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IN COUNCIL REGULAR MEETING VOL. 62 PAGE 1
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Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Johnson arrived after the minutes were accepted.

Motion was made by Councilor Maietta and seconded by Councilor Dale to waive Council Rule #4 to add an executive session. Passage 6-0.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Dale to accept the minutes of the regular meeting of 6/19/00 and the special meeting of 6/26/00. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the packet and presented the finalized budget for FY 00/01. He passed out his newsletter and updated the public on preparations for Opsail 2000.

C. Petitions and Communications

Planning Board report regarding zoning map change at 184 Cottage Road.

Planning Board report regarding a zoning text amendment in the Non-Residential Industrial District INR permitting a transfer station.

D. Appointment Calendar

1. ORDER #1-00/01 – SPCTV Advisory Committee. Term to expire 07/05/03.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 7/17/00. Passage 7-0.

2. ORDER #2-00/01 – Harbor Commission. Term to expire 06/30/03.

There was no public discussion.

Motion was made by Mayor Bowring and seconded by Councilor Dale to appoint Richard Ingalls to this position. Passage 7-0.

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E. Consent Calendar

F. Citizen Discussion (First Part)

Nancy Crowell, Fickett Street, expressed concern about the development of open space, particularly Fickett Woods. She asked the Council to take immediate action to protect Fickett Woods.

Ray Lee, Henry Street, talked about the changes to the City and how animals are displaced by development. He said he wishes all the woods could be kept for the animals, but property rights will prevail. He asked when Willard Street would be paved. He said that Sheriff Dion sent some inmates over to clean the beach again, and he hopes someone will send him a thank you. He said that bicycles are a hazard in the City. He said they should have to pay to register their bicycles to pay for a bike lane. He said it's too bad the City didn't plan better for Opsail 2000.

Clarence Beckwith, Bonnybriar Road, said he was glad that the track meet was so successful. He said the Housing Authority was able to help the Redbank residents to keep their apartments, but they still have to pay increased rent. He said that's a result of the increased taxes.

G. Public Hearings and Action

H. Action on Old and New Business

7. ORDER #7-00/01 – authorizing the City Manager to sign an addendum to the lease with Congregation Bet Ha'am for the lease of Sawyer School.

There was no public discussion.

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

3. ORDER #3-00/01 – authorizing notice to abutters regarding discontinuance of Emery Street.

The following people addressed this item:

Mark Duval, 115 Chase Street
Clarence Beckwith, Bonnybriar Road
Tex Haeuser, Planning Director

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Lori Bowring Michaud, 10 Hudson Road
Mike Komich, 77 Winding Way
Ray Lee, Henry Street

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

4. ORDER #4-00/01 – authorizing the City Manager to sign an Intercreditor/Equal Priority Agreement with the Center for Environmental Enterprise.

The following people addressed this item:

Phil Helgerson, Director of CEE
Clarence Beckwith, Bonnybriar Road
Don Ladd, Director of Finance at SMTC
John Merrill, President of Brims Ness Corp.
Deborah Johnson, Dept. of Economic and Community Development

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

5. ORDER #5-00/01 – authorizing the City Manager to sign a Local Project Agreement with the Maine Department of Transportation for improvements to Western Avenue.

Ed Reidman, City Engineer, addressed this item.

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

6. ORDER #6-00/01 – adopting a Fund Balance Policy for the City of South Portland.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Nancy Crowell, Fickett Street

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Motion was made by Councilor Maietta and seconded by Councilor Dale for passage. Motion was made by Councilor Dale and seconded by Councilor Baxter to amend the policy language regarding excess funds over the 8.3% to read "may be used for capital improvement needs." Passage 6-1 (Larsen)

Motion was made by Councilor Dale and seconded by Councilor Johnson to amend the policy language to allow for a 10% fund balance. Failed 3-4 (Larsen, Maietta, Fickett, Bowring).

Passage, as amended, 6-1 (Larsen).

8. ORDINANCE #1-00/01 – amending Chapter 27, “Zoning,” for a map change from Conditional Limited Business to Residential District A at 184 Cottage Road. First reading.

The following people addressed this item:

Chris Keiter, 66 Walnut Street
Paul Black, 58 Walnut Street
April Gaffka, 46 Walnut Street

Motion was made by Councilor Maietta and seconded by Councilor Larsen for passage of the first reading and to set the public hearing for 7/17/00. Passage 7-0.

9. ORDINANCE #2-00/01 – amending Chapter 27, “Zoning,” regarding definitions and special exceptions in the Non-Residential Industrial District INR to permit a transfer station for municipal solid waste. First reading.

The following people addressed this item:

Brian Rayback, Attorney for Pine Tree Waste
Linnea Stofchick, Main Street
Robert Ferrante, 815 Main Street
Clarence Beckwith, Bonnybriar Road
Tim O'Neil, owner of Kaplan Vending (next door to property involved)
Mark St. Germain, St. Germain Associates, representing the Troianos

Councilor Dale said he would abstain from voting this evening since the law firm representing RWS is his, and there is correspondence on this item from that firm. He said

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he would investigate the depth of his firm's involvement in this issue before abstaining at the final vote. Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage of first reading and to set the public hearing date for 7/17/00. Passage 6-0 (Dale abstaining).

Motion was made by Councilor Dale and seconded by Councilor Maietta to reconsider Resolve #3-99/00. Passed 4-3 (Baxter, Johnson, Larsen).

Motion was made by Councilor Maietta and seconded by Councilor Dale to amend the resolve by taking the \$58,000 from the Human Resource budget, eliminating the HR Director position, and putting it in the Consulting Services Account (288) of the Executive Department to use for outside consulting assistance if necessary.

The following people addressed the amendment:

Tex Haeuser, Planning Director
John True, Fire Chief
Nancy Crowell, Fickett Street
Clarence Beckwith, Bonnybriar Road

Passage of amendment 4-3 (Larsen, Baxter, Johnson).
Passage of resolve, as amended, 4-3 (Johnson, Baxter, Larsen).

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Dale asked the status of the old U-Haul lot. He asked what is going on with Willard Beach. He asked about a complaint from a resident about candy cigarettes being sold at the concession stand. He said notice should be posted in advance of the closing of the boat ramp for Opsail events.

Mayor Bowring asked for a priority list of sidewalks for repair.

Motion was made by Councilor Baxter and seconded by Councilor Maietta to go into executive session, pursuant to 1 MRSA Section 6(D), for discussion of public employee labor negotiations: IAFF Local 1476. Passage 6-0 (Johnson out), 10:58 P.M.

Motion was made by Councilor Dale and seconded by Councilor Maietta to come out of executive session. Passage 5-0 (Johnson, Larsen absent), 11:50 P.M.

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Motion was made by Councilor Baxter and seconded by Councilor Fickett to adjourn.
Passage 5-0, 11:50 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 7
JULY 17, 2000

Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Johnson was absent.

A. Acceptance of Minutes

Motion was made by Councilor Maietta and seconded by Councilor Larsen to accept the minutes of the 7/5/00 meeting. Motion was made by Councilor Maietta and seconded by Councilor Dale to amend the minutes in the section under the reconsideration by adding the word "position" after HR Director, eliminating the reference to the Assistant City Manager, and adding "for outside consulting services" instead of legal services. Passage 6-0. Passage, as amended, 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan addressed items in the packet. He expressed his fury and disgust with recent graffiti on the still under construction community center. Mr. Jordan noted that PACTS would hold a public meeting at 5:30 P.M. on 7/20/00 regarding the Route One/Scarborough Connector Ramp Study.

C. Petitions and Communications

Department Reports for the month of June.

Attendance Reports for the month of June.

Planning Board Report regarding the discontinuance of a portion of Emery Street.

D. Appointment Calendar

1. ORDER #1-00/01 – SPCTV Advisory Committee (Mayor). Term to expire 07/15/03. Postponed on 7/5/00.

There was no public discussion.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to appoint Angie Cloutier to this position. Passage 6-0.

2. ORDER #9-00/01 – Board of Appeals, District 1 (Dale). Term to expire 7/23/03.

There was no public discussion.

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

3. ORDER #10-00/01 – Board of Appeals, District 2 (Maietta). Term to expire 7/23/03.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to postpone this item to 8/7/00. Passage 6-0.

E. Consent Calendar

Street Closings

Theresa Wiper of 20 Myrtle Avenue is requesting the closing of Myrtle Avenue at Beach Street on August 5, 2000 (or August 12, 2000 in case of rain) from 4:00 P.M. to 8:00 P.M. for a block party.

The Police Department is requesting the closing of Adams, Franklin and Madison Streets on July 28th during OpSail 2000, as well as the barricading of Breakwater & Broadway and Breakwater & Preble.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Baxter for passage of the consent calendar. Passage 6-0.

F. Citizen Discussion (First Part)

Allen Ridley, Rhode Island Avenue, thanked whoever was responsible for the no jake break signs on Main Street.

Ray Lee, Henry Street, asked who is in charge of the OpSail operation in South Portland. He said that Pat Doucette told him that no political activity could take place on City property. He said that she told him the Corporation Counsel told her. He said the Republican City Committee is being discriminated against.

G. Public Hearings and Action

4. ORDER #8-00/01 – discontinuance of a portion of Emery Street.

Councilor Maietta disclosed that his Aunt and Uncle are residents on Emery Street. He said he would see no monetary gain from this issue.

The following people addressed this item:

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Tex Haeuser, Planning Director
Mark Duval, 115 Chase Street
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Eleanor Zappia, 18 Emery Street
Tom Erico, Sr. Traffic Engineer at Wilbur Smith Associates

Motion was made by Councilor Dale and seconded by Councilor Larsen for passage.
Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 8/7/00. Failed 2-4 (Bowring, Larsen, Fickett, Baxter). Motion was made by Councilor Dale and seconded by Councilor Larsen to amend the order by adding a third WHEREAS providing motor vehicle and pedestrian access to Map 14 Lot 114 and adding a #2 retaining City interest for snow plowing on the discontinued portion of Emery Street. Passage 5-1 (Maietta). Passage, as amended, 5-1 (Maietta).

5. ORDINANCE #1-00/01 – amending Chapter 27, “Zoning,” for a map change from Conditional Limited Business to Residential District A at 184 Cottage Road. Passed first reading on 7/5/00.

The following people addressed this item:

Chris Keiter, 66 Walnut Street
Paul Black, 58 Walnut Street

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

6. ORDINANCE #2-00/01 – amending Chapter 27, “Zoning,” regarding definitions and special exceptions in the Non-Residential Industrial District INR to permit a transfer station for municipal solid waste. Passed first reading on 7/5/00.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 8/7/00. Passage 6-0.

7. ORDER #11-00/01 – approving the purchase of Police Department equipment under the Justice Department Block Grant Program.

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Edward Googins, Police Chief, addressed this item.

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

H. Action on Old and New Business

8. ORDER #12-00/01 – accepting miscellaneous donations.

Edward Googins, Police Chief, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage.
Passage 4-0 (Baxter and Larsen out).

9. ORDER #13-00/01 – accepting a Seat Belt Enforcement Initiative Grant from the Maine Bureau of Highway Safety.

The following people addressed this item:

Edward Googins, Police Chief
Cori Perreault, Maine Bureau of Highway Safety

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

10. ORDER #14-00/01 – accepting a Bureau of Justice Assistance Bulletproof Partnership Grant for the Police Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Edward Googins, Police Chief

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

11. ORDER #15-00/01– award of bid to Diverse Integrated Systems, Inc., of Ripon, California, for voter registration software.

The following people addressed this item:

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Ralph St. Pierre, Finance Director
Linda Cohen, City Clerk

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

12. ORDER #16-00/01 – authorizing the City Manager to sign a Local Project Agreement with the Maine Department of Transportation for improvements to Jetport Plaza Road.

Ed Reidman, City Engineer, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage.
Passage 6-0.

13. ORDER #4-00/01 – reconsideration.

Motion was made by Councilor Dale and seconded by Mayor Bowring to reconsider ORDER #4-00/01. Passage 4-2 (Larsen, Fickett).

Phil Helgerson, Me. Center for Enterprise Development Exec. Dir., addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Baxter to amend the agreement as outlined in a handout from the City Manager and adding "South" in reference to the Adams Street address. Passage 5-1 (Larsen).

Passage, as amended, 4-2 (Larsen, Fickett).

14. ORDER #17-00/01 – award of bid to Vern Larkin, of Berwick, ME, for the sale of a used surplus 1981 Yanmar tractor.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

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JULY 17, 2000

J. Councilor's Round Robin

Councilor Dale thanked whoever mowed the former U-Haul property. He questioned what was done and by whom at Willard Beach. He asked where the sale of City owned property is.

Councilor Maietta said he would like to clear up some inaccuracies regarding the reconsideration of the budget at the last meeting. He said an email sent shortly after the meeting was full of inaccuracies and slander. He said that management has reinforced the idea that the Council doesn't care about the employees. He said he is disappointed that the pay plan wasn't presented to the Council like it was supposed to on May 22.

Councilor Baxter said he remembers a few years ago when Round Robin was put back in and the restrictions that were agreed to at that time.

Mayor Bowring said he has received a lot of mail in reference to OpSail. He recognized the City's committee for its efforts in this regard.

Councilor Larsen said she would like an update on what is happening at Willard Beach. She asked if the discussion of the Council's action at the last meeting would take place on the next workshop.

K. Executive Session

Motion was made by Councilor Dale and seconded by Councilor Baxter to go into Executive Session, pursuant to 1 M.R.S.A. §405(6)(e), to consult with the Corporation Counsel regarding litigation COSP v. Nancy Buck. Passage 6-0, 10:48 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to come out of executive session. Passage 5-1 (Dale), 11:15 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to adjourn. Passage 6-0, 11:16 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 13
AUGUST 7, 2000

Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Dale arrived after the acceptance of minutes.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Maietta to accept the minutes of the 7/17/00 meeting. Passage 6-0.

B. Communications from City Manager

Corporation Counsel Mary Kahl cited items in the Council packet. She announced that Art in the Park would be this Saturday.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #10-00/01 – Board of Appeals, District 2 (Maietta). Term to expire 7/23/03. Postponed on 7/17/00.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Larsen to postpone this item to 8/21/00. Passage 7-0.

2. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter) to fill an unexpired term which expires 3/4/04.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 8/21/00. Passage 7-0.

E. Consent Calendar

Street Closing

3. Christopher Bowring, 151 Elderberry Drive, requests the closing of Elderberry Drive, from Highland Avenue to Crossmeadow Road, on August 19, 2000 from 9:00 A.M. to midnight.

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AUGUST 7, 2000**

There was no public discussion.

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

F. Citizen Discussion (First Part)

Clarence Beckwith, Bonnybriar Road, said a new sign went up on his street with the name misspelled. He said he's afraid that focus is going to the middle schools and away from the elementary schools. He said he looked through the new recreation center last weekend and is concerned about all the frills.

Items #8 and #9 were taken out of order.

Motion was made by Mayor Bowring and seconded by Councilor Dale to waive the reading of Ordinance #8 and have a summary given. Passage 7-0

8. ORDINANCE #3-00/01 – amending Chapter 27, "Zoning," to rezone a portion of the Non-Residential Industrial District INR to a Conditional Non-Residential Industrial Municipal Solid Waste Transfer District 1 INRMSW-1. First reading.

Steve Morrow addressed this item.

Motion was made by Councilor Maietta and seconded by Councilor Fickett for passage of the first reading and to set the public hearing date for 9/6/00. Passage 7-0.

9. ORDINANCE #4-00/01 – amending Chapter 27, "Zoning," for a map change from Non-Residential Industrial District INR at Map 80 Lot 2B to Conditional Non-Residential Industrial Municipal Solid Waste Transfer District 1 INRMSW-1. First reading.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage of the first reading and to set the public hearing date for 9/6/00. Passage 7-0.

G. Public Hearings and Action

4. ORDINANCE #2-00/01 – amending Chapter 27, "Zoning," regarding definitions and special exceptions in the Non-Residential Industrial District INR to permit a transfer station for municipal solid waste. Passed first reading on 7/5/00. Postponed on 7/17/00.

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

H. Action on Old and New Business

5. ORDER #19-00/01 – accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

6. ORDER #20-00/01 – amending Order 190-97/98 for award of bid to Northstar Communications, Inc., of Cumberland, ME, for a telephone system for the School Department.

Roland LaBelle, School Department, addressed this item.

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

7. ORDER #21-00/01 – authorizing the City Manager to execute a deed to and accept a deed from A.J. Kennedy, effecting a land swap at 15 Evans Street and waiving the provisions of Section 2-171 (2) regarding the public bid process.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Rick Kennedy, 68 Crossmeadow Road
Tex Haeuser, Planning Director

Motion was made by Councilor Larsen and seconded by Councilor Dale for passage. Motion was made by Councilor Maietta and seconded by Councilor Larsen to amend the order by adding that the cost of the survey will be shared equally with the Kennedy's at an amount not to exceed \$3500. Passage 7-0. Passage, as amended, 7-0.

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10. ORDINANCE #5-00/01 – amending Chapter 14, "Licenses, Permits and Business Regulations Generally," regarding licensing of Transfer Stations for Municipal Solid Waste. First reading.

Mark St. Germain, St. Germain Associates, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Dale for passage of the first reading and to set the public hearing date for 9/6/00. Passage 7-0.

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Dale said he watched the OpSail Parade last Friday and was impressed with how well things went. He said the neighbors around Fisherman's Point are concerned with upkeep there.

Councilor Maietta wanted to know where the conditions are that were discussed when Emery Street was vacated. He asked if the State had answered questions about the school roofs.

Mayor Bowring noted that the OpSail Parade was an impressive site. He commended Tony Vigue for the film. He referenced a letter from Portland Pipeline noting that the company received an award for its environmental stewardship. He congratulated Officer Webster for his recent award.

Councilor Johnson said there was a meeting about the Main Street corridor last Thursday evening. He said the Department of Transportation took comments from the public. A written copy of the proceedings will be available.

Councilor Fickett talked about the increased cost of the new York County Jail.

K. Executive Session

Motion was made by Councilor Larsen and seconded by Councilor Baxter to go into executive session, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel of the legal rights and duties of the City Council. Passage 7-0, 8:22 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to come out of executive session. Passage 7-0, 8:46 P.M.

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Motion was made by Councilor Maietta and seconded by Councilor Baxter to adjourn. Passage
7-0, 8:47 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 18
AUGUST 21, 2000**

Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Dale was absent.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Baxter to accept the minutes of the 8/7/00 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the packet.

C. Petitions and Communications

Planning Board Report regarding a zoning map change from Residential District A to Commercial C on outer Broadway.

Department Reports for the month of July.

Monthly Reports for the month of July.

D. Appointment Calendar

3. ORDER #10-00/01 – Board of Appeals, District 2 (Maietta). Term to expire 7/23/03. Postponed on 7/17/00.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to appoint Gregg Frame to this position. Passage 6-0.

2. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter) to fill an unexpired term which expires 3/4/04.

Motion was made by Councilor Baxter and seconded by Mayor Bowring to postpone this item to 9/6/00. Passage 6-0.

3. ORDER #22-00/01 – Planning Board, At Large (Larsen). To fill an unexpired term which expires 4/1/01.

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There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Clarence Beckwith, Bonnybriar Road, said he enjoyed the Big Band sound of the concert in the park last Wednesday. He asked about the new curb at the end of Stillman Street.

John Murphy, 6 Willard Street, turned in a petition with 267 signatures from people wanting to see attention given to Willard Beach. He took offense with a comment allegedly made by the City Manager in a recent newspaper article.

Theresa Wiper, Myrtle Avenue, said she was here to support John Murphy.

Brenda Peluso, Myrtle Avenue, asked about procedure to address items tonight.

G. Public Hearings and Action

4. Piccolo Pomodoro, Inc., 158 Benjamin W. Pickett, for an application for an FSE/Class A Restaurant with Liquor. 8/21/00 – 8/21/01.

There was no public discussion.

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

H. Action on Old and New Business

5. ORDER #23-00/01 – accepting miscellaneous donations.

There was no public discussion.

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

6. ORDER #24-00/01 – accepting a grant from the Department of Mental Health, Office of Substance Abuse, for the D.A.R.E. Alternatives Program.

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AUGUST 21, 2000**

There was no public discussion.

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

7. ORDER #25-00/01 – authorizing the acceptance of \$350.00 and miscellaneous computer equipment to be used by the Police Department.

There was no public discussion.

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

8. ORDER #26-00/01 – setting the date of public hearing on an amendment to the South Portland City Charter, §617, "First Annual Installment."

Stanley Cox, 460 Highland Avenue, addressed this item.

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

9. ORDER #27-00/01 – setting the date of public hearing on an amendment to the South Portland City Charter, §905, "Powers and duties of the Board of Education."

The following people addressed this item:

Polly Ward, School Department Business Manager
Janet Luther, Mildred Street
Chris Muse, Mildred Street
Stanley Cox, 460 Highland Avenue
Clarence Beckwith, Bonnybriar Road

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

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 21
AUGUST 21, 2000**

10. ORDER #28-00/01 – award of bid to ATI Telemanagement, of Newbury, MA, for telephone system consulting services – Phases II and III.

Rob Coombs, Senior Accountant, addressed this item.

Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage. Motion was made by Councilor Maietta and seconded by Councilor Larsen to amend the order by requiring that Phase III of the bid come back to the City Council at the same time as the phone system. Passage 4-2 (Baxter, Johnson). Passage, as amended, 6-0.

11. ORDER #29-00/01 – award of bid to O'Connor GMC, of Westbrook, ME, for the purchase of a pick-up truck for the Code Enforcement Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer

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

12. ORDER #30-00/01 – award of bid to Hardy Pond Construction, of Westbrook, ME, for the conversion of the former compost facility to a bus maintenance/storage facility.

Councilor Maietta disclosed that his family business had bid on earthwork at the site.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

13. ORDER #31-00/01 – authorizing the City Manager to sign a purchase agreement with a potential electrical power supplier.

The following people addressed this item:

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Clarence Beckwith, Bonnybriar Road
Brenda Peluso, Myrtle Avenue

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

14. ORDER #32-00/01 – implementing the FY2001 Capital Improvement Program.

The following people addressed this item:

Dolores Broberg, 38 Bellevue Avenue
Stanley Cox, 460 Highland Avenue
Ed Googins, Police Chief
Ralph Kilgore, 70 Coach Road
Clarence Beckwith, Bonnybriar Road
Brenda Peluso, Myrtle Avenue
Lorraine Fine, 37 Bowers Street
Paula Harris, 15 Myrtle Avenue (by letter)
Polly Ward, School Department Business Manager
David Brochu, Director of Buildings and Grounds

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

Motion was made by Councilor Maietta and seconded by Councilor Larsen to amend the order as follows: reduce Greenbelt wall repairs to \$15,000 and choose option #3; remove bituminous pavement reclaimer, the Highland/Stillman traffic light and the hydraulic claws from the CIP; change the sand trucks to 3 trucks for \$200,000; and adjust the Public Works front-end loader to include the hydraulic claws as part of the bid specifications, adjusting the fiscal note accordingly. Passage 6-0.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to amend the order by taking \$30,000 from Year 2 and moving it to Year 1 to be used for improvements at Willard Beach, specifically for a new beach cleaner. Passage 6-0.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to amend the order by adding \$25,000 for the high school gym floor. Passage 6-0.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to amend the order by deleting the Dyer School Playground Playscape. Failed 3-3 (Bowring, Larsen, Maietta).

Motion was made by Councilor Baxter and seconded by Mayor Bowring to amend the order by adding the Emergency Operation Center back in. Failed 3-3 (Larsen, Fickett, Maietta).

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Passage, as amended, 4-2 (Fickett, Larsen).

15. ORDER #33-00/01 – filing a certificate with the City Clerk regarding notice of the proposed Conditional INR - MSW – 1 Zoning District.

There was no public discussion.

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

16. ORDINANCE #6-00/01 – amending Chapter 27, "Zoning," for a map change from Residential District A to Commercial District C on outer Broadway. First reading.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Maietta for passage of the first reading and to set the public hearing for 9/6/00. Passage 5-0 (Larsen out).

I. Citizens Discussion (Second Part)

Alton Morgan, 117 Granby Road, said he understands that the City has reserve accounts that it didn't have ten years ago. He said that a surplus account is not a reserve account. He said he feels that large expenditures should go out to the public for a vote, even if money is not being borrowed.

Ralph Kilgore, Coach Road, asked if it's possible for the public to vote on a CIP question that is not borrowing money. Upon questioning by Councilor Maietta, Mr. Kilgore said he had not given thought to what the amount should be that would have to go out to the voters.

J. Councilor's Round Robin

Councilor Maietta thanked Attorney Paul Driscoll for filling in for Corporation Counsel. He asked what the deal is with the Public Works Director being paid mileage to and from work.

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Councilor Baxter asked the Mayor and City Manager not to remove the curbing at Stillman Road without Council discussion.

Mayor Bowring said he attended the Change of Command at the Coast Guard, and it was an impressive event. He said there would be a groundbreaking at the new Bowdoin Medical at 12:30 on Thursday of this week. He said he has had a lot of calls on the intersection mentioned by Councilor Baxter. He said he hopes a modification can be made. He said that Art in the Park was wonderful.

Councilor Johnson said thank you for the playscape at Wilkinson Park and asked the time frame for having it put in.

Councilor Larsen said she hoped everyone had the opportunity to go to Art in the Park. She told the Manager to check his email tomorrow.

Councilor Fickett said that Windham had a revaluation and had to raise taxes about \$3.00. He said that inflation is a cancer of the monetary system.

Mr. Jordan gave the Council an update on the Treatment Plant incident that occurred after an oil spill at Guilford Industries.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to adjourn.
Passage 10:32 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 25
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Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. All Councilors were present.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Dale to accept the minutes of the 8/21/00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He also noted that he had received a communication from the City's health care provider regarding increased costs for next year.

C. Petitions and Communications

Planning Board report regarding a Conditional INR-MSW-1 Zoning District at 1 Industry Road.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter) to fill an unexpired term which expires 3/4/04. Postponed since 8/7/00.

Motion was made by Councilor Baxter and seconded by Councilor Johnson to postpone this item to 9/18/00. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Theresa Wiper, 20 Myrtle Avenue, by letter asked the Council to pay more attention to Willard Beach.

G. Public Hearings and Action

2. Clyde's Pub, 173 Ocean St., for an application for an FSE/Class A Lounge with Liquor License and a Special Amusement Permit. New owner of an existing business.

There was no public discussion.

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

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3. ORDER #34-00/01 – directing the City Clerk to place an amendment to Charter §617, "First Annual Installment..." on the November ballot.

Stanley Cox, 460 Highland Avenue, addressed this item.

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

4. ORDER #35-00/01 – directing the City Clerk to place an amendment to Charter §905, "Powers and Duties of the Board of Education..." on the November ballot.

The following people addressed this item:

Herb Haase, 20 Joe Langley Court
Stanley Cox, 460 Highland Avenue

Motion was made by Councilor Larsen and seconded by Councilor Fickett for passage.
Motion was made by Mayor Bowring and seconded by Councilor Dale to amend the proposed Charter language by deleting the words "and within the last three months of the budget year" in the last sentence. Passage 6-1 (Johnson). Passage, as amended, 5-2 (Baxter, Johnson).

The Council took Items 9, 10 and 11 out of order.

9. PROCLAMATION #1-00/01 – proclaiming September 9, 2000 as South Portland Boys National Little League Junior Division All Star Day.

Dan Wood, Coach of the Junior Division, accepted the proclamation and introduced his players and assistants.

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

10. PROCLAMATION #2-00/01 – proclaiming September 16, 2000 as South Portland Boys National Little League Senior Division All Star Day.

Don Hood, 104 Winding Way, addressed this item.
The team accepted the proclamation and introduced themselves.

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

11. PROCLAMATION #3-00/01 – proclaiming September 23, 2000 as South Portland Girls National Little League Junior Division All Star Day.

Jerre Bryant, 51 Whitworth Drive, addressed this item
Coach Ralph Aceto accepted the proclamation and introduced the team and his assistant.

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

5. ORDINANCE #3-00/01 – amending Chapter 27, “Zoning,” to rezone a portion of the Non-Residential Industrial District INR to a Conditional Non-Residential Industrial Municipal Solid Waste Transfer District 1 INRMSW-1. Passed first reading on 8/7/00.

The following people addressed this item:

Brian Ryback, Attorney
Mark St. Germain, St. Germain Associates

Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage.
Motion was made by Mayor Bowring and seconded by Councilor Dale to amend the ordinance in Section 27-393(B) to change "hauler" to "owner or operator" in both places in that section. Passage 7-0. Motion was made by Councilor Dale and seconded by Councilor Maietta to amend the ordinance in Section 393 by adding Section I "The floor of the storage area may be used only for offloading and not for storage of municipal solid waste." Passage 7-0. Passage, as amended, 7-0

6. ORDINANCE #4-00/01 – amending Chapter 27, "Zoning," for a map change from Non-Residential Industrial District INR at Map 80 Lot 2B to Conditional Non-Residential Industrial Municipal Solid Waste Transfer District 1 INRMSW-1. Passed first reading on 8/7/00.

There was no public discussion.

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

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7. ORDINANCE #5-00/01 – amending Chapter 14, "Licenses, Permits and Business Regulations Generally," regarding licensing of Transfer Stations for Municipal Solid Waste. Passed first reading on 8/7/00.

There was no public discussion.

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

8. ORDINANCE #6-00/01 – amending Chapter 27, "Zoning," for a map change from Residential District A to Commercial District C on outer Broadway. Passed first reading on 8/21/00.

There was no public discussion.

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

H. Action on Old and New Business

12. ORDER #36-00/01 – award of bid to Rowe Ford, of Westbrook, ME, for the purchase of a utility truck for the Public Works Department.

There was no public discussion.

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

13. ORDER #37-00/01 – accepting a Federal Hazard Mitigation Grant from the Federal Emergency Management Agency.

Dave Thomes, Collections System Manager, addressed this item.

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

14. ORDER #38-00/01 – authorizing the City Manager to enter into a purchase and sale agreement with Edwin H. Inness for the acquisition of the Inness Photo building located at 160 Ocean Street.

There was no public discussion.

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

Motion was made by Councilor Maietta and seconded by Councilor Baxter to reconsider Order #32-00/01 - The Capital Improvement Program. Passage 7-0. Motion was made by Councilor Maietta and seconded by Councilor Baxter to reconsider the amendment that failed which would add the Emergency Operation Center back into the CIP. Passage 7-0. Passage of amendment (adding the EOC back in) 7-0. Passage of order, as amended, 7-0.

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Baxter said he talked with the Public Works Director today about the brush collection policy the City has. He has been asked to have brush pickup three times a year.

Mayor Bowring said the ground breaking took place for the future site of Bowdoin Medical Group on Ocean Street.

Councilor Johnson said he has the verbatim notes of the discussion of the future of Route One/Main Street. He said it is 70 pages long.

Councilor Larsen said she received a complaint about vision of the pedestrian island when one turns west on Broadway off the Bridge.

Councilor Fickett asked why costs are rising if things are supposed to get better and better every day?

Councilor Dale asked the height of the new Bowdoin Medical Group building. He asked about construction on Waterman Drive. He asked the status of the property next to Dunkin' Donuts that the City is supposed to make into green space. He asked if Councilor Maietta is on an enlarged committee for school facilities.

Councilor Maietta said he is not sure an actual committee exists. He thanked the Mayor for attending the MDA dunk tank at the South Portland Eagles. They raised over \$3300 that day for MDA. He said the Emery Street issue has been addressed.

K. Executive Session

Motion was made by Councilor Dale and seconded by Councilor Larsen to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(C), to discuss an economic development issue where premature public disclosure would prejudice the City's bargaining position and, pursuant to 1 M.R.S.A. §405 (6)(D), discussion of public

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employee labor negotiations – Public Safety Dispatchers and, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel of the legal rights and duties of the City Council regarding pending litigation City of South Portland v. Jerald Bennett and Sage Gray. Passage 7-0, 10:01 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Johnson to come out of executive session. Passage 7-0 11:16 P.M.

Motion was made by Councilor Dale and seconded by Councilor Maietta to adjourn. Passage 7-0, 11:17 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

AMENDMENT

K. Executive Session

A motion may be made to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(C), to discuss an economic development issue where premature public disclosure would prejudice the City's bargaining position; and pursuant to 1 M.R.S.A. §405 (6)(D), discussion of public employee labor negotiations – Public Safety Dispatchers; and, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel of the legal rights and duties of the City Council regarding pending litigation City of South Portland v. Jerald Bennett and Sage Gray.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 31
SEPTEMBER 18, 2000**

Roll Call: Mayor Bowring 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 Maietta to accept the minutes of the 9/6/00 meeting. Passage 7-0.

B. Communications from City Manager

Acting City Manager Ralph St. Pierre cited items in the Council packets. He announced that Leroy Beaver has given his retirement notice after 18 years with the Bus Service. His last day will be October 13.

C. Petitions and Communications

Department Reports for the month of August.

Attendance Reports for the month of August.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter) to fill an unexpired term which expires 3/4/04. Postponed since 8/7/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 10/2/00. Passage 7-0.

2. ORDER #39-00/01 – Civil Service Commission, District 4 (Bowring) to fill an unexpired term which expires 3/1/02.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 10/2/00. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Clarence Beckwith, Bonnybriar Road, said he met with Bus Service Director Leroy Beaver last week to see what is available for the elderly in the way of bussing at the Betsy Ross House. He said Mr. Beaver showed such enthusiasm about what he does that

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it made others feel that way. He said it is amazing to see how much Mr. Beaver gets done with such a small crew. He said he's sorry to see Ray Ballum moving to Florida. He said it isn't fair that the City applies different standards to itself with sidewalk construction than it does private citizens.

Chip LeBlanc, Candlebrook Lane, complained about the hazardous conditions on Fickett Street. He said it is dangerous for all who use it, and it will only get worse with the construction of Kristina's Woods.

G. Public Hearings and Action

3. Lone Star Steakhouse & Saloon of Maine, Inc., d/b/a Lone Star Steakhouse & Saloon, 365 Gorham Road, for an FSE/Class A Restaurant with Liquor License. New owner of existing business.

There was no public discussion.

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

H. Action on Old and New Business

4. PROCLAMATION #4-00/01 – proclaiming September 30, 2000 as South Portland Girls American Little League Nine and Ten Year Old Division All Star Day.

The following people addressed this item:

Laurie Boucher, 11 Scott Road
Dave Grazewski, Crossmeadow Road
Karen Hanson, 1184 Highland Avenue

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

5. PROCLAMATION #5-00/01 – proclaiming the week of September 17, 2000 as Open Space Week.

Tex Haeuser, Planning Director, addressed this item.

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

6. ORDER #40-00/01 – award of bid to Maietta Construction, of South Portland, ME, for the Latham Street, Barberry Creek Road and Cole Street Separation Project.

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 33
SEPTEMBER 18, 2000

There was no public discussion.

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

7. ORDER #41-00/01 – award of bid to Turf Products, of Enfield, CT, for the purchase of a Toro Greenmaster to be used by the Parks Department.

Dana Anderson, Parks and Recreation Director, addressed this item.

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

8. ORDER #42-00/01 – award of bid to HEALTHSOUTH, of Scarborough, ME, for the provision of employee medical services.

There was no public discussion.

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

9. ORDER #43-00/01 – award of bid to Five Star Painting, of Portland, ME, for painting the gymnasium at South Portland High School.

Dave Brochu, Maintenance Director, addressed this item.

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

10. ORDER #44-00/01 – award of bid to O'Brien's Hardwood Flooring, of Windham, ME, for refinishing the gymnasium floor at South Portland High School.

Dave Brochu, Maintenance Director, addressed this item.

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SEPTEMBER 18, 2000

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

11. ORDER #45-00/01 – authorizing a contribution of \$7,800 to Calvary Cemetery in compliance with 13 M.R.S.A. §1101.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

I. Citizens Discussion (Second Part)

Dave Grazewski, Crossmeadow Road, urged the Council to find out about grants for Little League. He asked if some crushed rock could be put on Bog Road.

J. Councilor's Round Robin

Mayor Bowring said that bus service ridership is up. He said that, even though there have sometimes been route complications, Mr. Beaver has always tried to work them out, and he wished him well. He encouraged people to attend the open space forum on Saturday. Home Depot's grand opening is Wednesday at 6 P.M.

Councilor Larsen said she was contacted by the South Portland Dog Owners Group to accept the life rings for dogs at Hinckley Park. She reminded everyone that the Coastal Cleanup would be held Saturday September 30th.

Councilor Fickett read a letter from Portland City Manager Robert Ganley written to the County Commission about the tax increase to municipalities.

Councilor Maietta asked to put a discussion of Emery Street on the next workshop. He said he is concerned about his aunt who lives there. He said that people are backing up Emery Street to go to Cottage Road. He said he wants a transcript of the Planning Board and City Council meetings where this was discussed.

K. Executive Session

Motion was made by Councilor Dale and seconded by Councilor Larsen to go into executive session, pursuant to 1 M.R.S.A. §405(6)(e) to consult with Corporation Counsel regarding pending litigation City of South Portland v. Jerald Bennett, Onex Co., and Sage Gray. Passage 7-0, 8:20 P.M.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 35
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Motion was made by Councilor Baxter and seconded by Councilor Maietta to come out of executive session. Passage 7-0, 9:01 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Dale to adjourn. Passage 7-0, 9:02 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL SPECIAL MEETING VOL. 62 PAGE 36
SEPTEMBER 25, 2000**

Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Dale was absent.

D. Appointment Calendar

1. ORDER #39-00/01 – Civil Service Commission, District 4 (Bowring) to fill an unexpired term which expires 3/1/02.

There was no public discussion.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to appoint Robert Mullen to this position. Passage 6-0.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to adjourn. Passage 6-0, 7:04 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 37
OCTOBER 2, 2000

Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Larsen was absent.

A. Acceptance of Minutes

Motion was made by Councilor Baxter and seconded by Councilor Johnson to accept the minutes of the regular meeting of September 18, 2000 and the special meeting of September 25, 2000. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read a letter regarding the Harbor Commission from Attorney Charles Lane. He announced the dedication ceremony for the new community center would be held on the evening of October 26th at 6 P.M. An Open House will be held during the next two days. He said the 6th Annual Household Hazardous Cleanup Day will be held Saturday at the Fire Department. He noted that a petition had been received requesting "slow children" signage at Washington Avenue and McKinley Street. He read a letter from the packet, which was written by someone thanking the Fire Department for help recently.

Mayor Bowring sent condolences to Councilor Larsen on the passing of her mother.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter) to fill an unexpired term which expires 3/4/04. Postponed since 8/7/00.

Motion was made by Councilor Baxter and seconded by Councilor Dale to postpone this item to 10/16/00. Passage 6-0.

2. ORDER #49-00/01 – Library Advisory Board, District 2 (Maietta), to fill an unexpired term which expires 12/31/01.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to appoint Kathleen Cabana to this position. Passage 6-0.

3. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 38
OCTOBER 2, 2000**

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 10/16/00. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

4. Clyde's Pub, d/b/a Clyde's Pub, 173 Ocean Street, for a Pinball/Video machine license. New owner of existing business. Applicant is requesting a variance because the property is within two hundred fifty feet (250') of a residential area

There was no public discussion.

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

5. 99 Boston, Inc., d/b/a 99 Restaurant-Pub, 390 Gorham Road, for an FSE/Class A Restaurant with Liquor License.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage. Passage 6-0.

H. Action on Old and New Business

6. ORDER #46-00/01 – accepting miscellaneous donations.

Ed Googins, Police Chief, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 6-0.

7. ORDER #47-00/01 – setting the time for opening the polls for the General State and Municipal Election on November 7, 2000.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 39
OCTOBER 2, 2000

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

8. ORDER #48-00/01 – authorizing a \$6,000 contribution to Mount Pleasant Cemetery in compliance with 13 M.R.S.A. §1101.

Dick Ingalls, President of Mount Pleasant Cemetery Corporation, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage.
Passage 6-0.

9. ORDER #51-00/01 – accepting a Local Law Enforcement Block Grant from the Department of Justice to be used by the Police Department.

There was no public discussion.

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

10. ORDER #52-00/01 – award of bid to Northland Holder, Inc., of Turner, ME, for the purchase of two sidewalk tractors for the Public Works Department.

Steve Johnson, Director of Public Works, addressed this item.

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

11. ORDER #53-00/01 – award of bid to D. Gallant Management Associates, of Portland, ME, for a permanent non-union employee pay plan study.

There was no public discussion.

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

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 40
OCTOBER 2, 2000**

12. ORDER #54-00/01 – award of bid to Getronics, of Billerica, MA, for the purchase of computers for the Library, Police, Pollution Abatement and Fire Departments.

Shawn Pennington, IT Department, addressed this item.

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

13. ORDER #55-00/01 – award of bid to CBE, of Westbrook, ME, for the purchase of desktop management software for the Information Systems Department.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Johnson discussed the issue of open space in the community. He read from Thoreau.

Councilor Fickett talked about the cost of computers without inflation and the value of the dollar.

Councilor Dale said he failed to disclose at the last meeting that his law firm is representing Maietta Construction.

Councilor Maietta thanked the Sentry for letting him know about a school facilities meeting this Thursday night. He said this is the first meeting since December that there hasn't been any citizen discussion.

Councilor Baxter advised the students present that they might like to come back in June to more interesting meetings.

Mayor Bowring recognized City Clerk Linda Cohen for being elected President in the New England Association of City and Town Clerks. He thanked Councilor Fickett for the pumpkins on the desks this evening. He thanked Planning Director Tex Haeuser for the meeting he held at SMTC last weekend regarding elements of Project Plan. He said he would not be at the next Council meeting.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 41
OCTOBER 2, 2000**

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

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 42
OCTOBER 16, 2000**

Roll Call: Councilor Dale called the meeting to order at 7:00 P.M. Mayor Bowring was absent.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Maietta to accept the minutes of the 10/2/00 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet.
City Clerk Linda Cohen made election-related announcements.

C. Petitions and Communications

Planning Board report regarding a zoning map change from Residential District A to Commercial District C on outer Broadway – Colin Corporation.

Planning Board report regarding a zoning map change from Residential District A to General Commercial District CG on outer Broadway – Pape Auto Motion, Inc.

Department Reports for the month of September.

Attendance Reports for the month of September.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter) to fill an unexpired term which expires 03/01/04. Postponed since 08/07/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 11/6/00. Passage 6-0.

2. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed on 10/02/00.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item to 11/6/00. Passage 6-0.

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E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

3. The Ground Round, Inc., d/b/a The Ground Round, 195 Maine Mall Road, for an FSE/Class A Restaurant with Liquor License. New State and City License.

There was no public discussion.

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

4. Chicago Dogs Inc., d/b/a Chicago Dogs, 333 Clark's Pond Parkway, for an FSE/Class A Restaurant with Malt and Vinous License. New State and City License.

Jerry Dietrich, applicant, addressed this item.

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

H. Action on Old and New Business

5. ORDER #56-00/01 – award of bid to O'Connor GMC, of Augusta, ME, for the purchase of a pickup truck for the Pollution Abatement Department and a dump truck for the Parks and Recreation Department.

The following people addressed this item:

Ray Lee, South Portland Post Office
John Switzer, Parks Department

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

6. RESOLVE #1-00/01 – authorizing the sale of bond anticipation notes in the amount of \$650,000 for the construction and reconstruction of Broadway and Main Streets and sidewalks.

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There was no public discussion.

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

7. ORDER #57-00/01 – authorizing the City Manager to execute a document permitting the State of Maine to take a drainage easement on City property.

There was no public discussion.

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

8. ORDER #58-00/01 – authorizing the City Manager to provide a written commitment to Running Hill, SP LLC and the Maine Department of Transportation to operate and maintain traffic signal equipment in the area of Running Hill Road and Cummings Road.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Johnson for passage.
Passage 5-0 (Dale abstaining).

9. ORDER #59-00/01 – accepting Vista Drive, Juniper Circle and the Phase II portion of Crestview Drive as City Streets.

The following people addressed this item:

Tex Haeuser, Planning Director
Herb Haase, 20 Joe Langley Court

Motion was made by Councilor Larsen and seconded by Councilor Maietta for passage.
Passage 4-1 (Fickett opposed, Dale abstaining).

10. ORDER #60-00/01 – accepting a grant from the Maine Criminal Justice Academy to be used by the South Portland Police Department.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 45
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There was no public discussion.

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

11. ORDINANCE #7-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Residential District A to Commercial District C at Map 65 Lots 16A and 21A and a portion of Map 77 Lot 3. First reading.

Bob Metcalf, representing Mr. Kimball (Colin Corporation), addressed this item.

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

12. ORDINANCE #8-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Residential District A to General Commercial District CG at Map 65 Lots 23A, 24, 25 and 26. First reading.

Bob Metcalf, representing Mr. Kimball (Colin Corporation), addressed this item.

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

I. Citizens Discussion (Second Part)

Ray Lee, South Portland Post Office, asked about sidewalks being built on Preble Street. He said it's very dangerous for people to walk on the street on Willard, especially for the elderly.

Herb Haase, 20 Vista Drive, thanked the Council for changing the name of Joe Langley Court and for accepting the streets. He said that emergency vehicles had difficulty finding them.

J. Councilor's Round Robin

Councilor Dale asked the City Manager about the ISO rating. He asked what the pros and cons would be to get the City back to 1.

Councilor Maietta said the school facilities committee met last week. He said the public is invited to participate in the process. He said he met with Parks and Recreation

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Director Dana Anderson and saw the new Community Center. He said the City should be real proud of it. He thanked Acting Mayor Dale for his performance this evening. He said there would be another meeting of the facilities committee this Thursday.

Councilor Johnson said he is pleased to be on the school facilities committee. He encouraged the public to talk with him and Councilor Maietta if they can't get to the meetings.

K. Executive Session

Motion was made by Councilor Larsen and seconded by Councilor Maietta to go into executive session, pursuant to M.R.S.A. §405(6)(e), to consult with Corporation Counsel regarding pending litigation, Leslie Thomas v. City of South Portland, and, pursuant to 1 M.R.S.A. §(6)(d), labor negotiations with the South Portland Firefighters IAFF Local #1476, and, pursuant to 1 M.R.S.A. §405(6)(c), acquisition of real property – West End Fire Station. Passage 6-0, 8:30 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to come out of executive session. Passage 5-0 (Fickett absent), 9:38 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to adjourn. Passage 5-0, 9:40 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

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NOVEMBER 6, 2000

Roll Call: Mayor Bowring called the meeting to order at 7 P.M. All Councilors were present.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Dale to accept the minutes of the 10/16/00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet.

Former Mayor Linda Boudreau presented the City with the Collaborative Leadership Award for the Year 2000 for Project Plan.

City Clerk Linda Cohen noted polling times and locations for tomorrow's election.

Mayor Bowring noted that workshops would be moved to the new community center starting with the workshop on the 13th of this month.

C. Petitions and Communications

Planning Board report regarding zoning text and map changes from Suburban Commercial District CS to the Transitional Central and Regional Commercial District CCRT at Map 49, Lots 91 and 91B and Map 50, Lots 163 and 174.

Planning Board report regarding boarders and accessory dwelling units.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter), to fill an unexpired term which expires 03/01/04. Postponed since 08/07/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 11/20/00. Passage 7-0.

2. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed on 10/02/00.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item to 11/20/00. Passage 7-0.

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NOVEMBER 6, 2000

3. ORDER #61-00/01 – Conservation Commission, District 4 (Bowring). Term to expire 11/20/03.

There was no public discussion.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to appoint Jeffrey Tarling to this position. Passage 7-0.

4. ORDER #62-00/01 – Conservation Commission, District 3 (Baxter). Term to expire 11/20/03.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Robert Leonard, Jr., 82 Huntress Avenue, addressed item #23.

Clarence Beckwith, Bonnybriar Road, said the Betsy Ross House is now renting.

Ray Lee, no address, said he couldn't build on his own lot. He said people should be very careful whom they vote for tomorrow. He didn't think it was right that Councilor Johnson was reported to the Ethics Commission for an ad he placed in the Sentry.

G. Public Hearings and Action

5. O'Rourke's Landing, d/b/a O'Rourke's Landing, 175 Benjamin W. Pickett Street for a Pinball/Video machine license. Owner is increasing the number of machines from one (1) to two (2).

There was no public discussion.

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

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 49
NOVEMBER 6, 2000**

6. ORDINANCE #7-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Residential District A to Commercial District C at Map 65 Lots 16A and 21A and a portion of Map 77 Lot 3. Passed first reading on 10/16/00.

There was no public discussion.

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

7. ORDINANCE #8-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Residential District A to General Commercial District CG at Map 65 Lots 23A, 24, 25 and 26. Passed first reading on 10/16/00

Bob Metcalf, Mitchell Associates, addressed this item.

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

8. ORDER #63-00/01 – establishing a Tax Increment Financing (TIF) District for Long Creek Office Park.

Councilor Dale said he would be abstaining from this item as his firm is involved.

The following people addressed this item:

Ron Epstein, from Jensen, Baird, Gardner and Henry
Al Palmer, Palmer Consulting Engineers
Clarence Beckwith, Bonnybriar Road
Ray Lee, Post Office
Bill Laidley, 2 Taylor Street

Motion was made by Councilor Maietta and seconded by Councilor Fickett for passage. Passage 4-2 (Larsen, Fickett opposed, Dale abstaining).

9. RESOLVE #2-00/01 – regarding the PACTS Transportation Improvement Plan (TIP).

Clarence Beckwith, Bonnybriar Road, addressed this item.

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NOVEMBER 6, 2000

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

H. Action on Old and New Business

23. ORDER #74-00/01 – authorizing the location of an off-premise sign on City Property at Broadway and Perry Terrace for the Veterans of Foreign Wars.

The following people addressed this item:

John W. Maxwell, 505 Cottage Road
Clarence Beckwith, Bonnybriar Road

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

24. PROCLAMATION #6-00/01 – proclaiming the week of November 5, 2000 as Veterans Appreciation Week.

There was no public discussion.

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

10. RESOLVE #3-00/01 – asking that bells be rung at 11:00 A.M. on Veteran's Day.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

18. ORDER #71-00/01 – adopting a Personnel Policy for the Fire Department Call Companies.

There was no public discussion.

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

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11. ORDER #64-00/01 – award of bid to Glidden Roofing Corporation, of Scarborough, ME, for re-roofing the Code Enforcement Building.

Jack Roberts, Welfare Director, addressed this item.

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

12. ORDER #65-00/01 – award of bid to Southworth-Milton, Inc., of Scarborough, ME, for the purchase of a front end loader for the Public Works Department.

There was no public discussion.

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

13. ORDER #66-00/01 – award of bid to George D. DiMatteo Co., of South Portland, ME, for the construction of an equipment building at the Recycling Facility.

The following people addressed this item:

Steve Johnson, Public Works Director
John True, Fire Chief

Motion was made by Councilor Dale and seconded by Councilor Larsen for passage.
Motion was made by Councilor Maietta and seconded by Councilor Larsen to postpone this item to 11/20/00. Passage 7-0.

14. ORDER #67-00/01 – award of bid to Industrial Roofing of Lewiston, ME, for the replacement roofs on the treatment plant and main pump station.

There was no public discussion.

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

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15. ORDER #68-00/01 – award of bid to Oest Associates, Inc., of South Portland, ME, for survey work in connection with the Pleasantdale, Highland Avenue, Adelbert Street and Sylvan Road sewer construction project.

There was no public discussion.

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

16. ORDER #69-00/01 – award of bid to Pape Chevrolet Inc., of South Portland, ME, for the purchase of a first response vehicle for the Fire Department.

John True, Fire Chief, addressed this item.

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

17. ORDER #70-00/01 – authorizing the City Manager to sign a collective bargaining agreement with the Public Safety Dispatchers - IAFF Local #1476.

There was no public discussion.

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

19. ORDER #72-00/01 – award of bid to Drummond Woodsum & McMahan, of Portland, ME, for labor relations/negotiations consulting services.

Councilor Dale abstained from discussion because his company bid on this item.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage.
Motion was made by Councilor Larsen and seconded by Councilor Fickett to postpone this item to 11/20/00. Passage 6-0.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to reconsider.
Passage 6-0.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 53
NOVEMBER 6, 2000**

Motion was made by Councilor Larsen and seconded by Councilor Maietta to commit this item to the Council Workshop of 11/27/00. Passage 6-0.

20. ORDER #73-00/01 – authorizing the City Manager to sign a contract with The Greater Portland Council of Governments to administer a State Development Fund Grant to benefit Durastone, Inc.

There was no public discussion.

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

21. ORDINANCE #9-00/01 – amending Chapter 27, "Zoning," §27-365 Special Exception, §27-366 Space and Bulk Requirements, and §27-369 Performance Standards, regarding property at Map 49 Lots 91 and 91B and Map 50 Lots 163 and 174. First reading.

Councilor Maietta abstained from this and the next item because his brother is involved in both items.

The following people addressed this item:

Vincent Maietta, President of V and E Enterprises
Tex Haeuser, Planning Director

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage of the first reading and to set the public hearing date for 11/20/00. Passage 6-0.

22. ORDINANCE #10-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Suburban Commercial District CS to the Transitional Central and Regional Commercial District CCRT at Map 49 Lots 91 and 91B and Map 50 Lots 163 and 174. First reading.

Vincent Maietta, President of V and E Enterprises, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Dale for passage of the first reading and to set the public hearing date for 11/20/00. Passage 6-0.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 54
NOVEMBER 6, 2000**

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Dale said he was reminded this evening that John Roberts Road was named for a classmate of his who was killed in Viet Nam.

Councilor Maietta noted that the school facilities committee now has a schedule for meetings on Thursday nights at the Community Center. The public is encouraged to attend. He said that February 8th is the hoped for date to have a plan together. The next meeting is 11/16/00. He said he received a call that a guardrail on the Greenbelt by the Eagles is washing away. He asked what the status of the laptops is.

Councilor Baxter wished Councilor Larsen good luck at the election. He asked people not to forget to vote.

Mayor Bowring said he went to the Kettle Kick-off at the Maine Mall for the Salvation Army's annual fundraiser. He noted that the City would be showcased in the January issue of Downeast Magazine. He said the Community Center was recently dedicated, and he urged residents to go see it. He noted that the caucus for mayor for the next year would be held after the 11/13 workshop. He urged everyone to vote.

Councilor Johnson announced that the scheduled tours of the new community center were cancelled the Saturday after the opening, and several people had asked why. He said he would like schools and businesses to be closed on Election Day so everyone can get out to celebrate and vote.

Councilor Larsen thanked Councilor Baxter and wished him well and congratulated the Mayor on his easy win tomorrow. He asked if the curbs by the fire station would be painted white because they are hard to see.

K. Executive Session

Motion was made by Councilor Maietta and seconded by Councilor Larsen to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(e), to consult with Corporation Counsel regarding pending litigation, City of South Portland v. Jerald Bennett, Onex Co., and Sage Gray. Passage 7-0, approximately 11:35 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to come out of executive session. Passage 7-0, 12:05 A.M. (11/7/00).

Motion was made by Councilor Larsen and seconded by Councilor Baxter to adjourn. Passage 7-0, 12:06 AM.

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A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 56
NOVEMBER 20, 2000

Roll Call: Councilor Dale called the meeting to order at 7:05 P.M. Mayor Bowring was absent. Councilor Johnson arrived during Item #9.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Maietta to accept the minutes of the 11/6/00 meeting. Passage 5-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He explained the meaning of the recent Charter amendment passed by the voters on November 7th. He announced the City's first Employee Recognition Award Ceremony that was held last Friday. He highlighted some of the times for using various parts of the new Community Center.

Councilor Maietta updated the Council and public on the meetings of the School Facilities Committee.

City Clerk Linda Cohen presented Warden Kathleen Reid, Ward Clerk Cheryl Beeman and Election Clerk Merle Broberg with an award for highest voter turnout during the election of November 7th.

C. Petitions and Communications

Department reports for the month of October, 2000.

Attendance reports for the month of October, 2000.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter), to fill an unexpired term which expires 03/01/04. Postponed since 08/07/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 12/4/00. Passage 5-0.

2. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed since 10/02/00.

Motion was made by Councilor Dale and seconded by Councilor Baxter to postpone this item to 12/4/00. Passage 5-0.

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E. Consent Calendar

Street Closing

3. The South Portland/Cape Elizabeth Chamber of Commerce is requesting the closing of Hinckley Drive on Friday, December 1, 2000, from 5:00 P.M. to 9:00 P.M.

Debra Napolitano, 5 Applewood Circle, addressed this item.

Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage. Passage 5-0.

F. Citizen Discussion (First Part)

Kathleen Townes, 67 Cannon Road, questioned a proposal to close a portion of Gorham Road. She said she opposes the idea.

Debra Napolitano, 5 Applewood Circle, noted her presence as a member of the Chamber.

Vincent Maietta, V & E Enterprises, showed a map with the Gorham Road area just mentioned by Ms. Townes.

G. Public Hearings and Action

4. ORDINANCE #9-00/01 – amending Chapter 27, "Zoning," §27-365 Special Exception, §27-366 Space and Bulk Requirements, and §27-369 Performance Standards, regarding property at Map 49 Lots 91 and 91B and Map 50 Lots 163 and 174. Passed first reading on 11/06/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to the next meeting. Passage 4-0 (Maietta abstaining).

5. ORDINANCE #10-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Suburban Commercial District CS to the Transitional Central and Regional Commercial District CCRT at Map 49 Lots 91 and 91B and Map 50 Lots 163 and 174. Passed first reading on 11/06/00.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to the next meeting. Passage 4-0 (Maietta abstaining).

**IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 58
NOVEMBER 20, 2000**

H. Action on Old and New Business

6. ORDER #66-00/01 – award of bid to George D. DiMatteo Co., of South Portland, ME, for the construction of an equipment building at the Recycling Facility. Postponed on 11/06/00.

Steve Johnson, Public Works Director, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Baxter for passage. Motion was made by Councilor Maietta and seconded by Councilor Larsen to withdraw this item until after an RFP is done for the sprinkler. Passage 5-0.

7. ORDER #75-00/01 – award of bid to Jordan Equipment Co., of Portland, ME, for the purchase of a steer skid loader for the Public Works Department.

Steve Johnson, Public Works Director, addressed this item.

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

8. RESOLVE #4-00/01 – establishing a policy and guidelines for developing neighborhood plans.

Tex Haeuser, Planning Director, addressed this item

Motion was made by Councilor Baxter and seconded by Councilor Maietta for passage. Passage 4-1 (Fickett).

9. ORDINANCE #11-00/01 – amending Chapter 29, "Sewer Pretreatment and Permits," regarding local limit development. First reading.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage of the first reading and public hearing to be held on 12/4/00. Passage 6-0.

IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 59
NOVEMBER 20, 2000

10. ORDER #76-00/01 – authorizing the City Manager to sign a collective bargaining agreement with South Portland Firefighters IAFF Local #1476.

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

I. Citizens Discussion (Second Part)

Steven Fox, Parkside Terrace, said he is a firefighter and he is sorry that the firefighters, Council and City Manager couldn't come to agreement on their schedule. He asked the Council to realize the personal side of the work schedule. He invited Councilors to come in and visit them.

Rick Lee, 163 Westbrook Street, said he has been a Paramedic/Firefighter for five years. He addressed the schedule issue.

J. Councilor's Round Robin

Councilor Dale said he and the Manager attended a Jetport Noise Committee meeting last week. He said another meeting will be held on November 29th. He said he was encouraged by the meeting.

Councilor Maietta said he noticed on Highland Avenue by the Church of the Nazarene some red reflectors, and they will get wiped out in the first snowstorm. He said the guardrail on Broadway still needs to be repaired. He also asked for the laptops again.

Councilor Baxter said he asked for and received a copy of the list of members of the Facilities Committee. He said he is happy to see the Welcome Wagon back again.

Councilor Johnson said that Councilor Maietta did a great job of reminding the Facilities Committee of the new bonding provision. He said an architectural advisor will be working with the Committee. He commended the football team for a great season.

Councilor Fickett asked to have an item placed on a workshop regarding parents who don't have children in the public schools.

K. Executive Session

Motion was made by Councilor Maietta and seconded by Councilor Baxter to go into executive session, pursuant to 1 M.R.S.A. §405(6)(e), for consultation with Corporation Counsel regarding contemplated litigation. Passage 6-0, 8:56 P.M.

**IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 60
NOVEMBER 20, 2000**

Motion was made by Councilor Larsen and seconded by Councilor Maietta to come out of executive session. Passage 6-0, 9:22 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Fickett to adjourn. Passage 6-0, 9:23 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 61
DECEMBER 4, 2000**

Mayor Bowring called the meeting to order at 4:00 P.M. All Councilors were present.

Mayor Bowring invited Father Paul Coughlin to offer the invocation.

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

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

Councilor Baxter nominated Councilor Larsen for Mayor for year 2000/01. Councilor Johnson seconded the motion.

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

City Clerk Cohen called for the vote.

City Clerk Linda Cohen announced Councilor Larsen as Mayor for 2000/01 by unanimous vote.

Mayor Larsen presented Councilor Bowring with his official gavel and portrait.

Mayor Larsen then presented the Inaugural Address.

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

City Clerk Cohen read RESOLUTION #5 -00/01 establishing time and place of meetings. Councilor Bowring moved for passage. Mayor Larsen seconded the motion. Mayor Larsen took the vote and declared the Resolution duly passed.

Councilor Maietta moved that Council recess until 7:00 p.m. Councilor Dale seconded the motion. Mayor Larsen took the vote and declared the Council recessed until 7:00 P.M. this evening.

**IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 62
DECEMBER 4, 2000**

Roll Call: Mayor Larsen reconvened the recessed meeting at 7:00 P.M.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Maietta to accept the minutes of the 11/20/00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan congratulated Councilors Bowring and Baxter on being sworn in today and Mayor Larsen on being elected Mayor. He cited items in the Council packet. He showed a video of the City. He noted the passing of former Public Works Director Ge Erskine on Thanksgiving. He also noted the passing of former Police Chief Ralph Segal.

Mayor Larsen presented a plaque to outgoing Conservation Commission Member Warren Morgan.

C. Petitions and Communications

Planning Board report regarding boarders and accessory dwellings.

Planning Board report regarding amendments to the Comprehensive Plan.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter), to fill an unexpired term which expires 03/01/04. Postponed since 08/07/00.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to postpone this item to 12/18/00. Passage 7-0.

2. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed since 10/02/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 12/18/00. Passage 7-0.

3. ORDER #77-00/01 – Registrar of Voters. Term to expire 12/31/02.

**IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 63
DECEMBER 4, 2000**

There was no public discussion.

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

4. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 12/18/00. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Paul Ferguson, 15 Bay Road, brought petitions relating to Item #17.

Stanley Cox, 360 Highland Avenue, addressed Item #17.

Ray Lee, no address, said he was sad to lose Ge Erskine. He said that the Community Center should have a plaque in memory of Ge. He commended Councilor Bowring for supporting neighborhood schools and for getting rid of the Human Resource Director. He said he was disappointed not to see a tax break. He said the rules in this City for rebuilding a burnt home are ridiculous.

Clarence Beckwith, Bonnybriar Road, commended the Council for setting differences aside and unanimously supporting Nancy Larsen as Mayor. He commended former City Councilor Kevin Glynn on being re-elected to the Legislature.

G. Public Hearings and Action

Councilor Maietta said he would be abstaining from the next two items.

5. ORDINANCE #9-00/01 – amending Chapter 27, "Zoning," §27-365 Special Exception, §27-366 Space and Bulk Requirements, and §27-369 Performance Standards, regarding property at Map 49 Lots 91 and 91B and Map 50 Lots 163 and 174. Passed first reading on 11/06/00. Postponed on 11/20/00.

Vincent Maietta, President of V& E Enterprises and the applicant, addressed this item.

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

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6. ORDINANCE #10-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Suburban Commercial District CS to the Transitional Central and Regional Commercial District CCRT at Map 49 Lots 91 and 91B and Map 50 Lots 163 and 174. Passed first reading on 11/06/00. Postponed on 11/20/00.

There was no public discussion.

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

7. ORDINANCE #11-00/01 – amending Chapter 29, "Sewer Pretreatment and Permits," regarding local limit development. Passed first reading on 11/20/00.

There was no public discussion.

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

8. Acme Body Shop, Inc., 270 Lincoln Street, for a Used Car Lot license renewal. Increase of cars from 15 to 25 requested.

There was no public discussion.

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

9. Benjamin Building Wrecking Co. d/b/a Benjamin Building Wrecking Co., 41 Jackson Street, for an Automobile Graveyard/Automobile Recycling Business and/or Junkyard Permit renewal.

There was no public discussion.

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

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H. Action on Old and New Business

Motion was made by Councilor Dale and seconded by Councilor Bowring to take Items 17, 18 and 19 out of order. Passage 7-0.

17. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. First reading.

Doug Uraneck, 82 Willow Street

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage of the first reading and to set the public hearing for 12/18/00. Passage 7-0.

18. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. First reading.

The following people addressed this item

Doug Uraneck, 82 Willow Street
Ray Lee, no address
Clarence Beckwith, Bonnybriar Road
Thomas Bakker, Peary Terrace

Motion was made by Councilor Bowring and seconded by Councilor Fickett for passage of the first reading and to set the public hearing for 12/18/00. Passage 6-1 (Fickett).

19. ORDINANCE #14-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. First reading.

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

The following people addressed this item:

Paul Ferguson, 15 Bay Road
Gerard Jalbert, Rhode Island Avenue
Ladd Heldenbrand, 2 Bay Road
Clarence Beckwith, Bonnybriar Road
Ray Lee, no address
Doug Uraneck, 82 Willow Street

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Lydia Graves, 17 Carroll Street
Tex Haeuser, Planning Director

Motion was made by Councilor Maietta and seconded by Councilor Johnson for passage of the first reading and to set the public hearing for 12/18/00. Motion was made by Councilor Dale and seconded by Councilor Bowring to withdraw this item. Passage 6-1 (Johnson).

10. ORDER #72-00/01 – award of bid to Drummond Woodsum & MacMahon, of Portland, ME, for labor relations/negotiations consulting services. Committed to workshop on 11/06/00.

Councilor Dale said he would abstain from this item.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Motion was made by Councilor Bowring and seconded by Councilor Johnson to amend the order by changing the amount to \$15,000 and adjusting the fiscal note to "less than \$1,000." Passage 6-0. Motion was made by Councilor Maietta and seconded by Councilor Johnson to amend the order by changing the successful bidder to Jensen, Baird, Gardiner and Henry. Motion was made by Mayor Larsen and seconded by Councilor Baxter to commit this item to workshop. Passage 5-1 (Johnson).

11. ORDER #79-00/01 – accepting a donation from the South Portland Lions Club to the Fire Department.

The following people addressed this item:

John True, Fire Chief
Tom Bakker, Peary Terrace, South Portland Lions Club

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

12. ORDER #80-00/01 – award of bid to North Atlantic Coastal Regional Constructors, Inc., of Gloucester, MA, for a mechanical screenings upgrade of the Pearl Street Pump Station.

**IN COUNCIL INAUGURAL MEETING VOL. 62 PAGE 67
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There was no public discussion.

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

13. ORDER #81-00/01 – award of bid to Higgins Office Products, of South Portland, ME, for the purchase of 55 computers for the School Department.

Roland Labelle, School Department, addressed this item.

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

14. ORDER #82-00/01 – authorizing the City Manager to sign an Eastern Trail Management District Agreement.

The following people addressed this item:

John Andrews, Saco, Eastern Trail Alliance President
Kate Albert, southern Maine Regional Planning Commission
Mr. Sexton, 8 Drew Road

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

15. ORDER #83-00/01 – authorizing notice to abutters regarding discontinuance of Edgewood Road.

Councilor Dale said he would abstain.

Doug Uraneck, 82 Willow Street, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage.
Motion was made by Councilor Maietta and seconded by Councilor Bowring to amend the order by changing the date of the public hearing to 12/18/00 and the date of filing in the Clerk's Office to 12/11/00. Passage 6-0 (Dale Abstaining). Passage, as amended, 6-0 (Dale abstaining).

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16. ORDER #84-00/01 – amending the 1992 Comprehensive Plan regarding historic and archaeological resources and Project PLAN.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

Gerard Jalbert, 32 Rhode Island Avenue, thanked the Council for keeping the accessory dwelling ordinance alive. He suggested there might be a way around the discrimination issue regarding family only.

Douglas Uranek, 82 Willow Street, said he would be concerned about excluding students from the accessory dwelling ordinance. He said they can be a tremendous addition to the neighborhood. He suggested that Councilor Fickett think of the trail as an investment.

Chris Boulos, 60 Edgewood Road, Cape Elizabeth, asked the Council to think long and hard about taking away his public access. He said he hadn't heard anything about compensation.

J. Councilor's Round Robin

Councilor Maietta asked about an interruption in the Greenbelt Walkway in the Pleasantdale neighborhood. He said some consideration should be given to quick items that keep a Department Head here all evening.

Councilor Baxter agreed with Councilor Maietta about employees. He thanked the people who supported him in his re-election campaign. He thanked the hundreds of volunteers who pulled off Winter Fest over the weekend, especially Tim Napolitano. He said he toured the new Betsy Ross house with Mr. Beckwith, and it's worth taking the time to go see.

Councilor Bowring gave thanks to those who supported him last year and in his re-election. He said he would like some feedback on South Portland's participation in the rapid renewal program for car registration. He noted that MMA is accepting applications for its leadership program for elected officials. He thanked the SP/CE Chamber of Commerce for its part in the weekend's activities.

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Councilor Johnson said he and Councilor Maietta were at the School Facilities Committee meeting last week and they were introduced to a new architect who talked about new ways of educating people and how it affects structures.

Mayor Larsen thanked the Council for its support in having her as Mayor. She said she talked to a first time election clerk who was impressed with the City Clerk's organization and preparation for the election.

Councilor Fickett said that Theodore Roosevelt said he wouldn't run another term and he regretted it.

Councilor Dale said he didn't think he was changing any rules about SMTC students staying with homeowners. He said he received a complaint from a resident about cable.

K. Executive Session

Motion was made by Councilor Dale and seconded by Councilor Bowring to go into executive session, pursuant to 36 M.R.S.A. §841, to discuss application(s) for abatement of property taxes on account of infirmity or poverty. Passage 7-0, 12:08 A.M. (12/5/00).

Motion was made by Councilor Maietta and seconded by Councilor Bowring to come out of executive session. Passage 6-0 (Johnson out), 12:46 A.M.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to grant Abatement #00/01-02 in the amount of \$1,693.48 plus interest and costs to date. Passage 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to deny Abatement #00/01-03. Passage 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn. Passage 7-0, 12:48 A.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 70
DECEMBER 18, 2000**

Roll Call: Mayor Larsen 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 Dale to accept the minutes of the 12/4/00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet.

Mayor Larsen read the names of middle and high school students who painted the windows in Knightville/Mill Creek for the holidays. Mr. Jordan thanked Ralph Baxter, Jr. for his help in this endeavor.

Mr. Jordan showed a copy of the January issue of Down East Magazine, which features the City of South Portland.

Mr. Jordan introduced Lauren Carrier, the new Assistant City Manager.

Mr. Jordan noted that he had received a notice from RWS that it will file a request to expand.

C. Petitions and Communications

Department Reports for the month of November, 2000.

Attendance Reports for the month of November, 2000.

Planning Board report regarding tax acquired property.

Planning Board report regarding the discontinuance of Edgewood Road.

D. Appointment Calendar

1. ORDER #18-00/01 – Civil Service Commission, District 3 (Baxter), to fill an unexpired term which expires 03/01/04. Postponed since 08/07/00.

There was no public discussion.

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

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 71
DECEMBER 18, 2000**

2. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed since 10/02/00.

Motion was made by Councilor Dale and seconded by Councilor Baxter to postpone this item to 1/3/01. Passage 7-0.

3. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed on 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Baxter to postpone this item to 1/3/01. Passage 7-0.

4. ORDER #86-00/01 – Library Advisory Board, District 1 (Dale). Term to expire 12/31/03.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Baxter to appoint Lorraine Fine to this position. Passage 7-0.

5. ORDER #87-00/01 – Library Advisory Board, District 5 (Johnson). Term to expire 12/31/03.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Jane Boulos, 60 Edgewood Road, Cape Elizabeth, addressed item #9 and #11.

G. Public Hearings and Action

6. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00.

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Joan Richert, 538 Sawyer Street, addressed this item.

Motion was made by Councilor Maietta and seconded by Councilor Bowring for passage.
Motion was made by Councilor Maietta and seconded by Councilor Baxter to withdraw
this item. Passage 7-0.

7. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed
first reading on 12/04/00.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Bowring to
withdraw. Passage 7-0.

8. ORDER #88-00/01 – purchase of Police Department equipment under the Justice
Department Block Grant Program.

Ed Googins, Police Chief, addressed this item.

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

9. ORDER #85-00/01 – discontinuance of a portion of Edgewood Road.

Councilor Dale abstained from this item due to a conflict of interest.

The following people addressed this item:

John Shoos, Goudy Street, by letter
Herb Haase, Vista Drive, Planning Board Member
Robert Crawford, Cumberland, representing the Andrews and the Kanes
James Haddow, Counsel for Mr. Frustaci
Joe Frustaci, Rosewood Drive, Cape Elizabeth
Robert Williams, 18 Edgewood Road
Yolande Fogg, 9 Charlotte Street
Jane Smith, 31 Goudy Street

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

10. Harvey's Lunch, 14 Bernard Avenue, Biddeford, ME, is requesting a variance to add a stop which is within five hundred (500) feet of another Food Service Establishment.

The following people addressed this item:

Roland Beaulieu, owner of Harvey's Lunch
Tim Davis, owner of Tim's Variety

Motion was made by Councilor Johnson and seconded by Councilor Bowring for passage. Failed 0-7 (All Councilors).

Motion was made by Councilor Dale and seconded by Councilor Bowring to accept the Findings of Fact. Passage 7-0.

H. Action on Old and New Business

11. ORDER #89-00/01 – accepting quitclaim deeds for the discontinued portions of Charlotte Street and Edgewood Road; authorizing access easements to two Cape Elizabeth abutters to the discontinued portion of Edgewood Road, and authorizing mediation regarding the neighborhood issues involved in the discontinuance of Charlotte Street and Edgewood Road.

Councilor Dale abstained.

Tex Haeuser, Planning Director, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage. Motion was made by Councilor Bowring and seconded by Councilor Johnson to amend the order by capping the amount at \$1,500. Passage 6-0. Passage, as amended, 6-0.

12. ORDER #90-00/01 – accepting the final design of the Liberty Ship Memorial.

The following people addressed this item:

Bob Blackwood, 16 Bluff Road
Richard Renner, Architect
Brad Woodworth, Architect

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

13. ORDER #91-00/01 – authorizing the acceptance of \$2,991.00 under the Asset Forfeiture Program.

There was no public discussion.

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

14. ORDER #92-00/01 – award of bid to CBE Technologies, of Westbrook, ME, for Public Safety computer hardware.

Shawn Pennington, IS Department, addressed this item.

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

15. ORDER #93-00/01 – award of bid to Quest, of Walsenburg, CO, for the purchase of turnout equipment for the Fire Department.

Ron Henderson, Deputy Fire Chief, addressed this item.

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

16. ORDER #94-00/01 – amending the City's Tax Delinquent and Tax Acquired Policy and approving a Land Purchase Installment Contract.

Susan Mooney, Finance Department, addressed this item.

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

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 75
DECEMBER 18, 2000**

17. ORDER #95-00/01 – authorizing a \$1,000.00 contribution to Bayview Cemetery in compliance with 13 M.R.S.A. §1101.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

Herb Haase, 20 Vista Drive, said that Bob Schwartz has been elected Chairman of the Planning Board for the next year. He said he enjoyed his year as Chairman, and he really appreciates the time and effort spent by other board members. He said the Councilors can be proud if they have someone on the Board that they got appointed. He noted that a lot of the people who used to come to meetings and complain have disappeared because Councils have taken care of some of the issues that brought them here.

J. Councilor's Round Robin

Councilor Bowring welcomed the new Assistant Manager. He noted that several City employees were involved with the Toys for Tots Program. He encouraged everyone to either go in and use or drive by to see how much the Community Center is being used.

Councilor Johnson said the next meeting of the School Facilities meeting will be on January 4th. He invited the public to come listen to the committee or send ideas about the schools to him or Councilor Maietta. He said the work should be done in March.

Mayor Larsen welcomed the new Assistant Manager and wished everyone Happy Holidays.

Councilor Fickett read from Blackstone's Commentary.

Councilor Dale asked to have an amendment on the sale of tax-acquired non-residential properties on a future workshop. He also asked about having round robin discussed at a workshop. He said he would like to see Council comments earlier in the agenda. He asked Corporation Counsel to form a legal opinion on in-law apartments. He also asked about the necessity of having a police officer present. He asked where the laptops for the Councilors are. He asked about the lot next to Dunkin Donuts at Waterman and Broadway.

Councilor Maietta thanked Jim Gailey for his presentation on the increase in school population. He thanked Mayor Larsen for her gifts this evening. He said he's still looking for a reply on the Greenbelt at Pleasantdale.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 76
DECEMBER 18, 2000**

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Baxter to go into executive session, pursuant to 36 M.R.S.A. §841, to discuss applications for abatement of property taxes on account of poverty or infirmity, and, pursuant to M.R.S.A. §405(6)(e) regarding legal rights and duties. Passage 7-0, 10:26 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Bowring to come out of executive session. Passage 6-0 (Maietta out), 11:00 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to correct the figures and years for the abatement for hardship tax Abatement #00/01-2 as follows: Abatement granted in the amount of \$1,781.83 for FY98/99 plus interest and costs to date. Passage 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to grant Abatement #00/01-4 in the amount of \$311.87 for FY98/99 plus interest and costs to date. Passage 7-0.

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

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 77
JANUARY 3, 2001**

Roll Call: Mayor Larsen called the meeting to order at 7:20 P.M. All Councilors were present.

A. Acceptance of Minutes

Motion was made by Councilor Maietta and seconded by Councilor Dale to accept the minutes of the 12/18/00 meeting. Passage 7-0.

B. Communications from City Manager

Mayor Larsen observed a moment of silence for Portland City Manager Robert Ganley who passed away unexpectedly during the holidays. Mr. Ganley had also been South Portland's City Manager.

City Manager Jeffrey Jordan read a letter from SPCTV Manager Tony Vigue regarding Roadrunner services. He referenced his end of the year newsletter, which noted the highlights, and accomplishments of the year 2000.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed since 10/02/00.

Motion was made by Councilor Dale and seconded by Councilor Baxter to postpone this item to 1/17/01. Passage 7-0.

2. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Bowring to postpone this item to 1/17/01. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, no address, noted that he is having problems rebuilding his home, because the proposed building doesn't fit the same footprint as the old house. He also can't build the porch that he wants to build. He also said he's paying taxes on a house that doesn't exist.

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JANUARY 3, 2001

Christopher Bowring, 151 Elderberry Drive, addressed an article in the American Journal regarding a meeting by the Board of Education next week that supposedly will address eliminating public discussion on items not on the agenda. He asked Councilors to address this issue in their Round Robin comments with the possibility of sending a Council letter to the Board.

G. Public Hearings and Action

3. Ocean Street Auto, d/b/a/ Ocean Street Auto, 72 Ocean Street, for a Used Car Lot license renewal. Increase of cars from 25 to 40 requested.

The following people addressed this item:

Michael Drinan, owner of 87-97 Ocean Street
Rommie Brown, E Street
Dick Boyd, Ocean Street Auto
Patricia Doucette, Code Enforcement Officer
Tex Haeuser, Planning Director

Motion was made by Councilor Maietta and seconded by Councilor Fickett for passage. Motion was made by Councilor Dale and seconded by Councilor Johnson to postpone this item to 1/17/01. Motion to postpone was withdrawn. Motion was made by Councilor Dale and seconded by Councilor Johnson to amend the motion to grant a temporary license for two weeks for 40 vehicles to allow a meeting of the property owner, the lessee and the neighbors and a review by the Council on 1/17/01. Passage 7-0. Passage, as amended, 7-0.

H. Action on Old and New Business

4. ORDER #96-00/01 – accepting Tamarack Drive and Winding Way as City streets.

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.

5. ORDER #97-00/01 – authorizing the acceptance of \$1,860.00 cash under the Asset Forfeiture Program.

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 79
JANUARY 3, 2001**

There was no public discussion.

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

6. ORDER #98-00/01 – adopting a revised Traffic Schedule.

There was no public discussion.

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

7. ORDER #99-00/01 – accepting an art collection from the estate of Jane S. Percious to be used at the Library.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage.
Passage 7-0.

8. ORDER #100-00/01 – award of bid to Diaz Corporation of Jay, ME, for Greenbelt Wall Repairs.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ed Reidman, City Engineer

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

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, said he attended the last workshop where there was a discussion of putting all of the City property on a list and depreciating it. He asked why that would be done. He said he thinks the citizens of Old Orchard were smart to decide they don't want pay-per-bag trash pick up. He said he couldn't understand why trash pick up couldn't be paid for by taxes.

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 80
JANUARY 3, 2001

J. Councilor's Round Robin

Councilor Johnson wished everyone a Happy New Year. He said there was a time in the recent past where he experienced a modest rage. He said he has forgotten almost everything from that time. He said he realized he could be very upset with a particular vote but get over it the next day.

Mayor Larsen said she had also heard about the Board of Education's intent to limit citizen input, and she is very much in favor of citizen input. She said she would be willing to join together to send a message to the Board.

Councilor Fickett said he hopes that inflation is not counted when the City's assets are valued.

Councilor Dale asked if SMTC and other State properties are now under the ordinances of the City. He asked if the Comprehensive Plan has been approved by the State. He said he's sorry that he doesn't do a better job of controlling his temper, especially when being baited by Mr. Lee. He said he couldn't agree more with Chris Bowring about public input. He said he is appalled that the Board might limit citizen input, and he would support a letter.

Councilor Maietta said he spoke with a School Board member and verified that the vote is coming to them next week. He suggested the letter be addressed to the Board Chairman. He asked about a discussion regarding having police officers at the Council meetings. He said a meeting of the School Facilities Committee would take place tomorrow evening from 7 - 9 P.M. at the Community Center. He said he would like to see the land swap paperwork for Pleasantdale and the specs for bids for salt trucks.

Councilor Baxter said the initiative to limit public input at Board of Education meetings is coming out of the Central Office. He said that pay-per-bag might not ever have to come to South Portland if the City is good at recycling in May. He cited some aspects of the Manager's newsletter, which he thought were improvements in communication. He said he looked at the sidewalks in front of the schools after the snowstorm, and they were in great shape. He said that over 1500 people used the community center yesterday, and over 240 used the track.

Councilor Bowring also noted the great use of the community center. He said he wouldn't attend the School Board meeting next week if the letter goes out before then. He said he wouldn't be here for the meeting of the 17th or the workshop of the 22nd. He noted that Christmas tree pickup starts next week for two weeks.

K. Executive Session

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 81
JANUARY 3, 2001**

Motion was made by Councilor Bowring and seconded by Councilor Baxter to go into executive session, pursuant to 36 M.R.S.A. §841, to discuss applications for abatement of property taxes on account of poverty or infirmity, and, pursuant to 1 M.R.S.A §405(6)(c), acquisition of real property. Passage 7-0, 9:46 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Fickett to come out of executive session. Passage 7-0, 10:31 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to deny Abatement #00/01-1. Passage 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Johnson to adjourn. Passage 7-0, 10:32 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 82
JANUARY 17, 2001**

Roll Call: Mayor Larsen called the meeting to order at 7:08 P.M. Councilor Bowring was absent.

A. Acceptance of Minutes

Motion was made by Councilor Johnson and seconded by Councilor Baxter to accept the minutes of the 1/3/01 meeting. Passage 6-0.

B. Communications from City Manager

Mayor Larsen spoke about the Curbside Recycling Committee. City Manager Jordan presented the City with a plaque from the Navy Seals and presented Don Ricker of the Pollution Abatement Department with a retirement plaque.

C. Petitions and Communications

Department reports for the month of December, 2000.

Attendance reports for the month of December, 2000.

Tax Abatements for FY 00/01.

Planning Board report regarding a zoning map change from Non-residential Industrial District INR to Residential District A for property owned by Matthew and Thelma DiPierro.

Space Needs Analysis and Master Plan Study for City Hall.

D. Appointment Calendar

1. ORDER #50-00/01 – Civil Service Commission, District 1 (Dale), to fill an unexpired term which expires 03/01/03. Postponed since 10/02/00.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta to appoint John Wright to this position. Passage 6-0.

2. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

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Motion was made by Councilor Dale and seconded by Councilor Baxter to postpone this item to 2/5/01. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Peter Larsen, 406 Ocean Street, and James Auger, 35 Fellows Street, both Trustees of the Portland Water District, presented the City with a check for \$51,479.00 from the Water District.

Ray Lee, no address, spoke about the City building a new City Hall. He felt that if the City laid off personnel, it might be able to afford it.

Paul Ferguson, 15 Bay Road, asked about the placement of the Liberty Ship Memorial.

G. Public Hearings and Action

3. Ocean Street Auto, d/b/a Ocean Street Auto, 72 Ocean Street, for a Used Car Lot license renewal. Increase of vehicles from 25 to 40 requested. Temporary License issued on 01/03/01.

The following people addressed this item:

Ray Lee, no address.

Rommy Brown, 10 E Street.

Michael Drinan, 87-97 Ocean Street.

Motion was made by Councilor Dale and seconded by Councilor Maietta to grant the license for 35 cars. Passage 6-0.

4. Arthur L. Peterson, Jr., d/b/a Anderson's Garage, 29 Robinson Street, for a Used Car Lot license. New owner of existing business.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale to grant the license. Passage 6-0.

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H. Action on Old and New Business

5. ORDER #101-00/01 – accepting a \$1,500.00 donation from South Portland/Cape Elizabeth Chamber of Commerce to the Executive Department.

There was no public discussion.

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

6. ORDINANCE #16-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. First reading.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to have the ordinance read by title only. Passage 6-0.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road.
Sybil Riemensnider, Bluff Road.
Paul Ferguson, Bay Road.
Lydia Graves, 17 Carroll Street.

Motion was made by Councilor Maietta and seconded by Councilor Fickett for passage of the first reading and to set the public hearing date for 02-05-01. Passage 6-0.

7. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. First reading.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage of the first reading and to set the public hearing date for 02-05-01. Passage 6-0.

8. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. First reading.

There was no public discussion.

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JANUARY 17, 2001**

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage of the first reading and to set the public hearing date for 02-05-01. Passage 6-0.

9. ORDER #102-00/01 – award of bid to Industrial Protection Services, of Wilmington, MA, for the purchase of breathing apparatus for the Fire Department.

John True, Fire Chief, addressed this item.

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

10. ORDINANCE #15-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Non-residential Industrial District INR to Residential District A at Map 54 Lot 14, Map 62 Lot 9 and a portion of Map 63 Lot 1. First reading.

Gregory Curran, no address given, on behalf of his parents, the DiPierros, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage of the first reading and to set the public hearing date for 02-05-01. Passage 6-0.

11. ORDER #103-00/01 – authorizing William L. Plouffe, Esquire, of Drummond, Woodsum & MacMahon, Portland, ME, to represent the City in conjunction with the City's Corporation Counsel in Consumer Credit Counseling Services, Inc. v. Elizabeth Sawyer and the City of South Portland.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Johnson for passage. Passage 5-0 (Larsen abstaining).

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Mayor Larsen announced a Representatives night on Thursday, January 25, in Council Chambers.

Councilor Fickett said that taxes would go up around \$400.00 per household next year.

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Councilor Dale asked about the placement of the Liberty Ship Memorial, and asked City Manager Jordan why the City received money from the Water District. He also suggested a committee regarding investing the City's money.

Councilor Maietta addressed the School Facilities Committee Meeting and encouraged people to attend.

Councilor Baxter commended everyone that worked on the Ocean Street Auto project for working together.

Councilor Johnson addressed the School Facilities Committee meetings.

Motion was made by Councilor Baxter and seconded by Councilor Johnson to go into executive session, pursuant to 1 M.R.S.A. (6)(d), labor negotiations, to discuss the Mediator's Report with Firefighters IAFF Local #1476, regarding work schedule. Passage 5-0 (Dale out), 9:30 P.M.

Motion was mad by Councilor Baxter and seconded by Councilor Maietta to come out of executive session. Passage 5-0 (Dale out), 10:19 P.M.

Motion was made by Councilor Johnson and seconded by Councilor Baxter to adjourn. Passage 6-0 (Bowring absent), 10:20 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

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FEBRUARY 5, 2001**

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. Councilor Baxter was absent.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Maietta to accept the minutes of the 1/17/01 meeting. Passage 6-0.

B. Communications from City Manager

Mayor Larsen talked about the recent Triad Meeting and thanked the businesses involved. She announced The Mayor's Neighborhood Forum. She said this would be a vehicle to allow the public to have more input into the City's government and would build on former Mayor Boudreau's Project Plan. She said she would start meeting with neighborhood groups. The first meeting will be on March 8th at 6:30 P.M. at the Betsy Ross House.

City Manager Jeffrey Jordan cited items in the Council packet. He passed out a press release about the proposed transfer station in Westbrook. He commended the Public Works Department for its recent snow removal efforts during the largest storm we have seen for a long time. He showed what the trigger guards look like that the police department is giving out.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 2/21/01. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Pete Larsen, 406 Ocean Street, Portland Water District, said the Poland Spring Water bottles bothered him and Mr. Auger when they came to the last meeting. He presented the Council with a case of Portland Water District Bottled Water.

Ruth Taylor, 11 Graffam Road, addressed Item 3.

Sybil Riemensnider, 25 Bluff Road, addressed Item 3.

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Ray Lee, Henry Street, addressed Item 3. He commended public works for the main road conditions, but complained about the plowing of Willard Street and several of those side streets.

Ladd Heldenbrand, 2 Bay Road, addressed Item 3.

Janice Doctor, Betsy Ross House, said the House is wonderful and she recommends it to everyone. She said that equity means material things to the School Board. She said she has always been in favor of neighborhood schools and the lower number of students per class that allows.

Lydia Graves, 17 Carroll Street, addressed Item 3.

Bill Dale, 93 Loveitt's Field Road, addressed the proposed policy to limit public input at School Board meetings. He said he finds the proposed policy offensive. He said that stating that a School Board meeting is only for the purpose of the Board conducting its business in public is offensive. He said the entire policy is an attempt by the Superintendent to run Board meetings without citizen input.

Cassimira McIntyre, 72 Skillings Street, addressed Item 3.

G. Public Hearings and Action

2. Ocean Street Auto, d/b/a Ocean Street Auto, 72 Ocean Street, Used Car Lot License. Request to amend license from 35 to 40 total cars on lot to accommodate Impound Yard.

Melvin Hopkins, co-manager, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 6-0.

3. ORDINANCE #16-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. Passed first reading on 01/17/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 2/21/01. Passage 6-0.

4. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01.

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Motion was made by Mayor Larsen and seconded by Councilor Dale to postpone this item to 2/21/01. Passage 6-0.

5. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 2/21/01. Passage 6-0.

6. ORDINANCE #15-00/01 – amending Chapter 27, "Zoning," for a zoning map change from Non-residential Industrial District INR to Residential District A at Map 54 Lot 14, Map 62 Lot 9 and a portion of Map 63 Lot 1. Passed first reading on 01/17/01.

Gregory Carr, for Matthew and Thelma DiPierro, addressed this item.

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

H. Action on Old and New Business

7. ORDER #107-00/01 – accepting miscellaneous donations.

There was no public discussion.

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

8. ORDER #108-00/01 – award of bid to Portland North Truck Center, of Falmouth, ME, for the purchase of two sand trucks for the Public Works Department.

Steve Johnson, Public Works Director, addressed this item.

Motion was made by Councilor Fickett and seconded by Councilor Maietta for passage. Failed 3-3 (Dale, Maietta, Bowring). Motion was made by Councilor Bowring and seconded by Councilor Maietta to reconsider. Passage 6-0. Motion was made by Councilor Bowring and seconded by Councilor Dale to amend the order by awarding the

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bid to Morrison and Sylvester in the amount of \$190,836.00. Passage 5-1(Johnson).
Passage, as amended, 6-0.

9. ORDER #109-00/01 – award of bid to Goodworks, of South Portland, ME, for Advertising and Public Education Consulting Services regarding the Recycling Collection Program.

Steve Johnson, Public Works Director, addressed this item.

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

10. ORDER #110-00/01 – retaining Roger Kelley, of Drummond, Woodsum and MacMahon, for negotiation services in relation to the Police Patrol and Police Command Health Insurance Grievance.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

Jim Fahey, Police Officer, said, with regard to the grievance, that Maine Municipal is the problem not the City. He said he's hoping a committee will be able to come up with a solution.

J. Councilor's Round Robin

Councilor Dale said he would be sending a letter to the School Board about its proposed public input policy.

Councilor Maietta said he would like to attend the School Board meeting personally. He said he would be sending his own letter. He said he wouldn't skip the Council Workshop. The last meeting of the Facilities Committee is tonight with the public. He said the Committee is doing a great job. He wished Councilor Baxter a speedy recovery.

Councilor Bowring wished Councilor Baxter a speedy recovery.

Councilor Johnson said he received a call just before 5 P.M. on Monday asking if the meeting was going to be held in the snowstorm. He apologized that he didn't get her number to call her back.

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Mayor Larsen said there are wireless earphones available for members of the public. She said she attended a luncheon given by National Semiconductor to recognize Police and Fire.

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Johnson to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(c), to discuss the acquisition of real property, and, pursuant to 1 M.R.S.A. §405 (6)(d), labor negotiations regarding Firefighters IAFF Local #1476. Passage 6-0, 9:30 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Johnson to come out of executive session. Passage 6-0, 11:05 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Dale to adjourn. Passage 6-0, 11:07 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 62 PAGE 92
FEBRUARY 21, 2001**

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. Councilor Baxter was absent.

Motion was made by Councilor Maietta and seconded by Councilor Bowring to waive City Council Standing Rules 3e and 4 to add Items 9 – 11 to the agenda. Passage 6-0.

A. Acceptance of Minutes

Motion was made by Councilor Dale and seconded by Councilor Bowring to accept the minutes of the 2/5/01 meeting (held on 2/7/01). Passage 6-0.

B. Communications from City Manager

C. Petitions and Communications

Monthly reports for the month of January, 2001.

Attendance reports for the month of January, 2001.

Councilor Maietta announced a School Facilities Committee meeting tomorrow night at 6:00 P.M.

Councilor Johnson announced that another meeting would be held on Tuesday night at 6:00 P.M.

Mayor Larsen announced that the first Recycling Committee meeting was held last evening. She said the next meeting would be Feb. 28th at 5:00 P.M. in City Hall. She said she welcomed the Maine State Chiefs of Police on February 9th. On the 10th, she received an award from the VFW.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 3/5/01. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Bill Judkins, 315 Highland Avenue, said he is here representing the South Portland/Cape Elizabeth Chamber of Commerce. He thanked the Council for its dedication.

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G. Public Hearings and Action

2. ORDINANCE #16-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. Passed first reading on 01/17/01. Postponed on 02/07/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/5/01. Passage 6-0.

3. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed on 02/07/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/5/01. Passage 6-0.

4. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed on 02/07/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/5/01. Passage 6-0.

H. Action on Old and New Business

5. ORDER #111-00/01 – approving 2001 rates for the Spring Point Marina.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

6. ORDER #112-00/01 – award of bid to Workgroup Technology Partners, Inc., of Westbrook, ME, for the purchase of ten (10) notebook computers and wireless equipment for the Information Technology Department.

There was no public discussion.

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FEBRUARY 21, 2001**

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

7. ORDER #113-00/01 – authorizing the City Manager to submit an application to the Maine Department of Conservation for a Land & Water Conservation Fund Grant to be used for the Greenbelt Walkway located between A.J. Kennedy's and the former landfill site.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Jim Gailey, Planning Department

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

8. ORDINANCE #17-00/01 – amending Chapter 23, "Streets and Sidewalks," regarding street openings. First reading.

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

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road,
Ed Reidman, City Engineer

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage of the first reading and to set the public hearing date for 3/5/01. Motion was made by Mayor Larsen and seconded by Councilor Dale to amend the ordinance in Section 23-46 by deleting "other than utilities in good standing under the rules and regulations" and changing two years to five. Passage 4-2 (Maietta, Fickett). Passage of amended first reading 6-0.

9. ORDER #114-00/01 – authorizing the City Manager to sign a Memorandum of Understanding with the South Portland Fire Command Officers Bargaining Unit and the South Portland Firefighters, IAFF Local #1476.

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There was no public discussion.

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

10. ORDER #115-00/01 – authorizing the City Manager to sign a contract extension with the South Portland Fire Command Officers Association.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage.
Passage 6-0.

11. ORDER #116-00/01 - authorizing the City Manager to sign a contract extension with the South Portland Firefighters IAFF Local #1476.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage.
Passage 6-0.

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, asked about erosion control and digging around Barberry Creek.

J. Councilor's Round Robin

Councilor Maietta asked the Manager to check into the Taylor Lane issue.

Councilor Johnson congratulated the High School Track Team.

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Maietta to go into executive session, pursuant to M.R.S.A. §405(6)(e), to consult with Corporation Counsel regarding litigation Joseph Frustaci v. City of South Portland, and, pursuant to 1 M.R.S.A. §405(6)(c), to discuss acquisition of real property. Passage 6-0, 8:32 P.M.

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Motion was made by Councilor Bowring and seconded by Councilor Maietta to come out of Executive Session. Passage 6-0, 9:16 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Fickett to adjourn. Passage 6-0, 9:17 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 97
MARCH 5, 2001

ROLL CALL: Mayor Larsen called the meeting to order at 7:03 P.M. Councilors Baxter and Johnson were absent.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Maietta to accept the minutes of the 2/21/01 meeting. Passage 5-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He presented Wright Express with an award in recognition of the issuance of its 3 millionth credit card. He noted the retirement of Deputy Police Chief Boyce Sanborn.

Councilor Maietta announced that the Facilities Committee meeting had been postponed because of the storm. A meeting will be held tomorrow night at 6 P.M.

Mayor Larsen said she attended the Police Department Award Ceremony this evening. She said she would be at the Ferry Village Neighborhood Conservation Association meeting at Betsy Ross House at 6:30 P.M. on Thursday.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 3/19/01. Passage 5-0.

2. ORDER #118-00/01 – Board of Assessment Review, District 2 (Maietta). Term to expire on 03/16/04.

Motion was made by Councilor Maietta and seconded by Councilor Dale to postpone this item to 3/19/01. Passage 5-0.

3. ORDER #119-00/01 – Civil Service Commission, District 5 (Johnson). Term to expire 03/01/06.

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MARCH 5, 2001

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/19/01. Passage 5-0.

4. ORDER #120-00/01 – Library Advisory Board, At Large (Fickett), to fill an unexpired term which expires on 12/31/02.

Motion was made by Councilor Fickett and seconded by Councilor Maietta to postpone this item to 3/19/01. Passage 5-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Charlie Guy, Blue Rock employee, addressed Items 8 and 14.

Christina Merrill, 15 Kelley Street, addressed Item 5.

Frank Meter, Operations Manager at Portland Water District, addressed Items 8 and 14.

G. Public Hearings and Action

Mayor Larsen took Item 18 out of order.

18. PROCLAMATION #8-00/01 – proclaiming Thomas Simonds as Officer of the year 2000.

The following people addressed this item:

Edward Googins, Police Chief
Thomas Simonds, recipient

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage. Passage 5-0.

5. ORDINANCE #16-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. Passed first reading on 01/17/01. Postponed since 02/07/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/19/01. Passage 5-0.

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MARCH 5, 2001**

6. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed since 02/07/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/19/01. Passage 5-0.

7. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed since 02/07/01.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to postpone this item to 3/19/01. Passage 5-0.

8. ORDINANCE #17-00/01 – amending Chapter 23, "Streets and Sidewalks," regarding street openings. Amended and passed first reading on 02/21/01.

The following people addressed this item:

Peggy McGehee, Attorney for Northern Utilities
Frank Meter, Operations Supervisor at Portland Water District
Clarence Beckwith, Bonnybriar Road
Mel Roast, Operations Manager at Northern Utilities
Ed Reidman, City Engineer

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage.
Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 3/19/01. Passage 5-0.

H. Action on Old and New Business

Motion was made by Councilor Dale and seconded by Councilor Bowring to take Items 14 and 15 out of order. Passage 5-0.

14. ORDER #123-00/01 – adopting the following:

Street Opening Permit administration/inspection fees, dated March/2001.

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MARCH 5, 2001

Permanent Pavement Restoration charges, dated March/2001.
Technical Design Standards and Guidelines dated March/2001.

Motion was made by Councilor Dale and seconded by Councilor Fickett to postpone this item to 3/19/01. Passage 5-0.

15. ORDER #124-00/01 – authorizing the City Manager to execute an agreement with Northern Utilities settling Northern Utilities v. City of South Portland.

Motion was made by Councilor Dale and seconded by Councilor Fickett to postpone this item to 3/19/01. Passage 5-0.

9. ORDER #72-00/01 – award of bid to Drummond, Woodsum & McMahon, of Portland, ME, for labor relations/negotiations consulting services. Committed to workshop on 11/06/00.

Councilor Dale said he would abstain from this item.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage. Motion was made by Councilor Maietta and seconded by Councilor Bowring to amend the order to award the bid to Jensen Baird Gardner and Henry changing the fiscal note to \$15,000. Passage 4-0 (Dale abstaining). Passage, as amended, 4-0.

10. PROCLAMATION #7-00/01 – proclaiming March 18 - 24, 2001 as Media Democracy Week.

Tony Vigue, SPC-TV Manager, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

Motion was made by Councilor Dale and seconded by Councilor Bowring to waive reading the ordinance in its entirety. Passage 5-0.

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MARCH 5, 2001**

11. ORDINANCE #18-00/01 – amending Chapter 10, Article III, "General Assistance Ordinance". First Reading.

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage of the first reading and to set the public hearing date for 3/19/01. Passage 5-0.

12. ORDER #121-00/01 – award of bid to Property Valuation Advisors, of Newburyport, MA, for valuation consulting services.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Elizabeth Sawyer, Assessor

Motion was made by Councilor Bowring and seconded by Councilor Dale for passage. Passage 5-0.

13. ORDER #122-00/01 – establishing a Commercial and Non-owner Occupied Residential Delinquent and Tax Acquired Property Policy.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Bowring for passage. Passage 4-1 (Fickett).

16. ORDER #125-00/01 - authorizing the City Manager to sign a Municipal/State Agreement with the Maine Department of Transportation regarding the relocation of Western Avenue and Johnson Road.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Dale for passage. Passage 5-0.

17. ORDER #126-00/01 – accepting a Juvenile Accountability Incentive Block Grant from the Maine Department of Corrections to be used by the Police Department.

Edward Googins, Police Chief, addressed this item.

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MARCH 5, 2001

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage. Passage 5-0.

19. ORDER #127-00/01 – award of bid to Pine Tree Waste, Inc., of South Portland, ME, for curbside recyclable material collection services.

The following people addressed this item:

Steve Johnson, Public Works Director
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 4-1 (Fickett).

20. ORDER #128-00/01 – award of bid to Rehrig Pacific Company, of Raymond, NH, for the purchase of curbside recycling containers.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Steve Johnson, Public Works Director

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 4-1 (Fickett).

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, said he is concerned with the downturn of the economy.

J. Councilor's Round Robin

Councilor Maietta thanked Mr. Beckwith for the invitation to lunch at the Betsy Ross House. He asked Mr. Jordan to check on the drainpipe on Elizabeth Taylor Lane.

Councilor Bowring thanked the Housing Authority for the tour and lunch at the Betsy Ross House.

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Mayor Larsen talked about the cut in school funding to the City for the next year. She said a letter was sent to the Governor and our representatives that the cuts will not be tolerated. The City's representatives have been asked to introduce legislation to reinstate the "hold harmless" provision. She said a sample letter would be available at the Clerk's office for members of the public to copy and send.

Councilor Fickett talked about the crimes the President can pardon.

Councilor Dale suggested that the letter also be put on the web site for the City. He also said that the Willard neighbors are thinking of getting together to come up with some ideas for a centerpiece in Willard Square.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to adjourn.
Passage 5-0, 10:38 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

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MARCH 19, 2001**

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. Councilors Baxter and Johnson were absent.

A. Acceptance of Minutes

Motion was made by Councilor Maietta and seconded by Councilor Dale to accept the minutes of the 3/5/01 meeting (held 3/7/01). Passage 5-0.

B. Communications from City Manager

Proposed Fiscal Year 2002 Municipal Budget.

C. Petitions and Communications

Monthly Reports for the month of February, 2001.

Attendance Reports for the month of February, 2001.

Planning Department report regarding text amendments to Chapter 27, §27-259 (2)(b), §27-259 (c)(5) and §27-16 (3) at 231 Front Street.

Councilor Maietta said the School Facilities Committee turned in its report to the School Board and the School Board has authorized the additional work necessary to move forward.

Mayor Larsen said she attended the Ferry Village Neighborhood Conservation Meeting last week.

Motion was made by Councilor Maietta and seconded by Councilor Bowring to reconsider ORDER #127-00/01 - award of bid to Pine Tree Waste for collection services passed last meeting. Failed 2-3 (Dale, Fickett, Larsen).

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 4/2/01. Passage 5-0.

2. ORDER #118-00/01 – Board of Assessment Review, District 2 (Maietta). Term to expire on 03/16/04. Postponed on 03/05/01.

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MARCH 19, 2001**

Motion was made by Councilor Maietta and seconded by Councilor Bowring to postpone this item to 4/2/01. Passage 5-0.

3. ORDER #119-00/01 – Civil Service Commission, District 5 (Johnson). Term to expire 03/01/06. Postponed on 03/05/01.

Motion was made by Mayor Larsen and seconded by Councilor Dale to postpone this item to 4/2/01. Passage 5-0.

4. ORDER #120-00/01 – Library Advisory Board, At Large (Fickett), to fill an unexpired term which expires on 12/31/02. Postponed on 03/05/01.

Motion was made by Councilor Fickett and seconded by Councilor Maietta to postpone this item to 4/2/01. Passage 5-0.

5. ORDER #129-00/01 – Housing Authority, At Large (Larsen). Term to expire 03/25/06.

There was no public discussion.

Motion was made by Mayor Larsen and seconded by Councilor Dale to appoint Michael Hulsey to this position. Passage 5-0.

6. ORDER #130-00/01 – Planning Board, District 1 (Dale). Term to expire 04/01/04.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 4/2/01. Passage 5-0.

7. ORDER #131-00/01 – Planning Board, District 2 (Maietta). Term to expire 04/01/04.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale to appoint David Sawyer to this position. Passage 5-0.

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MARCH 19, 2001**

8. ORDER #132-00/01 – Planning Board, At Large (Larsen). Term to expire 04/01/04.

There was no public discussion.

Motion was made by Mayor Larsen and seconded by Councilor Dale to appoint Kathleen Mersereau to this position. Passage 5-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Mary Morgan, 103 Chapel Street, presented the City Council with a donation of \$105.00 from the Portland Chapter of Commercial Travelers for the Library.

G. Public Hearings and Action

9. ORDINANCE #16-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. Passed first reading on 01/17/01. Postponed since 02/05/01.

Motion was made by Mayor Larsen and seconded by Councilor Dale to postpone this item to 4/2/01. Passage 5-0.

10. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed since 02/05/01.

Motion was made by Mayor Larsen and seconded by Councilor Dale to postpone this item to 4/2/01. Passage 5-0.

11. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed since 02/05/01.

Motion was made by Mayor Larsen and seconded by Councilor Maietta to postpone this item to 4/2/01. Passage 5-0.

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12. ORDINANCE #17-00/01 – amending Chapter 23, "Streets and Sidewalks," regarding street openings. Amended and passed first reading on 02/21/01. Postponed on 03/05/01.

The following people addressed this item:

Mel Roast, Operations Manager Northern Utilities
Peggy McGehee, Attorney for Northern Utilities
Frank Meter, Operations Supervisor Portland Water District

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Motion was made by Councilor Dale and seconded by Councilor Bowring to amend the ordinance as outlined in the memo from Corporation Counsel. Motion was made by Councilor Maietta and seconded by Councilor Dale to amend the amendment in #5 by deleting "owner occupied." Passage 5-0. Motion was made by Councilor Dale and seconded by Councilor Maietta to amend the amendment in #10 by changing the time frame to two business days. Passage 5-0. Passage, as amended, 5-0.

Mayor Larsen took Items 17 and 18 out of order.

17. ORDER #123-00/01 – adopting the following:

- Street Opening Permit administration/inspection fees, dated March/2001.
 - Permanent Pavement Restoration charges, dated March/2001.
 - Technical Design Standards and Guidelines dated March/2001.
- Postponed on 03/05/01.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

18. ORDER #124-00/01 – authorizing the City Manager to execute an agreement with Northern Utilities settling Northern Utilities v. City of South Portland. Postponed on 03/05/01.

Peggy McGehee, Attorney for Northern Utilities, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Motion was made by Mayor Larsen and seconded by Councilor Dale to

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amend the order by adding \$16,000 in the fiscal note. Passage 5-0. Passage, as amended, 4-1 (Larsen).

Mayor Larsen took Items 14 through 16 and Item 24 out of order.

14. Brinker International, Inc., d/b/a Chili's Grill & Bar, 465 Maine Mall Road, for an FSE/Class A Restaurant with Liquor License. New owner of an existing business.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

15. Brinker International, Inc., d/b/a On the Border Mexican Café, 420 Maine Mall Road, for an FSE/Class A Restaurant with Liquor License. New owner of an existing business.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

16. O'Rourke's Landing, Inc., d/b/a O'Rourke's Landing, 175 Benjamin W. Pickett Street, for an FSE/Class A Lounge with Liquor License with Special Amusement Permit. New owner of an existing business.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage. Passage 5-0.

24. ORDINANCE #19-00/01 – amending Chapter 27, "Zoning" regarding text changes for leased property at 231 Front Street. First reading.

The following people addressed this item:

Tex Haeuser, Planning Director
Mark Loring, applicant

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Motion was made by Councilor Dale and seconded by Councilor Maietta for passage of the first reading and to set the public hearing date for 4/2/01. Passage 5-0.

13. ORDINANCE #18-00/01 – amending Chapter 10, "Health, Welfare and Sanitation Generally," Article III, General Assistance Ordinance. Passed first reading on 03/05/01.

Jack Roberts, Welfare Director, addressed this item.

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

H. Action on Old and New Business

Mayor Larsen took Item 26 out of order.

26. ORDER #139-00/01 – setting April 4, 2001, as the date for Public Hearing in City Council Chambers for the Proposed Fiscal Year 2002 Municipal Budget.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

19. ORDER #133-00/01 – accepting a donation from South Portland – Cape Elizabeth Rotary Club.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

20. ORDER #134-00/01 – accepting the State of Maine Municipal Warrant for Prosecuting Unlicensed Dogs Owners/Keepers.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 4-1 (Bowring).

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21. ORDER #135-00/01 – award of bid to T Y LIN International, of Falmouth, ME, for engineering services for the reconstruction of Western Avenue.

Ed Reidman, City Engineer, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Motion was made by Councilor Dale and seconded by Mayor Larsen to postpone this item to 4/2/01. Passage 5-0.

22. ORDER #136-00/01 – award of bid to Walker Specialties, Inc., of Jamaica Plain, MA, for stage curtains at Mahoney Middle School.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Dale for passage. Passage 5-0.

23. ORDER #137-00/01 – authorizing the City Manager to sign a standard agreement with the State of Maine accepting a Federal Transit Administration grant in the amount of \$4,600.00.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

25. ORDER #138-00/01 – retaining Smith, Elliott, Smith & Garmey, of Portland, ME, for outside legal services regarding insurance liability coverage.

Motion was made by Mayor Larsen and seconded by Councilor Bowring to withdraw this item. Passage 5-0.

I. Citizens Discussion (Second Part)

Kevin Glynn, 109 Huntress Avenue, State Representative from District 27, addressed the reduction in State funding to the City. He said it's unlikely that the "hold harmless" provision will be in place this year. He said that he and the other members of the delegation are working hard on the City's behalf in this area. He did introduce a hold harmless bill this session.

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J. Councilor's Round Robin

Mayor Larsen passed out a folder of information put together by National Semiconductor in support of the BETR Program.

Councilor Maietta thanked Representative Glynn and asked if the Council should do something to support the bill for the hold harmless provision.

K. Executive Session

Motion was made by Councilor Dale and seconded by Councilor Maietta to go into executive session, pursuant to 36 M.R.S.A. §841, to discuss applications for abatement of property taxes on account of poverty or infirmity. Passage 5-0, 10:19 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to come out of executive session. Passage 5-0, 10:43 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to grant Abatement #00/01-6 in the amount of \$8,264.92. Passage 5-0.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to adjourn. Passage 5-0, 10:44 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

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APRIL 2, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:05 P.M. Councilor Bowring arrived during Citizen Discussion Part 1; Councilor Baxter left after Item 6.

A. Acceptance of Minutes

Motion was made by Councilor Baxter and seconded by Councilor Dale to accept the minutes of the 3/19/01 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He thanked National Semiconductor for the recognition it gave to the City in one of its recent publications.

C. Petitions and Communications

Councilor Maietta passed out a letter from Emery Street residents and asked that the subject be put on a workshop.

Councilor Dale noted that the Airport Noise Committee will meet on April 24 at 7 P.M. at the Jetport Conference Room. He noted that several South Portland Officials went to Augusta today and spoke on the education funding issue and then met with the Governor.

Councilor Johnson said that last week was the beginning of a series of meetings to discuss the need for open space. Tomorrow night at 6 P.M., a meeting will be held at Pete Cloutier's house on Fickett Street. Another meeting will occur on April 5th at Memorial Middle School at 7 P.M.

Mayor Larsen announced that Councilor Dale has been placed on the School Facilities Committee. She announced that the public hearing on the budget would take place this Wednesday evening at 7:00 P.M. in Council chambers.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 4/18/01. Passage 6-0.

2. ORDER #118-00/01 – Board of Assessment Review, District 2 (Maietta). Term to expire on 03/16/04. Postponed since 03/05/01.

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Motion was made by Councilor Maietta and seconded by Councilor Dale to postpone this item to 4/18/01. Passage 6-0.

3. ORDER #119-00/01 – Civil Service Commission, District 5 (Johnson). Term to expire 03/01/06. Postponed since 03/05/01.

Motion was made by Councilor Johnson and seconded by Councilor Baxter to postpone this item to 4/18/01. Passage 6-0.

4. ORDER #120-00/01 – Library Advisory Board, At Large (Fickett), to fill an unexpired term which expires on 12/31/02. Postponed since 03/05/01.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Maietta to appoint Candance Kingsley to this position. Passage 6-0.

5. ORDER #130-00/01 – Planning Board, District 1 (Dale). Term to expire 04/01/04. Postponed on 03/19/01.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta to appoint John Chapin to this position. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Kevin Glynn, 109 Huntress Avenue, Representative from District 27, thanked the City Officials who came to Augusta today regarding the school funding formula.

Ray Lee, Henry Street, asked what the new tax revenue for the City will be this coming year. He said he wasn't happy with the committee that studied the school facilities. He said the schools should be privatized.

Paul Ferguson, 15 Bay Road, addressed Item # 6.

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Kathy Randall, 38 Channel Road, addressed Item #6.

Christina Merrill, 15 Kelley Street, addressed Item #6.

Lydia Graves, 17 Carroll Street, addressed Item #6.

Clarence Beckwith, Bonnybriar Road, addressed Item #6. He said he attended last week's workshop. He said he couldn't understand why a zoning ordinance came to the Council before going to the Planning Board. He said the Greenbelt appears to be blocked down near Chestnut Street.

Ladd Heldenbrand, Bay Road, addressed Item #6.

Lynn Bromley, 102 Mitchell Road, offered her assistance in any way and thanked the Council for coming to Augusta today.

Bill Kayata, Sawyer Street, addressed Item #6.

G. Public Hearings and Action

Mayor Larsen took Items #13 and #14 out of order.

13. ORDER #141-00/01 – accepting a donation from "The Kid's Place at Dyer School."

The following people addressed this item:

Tom Hardy, 750 Highland Avenue
Ray Lee, Henry Street

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

14. ORDER #142-00/01 – award of bid to O'Brien & Sons, of Medfield, MA, for the purchase and installation supervision services of a playscape at Dyer School.

There was no public discussion.

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

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6. ORDINANCE #16-00/01 – amending Chapter 27, "Zoning," regarding accessory dwelling units. Passed first reading on 01/17/01. Postponed since 02/05/01.

The following people addressed this item:

Ray Lee, Henry Street
Sybil Riemensnider, 25 Bluff Road
Christina Merrill, 15 Kelley Street
Lydia Graves, 17 Carroll Street
William Pappas, 954 Sawyer Street
Stanley Cox, 460 Highland Avenue
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Johnson and seconded by Councilor Bowring for passage.

Motion was made by Councilor Baxter and seconded by Councilor Dale to move the question. Passage 7-0. Ordinance failed 4-3 (Baxter, Dale, Bowring).

7. ORDINANCE #12-00/01 – amending Chapter 12, "Housing," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed since 02/05/01.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Bowring for passage. Motion was made by Councilor Maietta and seconded by Councilor Dale to postpone this item indefinitely. Passage 6-0.

8. ORDINANCE #13-00/01 – amending Chapter 27, "Zoning," regarding boarders. Passed first reading on 12/04/00. Withdrawn on 12/18/00. Passed new first reading on 01/17/01. Postponed since 02/05/01.

Tex Haeuser, Planning Director, addressed this item.

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage. Motion was made by Councilor Maietta and seconded by Councilor Johnson to postpone this item indefinitely. Passage 6-0.

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9. ORDINANCE #19-00/01 – amending Chapter 27, "Zoning," regarding text changes for leased property at 231 Front Street. Passed first reading on 03/19/01.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

10. ORDER #140-00/01 – authorizing the City Manager to submit an application to the Maine Department of Economic and Community Development Fund Loan to benefit Durastone, Inc.

Councilor Dale said he would abstain on this item as his law firm represents Durastone.

Clarence Beckwith, Bonnybriar Road, addressed this item.

Motion was made by Councilor Maietta and seconded by Councilor Bowring for passage. Passage 5-0.

H. Action on Old and New Business

11. ORDER #135-00/01 – award of bid to T Y LIN International, of Falmouth, ME, for engineering services for the reconstruction of Western Avenue. Postponed on 03/19/01.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Don Legere, SP/CE Chamber of Commerce Chairman
Ed Reidman, City Engineer

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage. Motion was made by Councilor Dale and seconded by Councilor Maietta to amend the amount to \$219,559 and add, after Western Avenue, "provided, however, that the contract between the City and TY LIN shall specify the sub-amounts for highway design, geotechnical engineering, traffic engineering, utility coordination, right-of-way and environmental so that the City may be given appropriate credit if some or all of the items on that list are not performed." Passage 6-0. Passage, as amended, 6-0.

12. PROCLAMATION #8-00/01 – proclaiming the month of April as Child Abuse Prevention Month.

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APRIL 2, 2001

There was no public discussion.

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

15. ORDER #143-00/01 – award of bid to O'Brien & Sons of, Medfield, MA, for the purchase of a playscape for Wilkinson Park.

The following people addressed this item:

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

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

16. ORDINANCE #20-00/01 – amending Chapter 18, "Parks and Recreation," regarding parks and animal waste. First reading.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Maietta for passage of the first reading and to set the public hearing date for 4/18/01. Passage 6-0.

17. ORDER #144-00/01 – authorizing the City Manager to sign a contract with InforME (Information Resource of Maine) instituting a rapid renewal program.

Susan Mooney, Deputy Tax Collector, addressed this item.

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

18. ORDER #145-00/01 – award of bid to O'Connor, GMC, of Augusta, ME, for the purchase of a school bus for the School Department.

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Jack Gurney, School Bus Transportation Director

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

19. ORDINANCE #21-00/01 – amending Chapter 24, "Subdivisions," regarding storm water drainage design and construction. First reading.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage of the first reading and to set the public hearing date for 4/18/01. Motion was made by Councilor Dale and seconded by Councilor Maietta to substitute the blue copy and eliminate the language in the first paragraph regarding the zoning map. Passage 6-0. Passage of first reading, as amended, 6-0.

20. ORDER #146-00/01 – authorizing the purchase of property for the West End Fire Station.

Councilor Maietta said he would abstain from this item, as his brother is the seller.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
John True, Fire Chief

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

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Mayor Larsen announced that the recycling presentations will start this week in the schools.

Councilor Maietta said he is not satisfied with the recycling committee's response to the sponsor's names on the bins.

Motion was made by Councilor Maietta and seconded by Councilor Dale to go into Executive Session to discuss, pursuant to 1 M.R.S.A. §405 (6)(c), acquisition of real property. Passage 6-0 10:53 P.M.

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Motion was made by Councilor Maietta and seconded by Councilor Bowring to come out of executive session. Passage 6-0, 11:09 P.M.

Motion was made by Councilor Dale and seconded by Councilor Fickett to adjourn. Passage 6-0, 11:10 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL SPECIAL MEETING VOL. 62 PAGE 120
APRIL 9, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. All Councilors were present.

H. Action on Old and New Business

1. RESOLVE #6-00/01 - supporting LD 1333 regarding jurisdiction of the Public Utilities Commission over public water utilities.

The following people addressed this item:

David Kane, Portland Water District Director of Administration
Jim Auger, Portland Water District Trustee
Peter Larsen, Portland Water District Trustee
Michelle Clements, Portland Water District Public Relations Manager
Mark Duval, former Portland Water District Trustee

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

Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn.
Passage 7-0, 7:30 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 121
APRIL 18, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. Councilors Maietta and Dale were absent.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to waive Council Standing Rules 3e and 4 to add Item #15. Passage 5-0.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Baxter to accept the minutes of the regular meeting of 04/02/01 and the special Meeting of 04/09/01. Passage 5-0.

B. Communications from City Manager

City Manager Jeffrey Jordan passed out budget related items and cited items in the Council packet.

C. Petitions and Communications

Councilor Johnson announced that the Civil Service Commission has a vacancy in District 5 and explained what the Commission does.

Mayor Larsen said she welcomed some French Exchange Students, and she received a picture of their City Hall. She read a letter from Portland Mayor Cheryl Leeman regarding school funding.

Monthly Reports for the month of March, 2001.

Attendance Reports for the month of March, 2001.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to postpone this item to 5/7/01. Passage.

2. ORDER #118-00/01 – Board of Assessment Review, District 2 (Maietta). Term to expire on 03/16/04. Postponed since 03/05/01.

There was no public discussion.

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Motion was made by Councilor Bowring and seconded by Councilor Johnson to appoint Edward Millett to this position. Passage 5-0.

3. ORDER #119-00/01 – Civil Service Commission, District 5 (Johnson). Term to expire 03/01/06. Postponed since 03/05/01.

Motion was made by Councilor Johnson and seconded by Councilor Bowring to postpone this item to 5/7/01. Passage 5-0.

E. Consent Calendar

4. ORDER #147-00/01 – authorizing the placement of a banner across Ocean Street for the Waterfront Market Association.

Michael Drinan, President of the Waterfront Market Association, addressed this item.

Motion was made by Councilor Baxter and seconded by Councilor Bowring for passage. Motion was made by Councilor Baxter and seconded by Councilor Bowring to amend the order by changing the period of time the banner may be up to two weeks. Passage 5-0. Passage, as amended, 5-0.

F. Citizen Discussion (First Part)

Debbie Kimball, 22 Bowers Street, said the west end cemetery in Portland won't close until June 1. She noted the hours of other beaches in the area. She also asked questions about Item 5 on this evening's agenda. She said she would like to see bags and disposal areas on the Greenbelt.

Ray Lee, Henry Street, expressed his unhappiness with the recycling program. He said it won't save taxpayers any money.

Clarence Beckwith, Bonnybriar Road, said the School Board has no regard for the taxpayers. He addressed proposals by the Assistant Principal at the High School regarding discipline. He suggested that the Maine Youth Center is a better place for these students. He compared the school budgets for Portland and South Portland. Portland's tax increase is less.

Marcia Grant, Lowell Street, addressed Item 5.

G. Public Hearings and Action

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 123
APRIL 18, 2001

Mayor Larsen took Item 11 out of order.

11. ORDER #152-00/01 – accepting the donation of a police dog from Paul Gallagher to the Police Department.

The following people addressed this item:

Edward Googins, Police Chief
Ken Cronin and Knuckles the K-9 Police Dog
Ray Lee, Henry Street

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

5. ORDINANCE #20-00/01 – amending Chapter 18, "Parks and Recreation," regarding parks and animal waste. Passed first reading on 4/02/01.

The following people addressed this item:

Ray Lee, Henry Street
Debbie Kimball, 22 Bowers Street

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

6. ORDINANCE #21-00/01 – amending Chapter 24, "Subdivisions," regarding storm water drainage design and construction. Amended and passed first reading on 4/02/01.

There was no public discussion.

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

H. Action on Old and New Business

7. ORDER #148-00/01 – accepting miscellaneous donations.

There was no public discussion.

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

8. ORDER #149-00/01 – authorizing the Ferry Village Master Plan Committee to proceed with the development of a neighborhood plan for Ferry Village.

The following people addressed this item:

Tex Haeuser, Planning Director
Jan Grieco, 108 School Street
Larry Albert, 99 Margaret Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Bowring and seconded by Councilor Baxter for passage. Passage 4-1 (Fickett).

9. ORDER #150-00/01 – award of bid to Hall Implement, of Windham, ME, for the purchase of a riding/rotary mower for the Parks and Recreation Department.

John Switzer, Parks Superintendent, addressed this item.

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

10. ORDER #151-00/01 – authorizing the City Manager to execute an amendment to the contract with Wright-Pierce Engineers, of Topsham, ME, for engineering services for the Treatment Plant Aeration System Upgrade.

Pat Cloutier, Director of Pollution Abatement, addressed this item.

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

12. ORDER #153-00/01 – accepting five Eyewitness in-cruiser video systems from the State of Maine Bureau of Highway Safety to be used by the Police Department.

There was no public discussion.

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

13. ORDER #154-00/01 – authorizing contractors for the Maine Department of Transportation to transport heavy construction equipment over city streets.

There was no public discussion.

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

14. ORDER #155-00/01 – approving a sub-surface holding tank on outer Broadway.

There was no public discussion.

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

15. ORDER #156-00/01 – setting the City Manager's annual salary.

Rick Lee, Westbrook Street, addressed this item.

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

I. Citizens Discussion (Second Part)

John Inness, Inness Photo Service, addressed building issues relating to the Inness Photo building. He also compared the numbers for allowing them to rent vs. tearing down the building. He said his lease is different from that of Don Johnson and Gene Willman. He said Jack Roberts was on the negotiating committee, and he never heard about a 30 day lease.

J. Councilor's Round Robin

Councilor Baxter clarified an earlier reference to the new Superintendent of Schools in Portland.

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Motion was made by Councilor Bowring and seconded by Councilor Johnson to adjourn.
Passage 5-0, 9:12 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 127
MAY 7, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. All Councilors were present.

A. Acceptance of Minutes

Motion was made by Councilor Dale and seconded by Councilor Maietta to accept the minutes of the 4/18/01 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read the resignation letter of City Clerk Linda Cohen who is leaving to become the Portland City Clerk.

Assistant to the Assessor Sara Salisbury was presented with a plaque in recognition of her 12+ years with the City. She is leaving to go to the Scarborough Assessor's office.

Education Commissioner Duke Albanese spoke about school funding.

C. Petitions and Communications

Planning Board report regarding a conditional zone from Rural Residential District RF to the Conditional Residential District G-1 – GLM Associates – Highland Avenue.

Mayor Larsen expressed the city's condolences to the family of Harold Cheney and Warren Morgan. She said she threw out the first softball for the American Little League's 50th year. She said she and Portland Mayor Cheryl Leeman cut the ribbon of the new hotel at the airport.

Councilor Dale said he serves on the School Facilities Committee and they are meeting every Thursday.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 5/21/01. Passage 7-0.

2. ORDER #119-00/01 – Civil Service Commission, District 5 (Johnson). Term to expire 03/01/06. Postponed since 03/05/01.

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MAY 7, 2001

Motion was made by Councilor Johnson and seconded by Councilor Bowring to postpone this item to 5/21/01. Passage 7-0.

3. ORDER #157-00/01 – Ward Clerk, District 5, to fill an unexpired term which expires after the November 6, 2001 election.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Barrows, 6 Blueberry Drive, addressed Item #16

Kevin Glynn, 109 Huntress Avenue, District 27 Representative, updated the Council on the legislative bill regarding the "hold harmless" provision.

Ann Howard, 111 Harbor Place, addressed Item #16.

Rick Wakely, 77 Deake Street, asked about the large pink wall behind the Legion Hall on the Greenbelt Walkway.

Helen Meehan, 1181 Highland Avenue, addressed Item #16.

Tap Fitzgerald, 10 Elderberry Drive, addressed Item #16.

John LaPointe, Ocean View Avenue, said he is frustrated with how the meeting between the School Board and Council went. He said it's dangerous to set a specific dollar amount for the tax increase. He said he couldn't understand how we could make cuts when we're building new buildings.

Ray Lee, Henry Street, said he has never seen the school budget cut. He asked about the sponsorship of the recycling baskets. He said we should start working on not creating so much trash. He said that 25% recycling is a laugh. He said he chased trash down the street today from recycling containers.

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G. Public Hearings and Action

4. Loring Enterprises, d/b/a Water's Edge, 231 Front Street, for an FSE/Class A Restaurant with Liquor License and a Special Amusement Permit. New State and City License.

There was no public discussion.

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

H. Action on Old and New Business

5. ORDER #158-00/01 – accepting miscellaneous donations.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 7-0.

6. ORDER #159-00/01 – amending Order #128-00/01 regarding the award of bid to Rehrig Pacific Company of Raymond, NH, for the purchase of additional curbside recycling containers.

Steve Johnson, Public Works Director, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Baxter for passage. Passage 4-3 (Bowring, Dale, Maietta).

7. ORDER #160-00/01 – extending the existing paving contract with Pike Industries, of Portland, ME, for paving services for the 2001 paving program.

There was no public discussion.

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

Mayor Larsen took Items 10, 15, 16 and 17 out of order.

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10. ORDER #163-00/01 – authorizing the City Manager to sign a lease with Waterworks Diving Service, of South Portland, ME, for the lease of Portland Street Pier.

The following people addressed this item:

Mike Lane, 98 Mussey Street
Dick McGarvey, 139 Fort Road

Clarence Beckwith, Bonnybriar Road
Tom Meyers, Director of Transportation and Waterfront

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

15. ORDER #168-00/01 – appropriating \$60,000.00 for the demolition of the former Inness Building.

The following people addressed this item:

Rick Wakely, 77 Deake Street
John Inness, Inness Photo Service
Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage.
Failed 3-4 (Fickett, Johnson, Baxter, Larsen).

16. ORDINANCE #22-00/01 – amending Chapter 27, "Zoning," creating a conditional zone from Rural Residential District RF to Conditional Residential District G-1 – GLM Associates – Highland Avenue. First reading.

Councilor Maietta said he would abstain from participating in the discussion of this item because he is part owner of GLM Associates.

Motion was made by Councilor Fickett and seconded by Councilor Johnson to waive the reading of the ordinance in its entirety. Passage 6-0 (Maietta abstaining).

The following people addressed this item:

Tex Haeuser, Planning Director
Dave Camilla, Land Use Consultants

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David Eaton, Consultant
Mr. Bernstein, Portland
Bud Burke, Portland
Clarence Beckwith, Bonnybriar Road
Janice Ross, Betsy Ross House
Vincent Maietta, GLM Associates
Elaine Neelon, South Portland Housing Authority Director

Motion was made by Councilor Fickett and seconded by Councilor Bowring for passage of the first reading and to set 5/21/01 as the public hearing date. Passage 5-0 (Baxter left).

17. ORDINANCE #23-00/01 – amending Chapter 27, "Zoning," for a zoning map change creating a conditional zone from Rural Residential District RF to Conditional Residential District G-1 – GLM Associates – Highland Avenue. First reading.

The following people addressed this item:

Janice Doctor, Betsy Ross House

Motion was made by Councilor Fickett and seconded by Councilor Dale for passage of the first reading and to set 5/21/01 as the public hearing date. Passage 5-0.

8. ORDER #161-00/01 – amending Order #110-00/01 – regarding the award of bid to Drummond, Woodsum and MacMahon for negotiation services.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Johnson for passage. Passage 4-0 (Bowring out, Fickett gone).

9. ORDER #162-00/01 – award of bid to SMR Inc., of Portland, ME, for re-roofing the Parks Department Maintenance Building at 33 Pitt Street.

John Switzer, Parks Superintendent, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 5-0.

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11. ORDER #164-00/01 – award of bid to Gorham Micro, of Saco, ME, for the purchase of 20 computers for the School Department.

There was no public discussion.

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

12. ORDER #165-00/01 – award of bid to Ikon Office Solutions, of Portland, ME; Budget Business Machines, of Lewiston, ME, and Seacoast Business Machines, of Scarborough, ME, for the purchase of photocopiers for the Finance, Code Enforcement and the School Departments.

Motion was made by Councilor Bowring and seconded by Councilor Dale to waive reading the order. Passage 5-0.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Bowring for passage. Passage 4-1 (Maietta).

13. ORDER #166-00/01 – designating Peter Stead as the City's Health Officer.

There was no public discussion.

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

14. ORDER #167-00/01 – authorizing the City Manager to submit applications to the Federal Emergency Management Agency for a vehicle and equipment for the West End Fire Station and fire prevention programs.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Bowring for passage. Passage 5-0.

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18. ORDINANCE #24-00/01 – amending Chapter 23, "Streets and Sidewalks," §23-16, regarding animal waste. First reading.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Dale for passage of the first reading and to set 5/21/01 as the public hearing date. Passage 5-0.

19. PROCLAMATION #10-00/01 – proclaiming May 18, 2001 as Arbor Day within the City of South Portland.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

Janice Doctor, Betsy Ross House, said she didn't know about the meeting Mr. Maietta had at the Community Center.

J. Councilor's Round Robin

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Dale to go into executive session, pursuant to 36 M.R.S.A §841, to discuss application(s) for abatement of property taxes on account of infirmity or poverty. Passage 5-0, 12:12 A.M.

Motion was made by Bowring and seconded by Councilor Johnson to come out of executive session. Passage 5-0, 12:20 A.M.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to grant Abatement #00/01-07 in the amount of \$856.55 plus interest and costs to date. Passage 5-0.

Motion was made by Councilor Bowring and seconded by Councilor Johnson to adjourn. Passage 5-0, 12:21 A.M. (5/8/01).

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MAY 7, 2001**

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 135
MAY 21, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M.

A. Acceptance of Minutes

Motion was made by Councilor Dale and seconded by Councilor Maietta to accept the minutes of the 5/7/01 Meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan discussed Wright Express developing at the Long Creek Office Park site. He also recognized the various organizations and citizens for the cleanup of a number of public spaces.

Robert Nelson of the Bus Service was presented a plaque in recognition of his many years with the City.

Secretary of State Dan Gwadosky gave a presentation regarding the Rapid Renewal Program.

C. Petitions and Communications

Planning Board report regarding cluster development.

Monthly reports for the month of April, 2001.

Attendance reports for the month of April, 2001.

Councilor Dale noted that the next School Facilities meeting will be June 12, 2001.

Councilor Maietta questioned who was in charge of the lawn immediately surrounding the High School. City Manager Jeffrey Jordan said it was the responsibility of the High School Maintenance department.

Councilor Bowring recognized Thor Nielsen as being chosen Athletic Director of the Year by the State.

Mayor Larsen spoke of the meeting she had with the Coast Guard. She also commended the citizens for their recycling efforts.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00. Passage requires majority vote.

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Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 06/04/01. Passage 7-0.

2. ORDER #119-00/01 – Civil Service Commission, District 5 (Johnson). Term to expire 03/01/06. Postponed since 03/05/01. Passage requires majority vote.

Motion was made by Councilor Johnson and seconded by Councilor Maietta to appoint Bryan P. Letarte to this position.

F. Citizen Discussion (First Part)

Janice Doctor Betsy Ross House, commended the Council for not passing Order #168-00/01.

Ray Lee, 28 Henry Street, addressed the same item. He stated that he felt they were wrong not to pass the Order. He also addressed the recycling issue requesting that the City could get covers for the bins by putting advertising on them. He also stated he felt we needed to recycle more.

Mary Kahl, Corporation Counsel, answered that it was illegal for advertising to be visible from public ways in certain instances.

Clarence Beckwith, Bonnybriar Road, addressed the School Department budget. He stated that it cost ten thousand dollars per pupil to educate a student in the City.

Stanley Cox, 460 Highland Avenue, stated that people should put paper in brown paper bags in their recycling bins and it would not blow away.

Vincent Maietta, Elderberry Drive questioned the legality of advertising at the athletic fields.

E. Consent Calendar

G. Public Hearings and Action

3. ORDINANCE #22-00/01 – amending Chapter 27, "Zoning," creating a conditional zone from Rural Residential District RF to Conditional Residential District G-1 – GLM Associates – Highland Avenue. Passed first reading on 05/07/01. ROLL CALL VOTE. Passage requires five (5) affirmative votes. Amended and passed 5-1(Larsen), (Maietta abstaining).

Motion was made by Councilor Bowring and seconded by Councilor Johnson to read by title only. Passed 6-0 (Maietta abstaining).

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The following people addressed this item.

Tex Haeuser, Planning Director.
David Camilla, consultant for GLM Associates.
Vincent Maietta, President of GLM Associates.
Karen Morrill, Assistant City Clerk read a letter from Don Hood, 104 Winding Way.
Herb Haase, 71 Winding Way.
Helen Meehan 1181 Highland Avenue.
Kelly Malmquist, 37 Appletree Drive.
Karen Hanson, 1184 Highland Avenue.
Ray Lee, 28 Henry Street.
Lisa Viola, 132 Brindle Circle.
Sheila Szafran, 30 Appletree Drive.
Clarence Beckwith, Bonnybriar Road.
Janice Doctor, Betsy Ross House.
Renee Salafia, 10 Jessica Lane.
Paul O'Shea, 121 Harbor Place.

Motion was made by Councilor Fickett and seconded by Councilor Johnson to suspend Council rules regarding speaking twice. Passage 6-0 (Maietta abstaining).

Clarence Beckwith, Bonnybriar Road.
David Eaton, consultant to New Hampshire Properties.

Motion was made by Councilor Dale and seconded by Councilor Bowring to amend the ordinance. Passage to amend 6-0 (Maietta abstaining).

Motion was made by Councilor Bowring and seconded by Councilor Johnson to pass. Passage 5-1 (Larsen), (Maietta abstaining).

4. ORDINANCE #23-00/01 – amending Chapter 27, "Zoning," for a zoning map change creating a conditional zone from Rural Residential District RF to Conditional Residential District G-1 – GLM Associates – Highland Avenue. Passed first reading on 05/07/01. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

There was no Public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to pass. Passage 5-1 (Larsen),(Maietta abstaining).

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MAY 21, 2001

5. ORDINANCE #24-00/01 – amending Chapter 23, "Streets and Sidewalks," §23-16, regarding animal waste. Passed first reading on 05/07/01. Passage requires majority vote.

There was no public discussion.

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

6. Sure Winner Foods d/b/a Mr. Bungle's Ice Cream, 40 Wainwright Circle West, for a variance of the Five Hundred (500) Foot restriction for its FSE Mobile Ice Cream license. Passage requires majority vote.

There was no public discussion.

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

H. Action on Old and New Business

7. ORDER #169-00/01 – accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Dale for passage. Passage 7-0.

8. ORDER #170-00/01 – award of bid to ThyssenKrupp, of South Portland, ME, to upgrade the elevator at City Hall. Passage requires majority vote.

There was no public discussion.

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

9. ORDINANCE #25-00/01 – amending Chapter 27, "Zoning," §27-57, regarding cluster development. First reading. Passage requires majority vote.

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MAY 21, 2001

Motion was made by Councilor Baxter and seconded by Councilor Johnson to read ordinance by title only. Passage 7-0.

Tex Haeuser, Planning Director, addressed this item.

Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage of the first reading and to set 06/04/01 as the public hearing date.

10. ORDER #171-00/01 – authorizing the payment of \$46,759.89 in settlement of the City's liability in the McKin Superfund Site, Gray, ME. Passage requires majority vote.

There was no public discussion.

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

H. Citizens Discussion (Second Part)

I. Councilor's Round Robin

Councilor Dale questioned whether the Rapid Renewal Program would cost the city any revenue, and commended the citizens on their recycling efforts.

Councilor Maietta was pleased that Wright Express would be staying in the city.

Councilor Baxter was pleased that the City Manager's newsletter recognized the various groups and citizens that helped with the cleanup.

Councilor Bowring said that he was happy that the city had purchased the defibrulators for the Fire Department as one had saved a man's life. He also stated that if it weren't for the T.I.F. that Wright's Express was granted that they would not have stayed in South Portland.

Councilor Johnson said that Mr. Beckwith had the wrong figures on the cost per pupil and that it was in the five thousand range. He also commended the citizens on their recycling.

Mayor Larsen thanked all the citizens for their recycling efforts and hoped that it would continue. She also reminded the public of the Budget Workshop on the 23rd of May.

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MAY 21, 2001**

K. Executive Session

A motion was made by Councilor Bowring and seconded by Councilor Maietta to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(d), labor negotiations with AFSCME Local #481. Passage 7-0, 10:40 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Bowring to come out of executive session. Passage 6-0 (Baxter out). 11:19 P.M.

Motion was made by Councilor Bowring and seconded by Councilor Dale to adjourn. Passage 6-0 (Baxter out). 11:20 P.M.

A TRUE COPY.

ATTEST _____
Karen L. Morrill, Assistant City Clerk

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 141
JUNE 4, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:00 P.M. Councilor Bowring arrived after the first Citizen Discussion.

A. Acceptance of Minutes

Motion was made by Councilor Dale and seconded by Councilor Maietta to accept the minutes of the 5/21/01 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan reported on the success of the recycling effort. He read a letter from Mr. Skelton from the American Legion. He cited a letter in the packet from Hospice of Maine.

A plaque was presented to Linda Cohen who is leaving to go to Portland to be its City Clerk.

C. Petitions and Communications

Councilor Dale said the elementary school master building committee is still meeting.

Mayor Larsen announced a special meeting would be held on June 11th. She said she attended the ribbon cutting ceremony at Betsy Ross House.

Planning Board report regarding a zoning map change from the Suburban Commercial CS District and the Transitional Central and Regional Commercial District CCRT to the Light Industrial District IL at Western Avenue and Pope Road.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 6/18/01. Passage 6-0.

2. ORDER #172-00/01 – Board of Appeals, District 2 (Maietta), to fill an unexpired term which expires on 07/23/03.

There was no public discussion.

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JUNE 4, 2001

Motion was made by Councilor Maietta and seconded by Councilor Dale to appoint Keith Stephens to this position. Passage 6-0.

E. Consent Calendar

Street Closings

3. The Southern Maine Soapbox Derby Association requests the closing of Surfsite Road and Benjamin W. Pickett Street on June 29, 2001 from 2:30 P.M. to 7:00 P.M. and on June 30, 2001 from 7:00 A.M. to 5:30 P.M.
4. Bob Robishaw, of 14 Bowers Street, requests the closing of Bowers Street on June 16, 2001 from noon until 8:00 P.M.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 6-0.

F. Citizen Discussion (First Part)

Dave Bourke, 26 Henry Street, President of The Willard Neighborhood Association, addressed Item #5.

Ray Lee, 28 Henry Street, addressed Item #8.

Clarence Beckwith, Bonnybriar Road, said he is worried sick about RWS and the debt service issue.

G. Public Hearings and Action

5. ORDINANCE #25-00/01 – amending Chapter 27, "Zoning," §27-57, regarding cluster development. Passed first reading on 05/21/01.

The following people addressed this item:

Tex Haeuser, Planning Director
Ray Lee, Henry Street
Dave Bourke, 26 Henry Street

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

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JUNE 4, 2001

H. Action on Old and New Business

6. ORDER #173-00/01 – accepting miscellaneous donations.

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

7. RESOLVE #7-00/01 – pursuant to §612 of the City Charter, determining details of the issue of \$650,000.00 principal amount of bonds.

Motion was made by Councilor Dale and seconded by Councilor Bowring to have the Resolve read by title only. Passage 7-0.

There was no public discussion.

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

8. RESOLVE #8-00/01 – Appropriation Resolve for the Fiscal Year 2002.

Motion was made by Councilor Dale and seconded by Councilor Baxter to have the Resolve read by title only. Passage 7-0.

The following people addressed this item:

Reg MacDonald, Superintendent of Schools
Gary Salamone, Harriet Street
Steve Onos, 114 Jordan Avenue
John LaPointe, 47 Ocean View Avenue
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Dale and seconded by Councilor Baxter for passage.
Motion was made by Councilor Dale and seconded by Councilor Maietta to amend the resolve by substituting Amendment A which would supplement the restricted Elementary School Renovation, Repair or Construction Account by \$128,412. Passage 6-1(Fickett).
Passage, as amended, 6-1 (Fickett).

9. ORDER #174-00/01 – setting the sewer user fees for the Fiscal Year 2002.

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 144
JUNE 4, 2001

There was no public discussion.

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

10. ORDINANCE #26-00/01 – amending Chapter 27, "Zoning," for a zoning map change from the Suburban Commercial District CS and the Transitional Central and Regional Commercial District CCRT to the Light Industrial District IL at Western Avenue and Pope Road. First reading.

Councilor Maietta said he would abstain from discussion on this item since his brother is involved in the transaction.

The following people addressed this item:

Bob Neault, National Semiconductor

Motion was made by Councilor Bowring and seconded by Councilor Johnson for passage of the first reading and to set the date of public hearing for 6/18/01. Passage 6-0 (Maietta abstaining).

H. Citizens Discussion (Second Part)

Rick Lee, Westbrook Street, thanked the Council for leaving the firefighters in the budget.

J. Councilor's Round Robin

Councilor Fickett talked about the value of money.

Councilor Baxter said he asked a citizen about her tax increases on her property. Her taxes increased \$68.92 since 1994.

Councilor Bowring thanked staff for the hard work on the budget.

Councilor Johnson added that the City is a good place to live.

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

A TRUE COPY.

IN COUNCIL REGULAR MEETING VOL. 62 PAGE 145
JUNE 4, 2001

ATTEST _____
Linda C. Cohen, CMC/AAE, City Clerk

IN COUNCIL SPECIAL MEETING VOL. 62 PAGE 146
JUNE 11, 2001

Roll Call: Mayor Larsen called the meeting to order at 7:02 P.M. Councilor Dale arrived after the Pledge of Allegiance.

D. Action on Old and New Business

1. ORDER #175-00/01 – appointing an Acting City Clerk/Registrar of Voters effective June 18, 2001.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Johnson to appoint Karen Morrill to this position. Amended and passed 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Maietta to amend. Passage 7-0.

Motion was made by Councilor Dale and seconded by Councilor Maietta to go into executive session at 7:12 P.M. Passage 6-1 (Fickett).

Motion was made by Councilor Dale and seconded by Councilor Maietta to return to regular session at 7:23 P.M. Passage 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Dale to adjourn at 7:25 P.M. Passage 7-0.

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ATTEST _____
Cheryl Beeman, Workshop Secretary

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Roll Call: Mayor Larsen called the meeting to order at 7:05 P.M. Councilor Johnson arrived after Acceptance of Minutes, and Councilor Dale arrived during Communication from City Manager.

A. Acceptance of Minutes

Motion was made by Councilor Baxter and seconded by Councilor Bowring to accept the minutes of the Regular Meeting of 06/04/01 and Special Meeting of 06/11/01. Passage 6-0 (Dale out)

B. Communications from City Manager

City Manager Jeffrey Jordan welcomed Karen Morrill as the Acting City Clerk.

He read a letter to Elizabeth Shirk of the Recreation Department on behalf of the students from Mahoney Middle School.

He also read a letter from the U.S. Postal Inspection Service commending the Police Department for their efforts concerning the abduction at the South Portland Annex.

There was also a report from the Department of Human Services concerning West Nile Virus.

Barry Gerstein, of Applebee's, made a presentation to the Council about his restaurant.

Mayor Larsen presented a plaque to William Harris on his retirement from the Finance Department and Jo Adamo from the Branch Library. Ms Adamo thanked the City, Library patrons and her employees.

C. Petitions and Communications

Mayor Larsen attended the Groundbreaking Ceremony of the Habitat for Humanity house in South Portland. She also participated in the Jetport Certification mock disaster along with Mayor Leeman of Portland.

Councilor Dale announced the Jetport Noise committee meets on 6/19/01.

Highland Avenue Connector Road Study

Planning Board Report regarding technical amendments to Chapter 24, "Subdivisions" and Chapter 27, "Zoning".

Open Space Strategic Plan.

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Department reports for the month of May, 2001.

Attendance reports for the month of May, 2001.

D. Appointment Calendar

1. ORDER #78-00/01 – Conservation Commission, District 1 (Dale), to fill an unexpired term which expires on 11/20/02. Postponed since 12/04/00.

Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to 07/02/01. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Nancy Crowell, Fickett Street urged the Council to put out a bond referendum for the Open Space Plan.

Ray Lee, Henry Street, addressed the airport noise issue, stating that he had been to meetings and nothing was ever done. He also commented on statements made by Councilor Johnson and Councilor Baxter regarding the budget. He stated that taxes were too high for people living on a limited income.

G. Public Hearings and Action

2. ORDINANCE #26-00/01 – amending Chapter 27, "Zoning," for a zoning map change from the Suburban Commercial District CS and the Transitional Central and Regional Commercial District CCRT to the Light Industrial District IL at Western Avenue and Pope Road. Passed first reading on 06/04/01.

Bob Neault of National Semiconductor addressed this item.

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

H. Action on Old and New Business

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3. ORDER #176-00/01 – accepting a Bureau of Justice Assistance Bulletproof Vest Partnership Grant for the South Portland Police Department.

There was no public discussion.

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

4. ORDER #177-00/01 – authorizing a three percent cost of living adjustment for non-union municipal employees.

The following people addressed this item:

Ray Lee, Henry Street.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage.
Passage 7-0

5. ORDER #178-00/01 – 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 Bowring and seconded by Councilor Baxter for passage.
Passage 7-0.

6. ORDER #179-00/01 – authorizing the Finance Director to accept prepayment of taxes not yet due or assessed for Fiscal Year July 1, 2001 to June 30, 2002.

There was no public discussion.

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

7. ORDER #180-00/01 – award of bid to Poirier Guide Lines, Inc., of Athol, MA, for street line stripe painting for the Public Works Department.

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There was no public discussion.

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

8. ORDER #181-00/01 – authorizing the demolition of a brick structure at Bug Light Park.

Ray Lee, Henry Street addressed this item.

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

9. ORDINANCE #27-00/01 – amending Chapter 24, "Subdivisions", regarding technical amendments for clarification purposes. First reading.

Motion was made by Councilor Dale and seconded by Councilor Maietta to read by title only. Passage 7-0.

Jim Gailey, Planning Department addressed this item.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Bowring for passage of first reading and to set the date for the Public Hearing as 07/02/01. Passage 4-3 (Maietta, Fickett, Bowring)

10. ORDINANCE #28-00/01 – amending Chapter 27, "Zoning", regarding technical amendments for clarification purposes. First reading.

Motion was made by Councilor Dale and seconded by Councilor Bowring to read by title only. Passage 7-0.

Jim Gailey, Planning Department addressed this item.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Baxter for passage of first reading and to set the date for the public hearing as 07/02/01. Passage 6-1 (Fickett)

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11. ORDER #182-00/01 – Adopting a standard form for Request for Proposals for professional serves.

There was no public discussion.

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage. Passage 7-0.

H. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Maietta asked when the Council laptops will be implemented. He announced the Building Committee will be making their presentation to the School Board on June 28. He also addressed the Broadway – Peary Terrace issue. He also asked about what was being done about the Cash Corner area in regards to used cars. He stated there was also a house on George Street that should be looked into in regards to Code Enforcement.

Councilor Baxter commented that the Open Space Plan was a good report to review.

Councilor Johnson commented on the Bond Issue for the Open Space Plan.

Mayor Larsen thanked Nancy Crowell for her work on the Open Space Plan. She commended the citizens for a good job recycling. She stated there were 142 tons of recyclables picked up so far. She gave special thanks to Steve Johnson, Doug Howard and Michele Sturgeon for their efforts with the Recycling Committee. She also announced that anyone interested in the Gateway Committee to contact Ralph Kilgore.

K. Executive Session

A motion may be made to go into executive session to discuss, pursuant to 1 M.R.S.A. §405 (6)(c), acquisition of real property.

Motion was made by Councilor Baxter and seconded by Councilor Dale to go into executive session at 9:20 P.M. Passage 7-0.

Motion was made by Councilor Bowring and seconded by Councilor Fickett to return to regular session. Passage 4-3 (Dale, Maietta and Johnson out).

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Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn at 9:50 P.M. Passage 4-0 (Dale, Maietta and Johnson out).

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ATTEST _____
Karen L. Morrill, Acting City Clerk