleanup, especially Councilor Larsen. She said she participated in the Hood Milk Money Scholarship interviews on Saturday and was truly impressed with the students. She thanked Hood for supporting Maine people. She announced the following items coming up on future agendas: dogs on leashes, the airport master plan and a speaker from the Muskie Institute.

Councilor Baxter said he volunteers at the Lyric Theater, and he has received many favorable comments about the sewer system. He said the final designs for the four elementary schools is ready.

Councilor Johnson made reference to letters in the Sunday paper from students all over the State about their schools. He said he was particularly pleased to see the letter from the South Portland student in which she wrote about the diversity at South Portland High School. He said that the way people dress is how they express their individuality, and he hopes it really is that way and that the students are not expected to all be the same.

K. EXECUTIVE SESSION

Motion was made by Councilor Bowring 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, and pursuant to 1 M.R.S.A., §405 (6) (D), labor negotiations regarding all bargaining units. Passage 6-0, 8:55 P.M.

Motion was made by Mayor Boudreau and seconded by Councilor Larsen to come out of executive session. Passage 6-0, 10:19 P.M..

Motion was made by Councilor Bowring and seconded by Councilor Baxter to grant abatement #98/99-10 in the amount of $3,197.52 plus interest and costs for FY97/98 and FY98/99. Passage 6-0.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to adjourn. Passage 6-0, 10:20 P.M..

A TRUE COPY.

ATTEST

_________________________
Linda C. Cohen, CMC, City Clerk
IN COUNCIL  REGULAR MEETING  JUNE 7, 1999  VOL. 60  PAGE 110

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 Bowring and seconded by Councilor Avery to accept the minutes of the 5-17-99 meeting. Passage 7-0.

B. Communications from City Manager

Corporation Counsel Mary Kahl made reference to information City Manager Jeffrey Jordan had placed in the Council packet. Mr. Jordan arrived during Item 10.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #143-98/99 – Library Advisory Board, District 1 (Boudreau). To fill an unexpired term which expires on 12-31-00.

Motion was made by Mayor Boudreau and seconded by Councilor Bowring to postpone this item to 6-21-99. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

The following people addressed Items 10 – 12:

Stanley Cox, 460 Highland Avenue
Susan Leach, 67 Willard Street
Barbara Hart, 19 N. Mariner Street
Maureen Puckett, 148 Breakwater Drive
Beverly Swenson, Reynolds Street
Phyllis Cole, Grand Street
Ralph Low, 5 Deake Street
Debbie Kimball, Bowers Street
Kay Bouchard, 16 Brenton Street
Stacy Frenette, 36 Mildred Street
Allie Davis, 874 Sawyer Street
Chris Muse, 35 Mildred Street
Rita McPhillips, 636 Highland Avenue

Ray Lee, Henry Street, talked about Maine Special Olympics, noting that a lot is being done for these kids now. He commended the police department for the work it is doing. He said that
IN COUNCIL  REGULAR MEETING  JUNE 7, 1999  VOL. 60  PAGE 111

Willard Beach is a mess, and he called Sheriff Mark Dion and asked if prisoners could come clean the beach. He said a workshop is needed on the sewer work being done there.

G.  Public Hearings and Action

2.  SBC Port Theaters Corp., d/b/a Clark’s Pond Cinema 8, 333 Clark’s Pond Parkway. Renewal of Pinball/Video license with an increase in number of machines from four (4) to eight (8).

There was no public discussion.

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

H.  Action on Old and New Business

3.  ORDER #144-98/99 – 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 Larsen and seconded by Councilor Baxter for passage.  Passage 7-0.

*****

4. ORDER #145-98/99 – authorizing the City Manager to submit a Local Law Enforcement Block Grant Program application to the Department of Justice.

Ray Lee, Henry Street, addressed this item.

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

*****

5. ORDER #146-98/99 – authorizing the acceptance of $2,769.40 under the Asset Forfeiture Program.

The following people addressed this item:

Guy Frenette, 36 Mildred Street
Ed Googins, Police Chief
Ray Lee, Henry Street

Motion was made by Councilor Bowring and seconded by Councilor Johnson for passage.  Passage 7-0.
6. ORDER #147-98/99 – authorizing the City Manager to submit a Violence and Crime Prevention Program Grant application to the Department of Justice.

The following people addressed this item:

Ed Googins, Police Chief
Ray Lee, Henry Street
Jeanine Bourke, 61 Lowell Street

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

*****

7. ORDER #148-98/99 - authorizing the City Manager to sign a collective bargaining agreement with the Fire Command Officer’s Association.

Bob Hodges, Human Resources Director, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Johnson for passage. Motion was made by Councilor Bowring and seconded by Councilor Avery to amend the order by changing the dates to May 1, 1999 – April 30, 2002 and by making the agreement gender neutral. Passage 7-0. Passage, as amended, 7-0.

*****

8. ORDER #149-98/99 – accepting Ledgefield Circle and Kahill Court as City streets.

There was no public discussion.

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

*****

9. ORDER #150-98/99 – referring a proposed amendment to Chapter 27, “Zoning,” regarding variance standards, to the Planning Board and Board of Appeals.

The following people addressed this item:

Rommie Jones, E Street
Stephanie Bourassa, 62 Sawyer Street

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

The following people addressed this item:

John Howard, Loveitt’s Field Road
Millie Betterman, Cape Elizabeth
Ray Lee, Henry Street
Chad Thorne, Brookside Avenue
Jeff Sandler, Fort Road
Rommie Jones, E Street
Chris Taylor, 54 Everett Avenue
Elizabeth Ross, Preble Street
Ann Peabody, Cape Elizabeth
Mary Howard, no residence given
Jen Cody, Chase Street
Brenda Broder, Everett Avenue
Sue Henderson, E Street
Glenn Picher, Preble Street
Tom Tanquay, 184 Westbrook Street
Linden Thigpen, Victory Avenue
Sally Sutton, 152 Fort Road
Allen Ridley, 15 Rhode Island Avenue
Chris Shanahan, Ballard Street
Guy Frenette, 36 Mildred Street
Debbie Kimball, Bowers Street
BJ Broder, Everett Avenue
Marie Graves, Portland
Janice Doctor, High Street
Stephanie Bourassa, 62 Sawyer Street
Aaron Bourassa, 62 Sawyer Street
Martha Hay, Ledge Road
Jack Raposa, 195 Walnut Street
Chris Simms, 21 Free Street

Motion was made by Councilor Johnson and seconded by Councilor Fickett to withdraw this item. Passage 5-2 (Boudreau, Avery).

*****


Motion was made by Councilor Johnson and seconded by Councilor Larsen to withdraw this item. Passage 5-2 (Boudreau, Avery).

Motion was made by Councilor Johnson and seconded by Councilor Larsen to withdraw this item. Passage 5-2 (Boudreau, Avery).

I. Citizens Discussion (Second Part)

Cassie McIntyre, 72 Skillings Street, commended the Council for doing a marvelous job this evening.

Rommie Jones, E Street, said it’s important to look at what’s good for everyone, and the silent majority should be heard.

Millie Betterman, Cape Elizabeth, said aggressive dogs were not addressed tonight. She said that penalizing fines should be assessed on them.

Chad Thorne, Brookside Avenue, said that Willard Beach is a wonderful test case that can work everywhere.

Jeanine Bourke, Lowell Street, asked about the workshop format.

J. Councilors’ Round Robin

Councilor Fickett said he will address religion in the schools at the next Round Robin.

Mayor Boudreau asked the public to thank the Parks, Sewer Maintenance and Public Works employees anytime they see them over the next two weeks. She said they are working especially hard right now and deserve a special thank you.

Councilor Bowring said the Memorial Day Parade was excellent, and he liked the new location of the reviewing stand, but the end ceremony needs to be addressed before next year.

Councilor Johnson noted the passing of his neighbor, Ray Mercier.

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Larsen to go into executive session to discuss, pursuant to 1 M.R.S.A., §(6)(D), labor negotiations with the South Portland Firefighters IAFF Local #1476. Passage 6-1 (Avery), 10:47 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Avery to come out of executive session. Passage 7-0, 11:07 P.M.
Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn. Passage 7-0, 11:08 P.M..

A TRUE COPY.

ATTEST

Linda C. Cohen, CMC, City Clerk
Roll Call: Mayor Boudreau called the meeting to order at 7:30 P.M. All Councilors were present.

City Manager Jeffrey Jordan introduced Betsy Nygren who presented the City with a mock check for $500.00 from McDonald's. Mr. Jordan noted he had been presented with an American flag from VFW #832.

H. Action on Old and New Business

1. RESOLVE #6-98/99 – Appropriation Resolve for the 1999/00 fiscal year.

The following people addressed this item:

Stanley Cox, 460 Highland Avenue
Ray Lee, Henry Street

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

Motion was made by Councilor Baxter and seconded by Councilor Larsen to adjourn. Passage 7-0, 8:16 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, CMC, City Clerk
IN COUNCIL REGULAR MEETING JUN. 21, 1999 VOL. 60 PAGE 117

Roll Call: Councilor Baxter called the meeting to order at 7:02 P.M. Mayor Boudreau and Councilor Johnson were absent.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to waive Council Rule 3E for items 6 and 8. Passage 5-0.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Avery to accept the minutes of the regular meeting of June 7, 1999 and the special meeting June 14, 1999. Passage 5-0.

B. Communications from City Manager

City Manager Jeffrey Jordan passed around a water testing brochure. He also noted that the City Council had held a special meeting on 6/14/99 and passed the budget for 99/00, along with the sewer user budget. He introduced Don Ricci and Ge Erskine, and Councilor Baxter presented them with retirement plaques and City watches.

C. Petitions and Communications

Department Reports for the month of May.

Attendance Reports for the month of May.

D. Appointment Calendar

1. ORDER #143-98/99 – Library Advisory Board, District 1 (Boudreau). To fill an unexpired term which expires on 12/31/00. Postponed on 6/7/99.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to postpone this item to 7/7/99. Passage 5-0.

****

2. ORDER #152-98/99 – Harbor Commission (Mayor). Term to expire 6/30/02.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Avery to appoint Arthur Odlin to this position. Passage 5-0.
3. ORDER #153-98/99 – Planning Board, District 3 (Baxter). To fill an unexpired term which expires on 4/1/00.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to appoint Robert Schwartz to this position. Passage 5-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, 28 Henry Street, said the Cumberland County jail prisoners did a good job cleaning up the beach. He complained about several conditions at the beach from hidden benches to overgrown foliage. He asked why the City isn’t replacing the sidewalks on Willard Street. He said he doesn’t have a problem with residents putting their boats at Bug Light Park.

G. Public Hearings and Action

H. Action on Old and New Business

4. ORDER #154-98/99 – accepting miscellaneous donations.

There was no public discussion.

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

*****

5. ORDER #155-98/99 – setting the sewer user fees for fiscal year 1999/00.

There was no public discussion.

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

*****

6. ORDER #156-98/99 – authorizing the City Manager to sign a side letter to the Contract with IAFF Local #1476.

Bob Hodges, Human Resource Director, addressed this item.
Motion was made by Councilor Avery and seconded by Councilor Bowring for passage. Passage 5-0.

*****

7. ORDER #157-98/99 - authorizing the City Manager to sign a renewal agreement with the Department of Mental Health, Office of Substance Abuse, for the D.A.R.E. Alternative Program.

Ed Googins, Police Chief, addressed this item.

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

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8. ORDER #158-98/99 - authorizing a three percent cost of living adjustment for non-union employees.

Ray Lee, Henry Street, addressed this item.

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

I. Citizens Discussion (Second Part)

J. Councilors' Round Robin

Councilor Bowring said this is the last Council meeting before he moves, but he will be back in his own district by the end of July. He said he was at the Transfer Facility over the weekend, and the employees are recycling aluminum.

Councilor Larsen said she is proud of the way the Transfer Facility has shaped up and thanked Councilor Bowring for his lumber.

Councilor Fickett said he will talk about prayer in the schools at the next meeting.

K. Executive Session

Motion was made by Councilor Bowring 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, 8:01 P.M.

Motion was made by Councilor Avery and seconded by Councilor Bowring to come out of executive session. Passage 5-0, 8:20 P.M.
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Motion was made by Councilor Avery and seconded by Councilor Bowring to grant Abatement #98/99-12 in the amount of $1,296.65 plus interest and cost to date for FY 98/99. Passage 5-0.

Motion, was made by Councilor Avery and seconded by Councilor Bowring to adjourn. Passage 5-0, 8:21 P.M.

A TRUE COPY.

ATTEST
Linda C. Cohen, CMC, City Clerk

City of South Portland, Maine
1898