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IN COUNCIL REGULAR MEETING VOL. 61 PAGE 1
JULY 7, 1999

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

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Baxter to accept the minutes of the 6/21/99 meeting. Passage 5-0.

B. Communications from City Manager

City Manager Jeffrey Jordan passed out a letter from the Bicycle Transportation Alliance of Portland about Highland Avenue which was written to Public Works Director Ge Erskine.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #143-98/99 – Library Advisory Board, District 1 (Boudreau). To fill an unexpired term which expires on 12/31/00. Postponed since 6/7/99.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Larsen to appoint Lorraine Fine to this position. Passage 5-0.

2. ORDER #1-99/00 – SPCTV Advisory Committee (Mayor). Term to expire 7/15/02.

There was no public discussion.

Motion was made by Mayor Boudreau and seconded by Councilor Larsen to appoint Alan Gay to this position. Passage 5-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, 28 Henry Street, asked about equipment purchased to clean the beach. He said bikes should be outlawed on Highland Avenue. He said that people are still upset about the sidewalks on Willard Street, and they want granite curbing, not black top. He said the street needs to be wide with sidewalks and parking on both sides and no esplanade. He said that people can't walk their dogs on the beach after 9 P.M. because the beach closes at 9 P.M. He also said there shouldn't be "No Parking" signs at the end of Willard Street.

G. Public Hearings and Action

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H. Action on Old and New Business

3. ORDER #2-99/00 – appealing the denial of the Public Works Director for curb cuts on Broadway for Stop ‘n Shoppe, Inc.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

J. Councilors’ Round Robin

Councilor Baxter said he was going straight from the Council meeting to hear Bellamy Jazz Band in Mill Creek Park.

Councilor Bowring noted that the pedestrian ramp ribbon cutting ceremony will be at 6:15 P.M. Monday evening before the workshop.

Councilor Fickett talked about the Northwest Ordinance and religion and morality in schools. He read comments from President Washington’s farewell address.

Mayor Boudreau thanked Councilor Baxter for filling in for her at the last meeting. She noted that the ribbon cutting ceremony for the Public Safety Dispatch Facility will be on July 17th at 10:00 A.M., and the dedication of Thomas Knight Park will be next week. She said she hopes the public is getting a chance to watch the re-plays of the Rosie the Riveter ceremony.

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

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 3
JULY 19, 1999

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

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Avery to accept the minutes of the 7-7-99 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet.

Mayor Boudreau presented plaques to Board of Appeals members Mike Nobile and Bill Pappas.

City Clerk Linda Cohen announced that nomination papers for the November municipal election will be available in the Clerk's office on 7-29-99.

C. Petitions and Communications

Department Reports for the month of June.

Attendance Reports for the month of June.

D. Appointment Calendar

1. ORDER #3-99/00 – Board of Appeals, District 3 (Baxter). Term to expire on 07/23/02.

There was no public discussion.

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

2. ORDER #4-99/00 – Board of Appeals, District 4 (Bowring). Term to expire on 07/23/02.

There was no public discussion.

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

3. ORDER #5-99/00 – Board of Appeals, District 5 (Johnson). Term to expire on 07/23/02.

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JULY 19, 1999

Motion was made by Councilor Bowring and seconded by Councilor Avery to postpone this item to 8-2-99. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, complained about the work done on Willard Street and asked if the City will maintain the esplanade. He said a wider street is necessary. He asked how the School Department can spend taxpayers' dollars to advertise for support of the consolidation. He said the ballot question for a connector road from Highland Avenue to Main Street was unanimously turned down by the voters. He noted that trash on Willard Beach is terrible.

G. Public Hearings And Action

H. Action on Old and New Business

4. ORDER #6-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

5. ORDER #7-99/00 – authorizing the City Manager to sign the City of South Portland's Deferred Compensation Plan Document and Service Agreement with Copeland Companies.

There was no public discussion.

Motion was made by Councilor Bowring and seconded by Councilor Avery for passage. Motion was made by Councilor Avery and seconded by Councilor Bowring to amend the order by changing the fiscal note to "less than \$1,000." Passage 6-0. Passage, as amended, 6-0.

6. ORDER #8-99/00 – amending the City's Personnel Policy, Chapter VII "Insurance, Retirement and Other Benefits," Section (F), regarding deferred compensation.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Bowring for passage. Motion was made by Councilor Avery and seconded by Councilor Bowring to amend the motion by adding the word "matched" in the last paragraph before "deferred." Passage 6-0. Motion was made by Councilor Avery and seconded by Councilor Bowring to amend the ordinance by changing the fiscal note to "Under \$25,000." Passage 6-0. Passage, as amended, 6-0.

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7. ORDER #9-99/00 – authorizing the appropriation of \$15,000 from the Knightville/Millcreek Traffic Improvement Account for the Ocean Street Parking Improvement Project.

The following people addressed this item:

Rommy Jones, 10 E Street
Tex Haeuser, Planning Director

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

I. Citizens Discussion (Second Part)

Rommy Jones, 10 E Street, said she is the President of the Knightville/Mill Creek Association, and everyone is very excited about Thomas Knight Park. She asked the public to please stay off the grass for a while and give it time to grow.

Tim O’Neil, 81 Adelbert Street, said he came down because he heard a plea earlier in the meeting for someone to make positive remarks. He said he never remembers voting on the connector road, but the City needs it. He said he is a happy South Portland resident and urged the Council to keep up the good work.

J. Councilors’ Round Robin

Councilor Bowring said the ribbon cutting ceremony at the dispatch facility was a success, and he had a good time. He commended George Berry for the good job he did as emcee. He noted that the School Board and City Council will be meeting on the 26th, and he urged the public to get informed.

Councilor Larsen said she has been tied up at home taking care of her mother and was unable to make the recent ribbon cutting ceremonies. She said she is very proud to have been part of the decision making for these projects. She said she worries about future generations and the violence in schools and spoke about the Northwest Ordinance, which was a study of religion and morality in schools.

Councilor Fickett said that Councilor Larsen has a lot of history knowledge that she doesn’t reveal.

Mayor Boudreau thanked the Manager for the Capital Improvement document, adding that the public should be looking at it. She said she is comfortable with the School Board’s plans. She said she has been researching big and small, and all she can find is classroom ratios, not school size guidelines. She said consolidation is the right direction for the City.

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Councilor Avery said it's nice to know that people are listening at home. She said she was pleased at the turnout for the ramp opening, and urged the public to check out the art work of the 5th grade that has been placed there.

Councilor Baxter said he would like to compliment whoever put the doggie bag dispensers in place. He said he is seeing more people carrying them. He thanked Bill Pappas for serving on the Board, adding that he did an excellent job. He said the CIP will be tough this year, but he

believes in consolidation since the schools will not be bigger than 400 students. He urged people to call him and tell him if they are for or against the plan.

Motion was made by Councilor Bowring and seconded by Councilor Avery to adjourn. Passage 6-0, 8:35 P.M..

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

**IN COUNCIL SPECIAL MEETING VOL. 61 PAGE 7
JULY 26, 1999**

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

H. Action on Old and New Business

1. ORDER # 10-99/00 – award of bid to Maine Tennis & Track, Inc., of Gray, ME, for resurfacing the track and reconstruction of the tennis courts at South Portland High School.

The following people addressed this item:

Dana Anderson, Parks and Recreation Director
John Mitchell, Project Consultant

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

Motion was made by Councilor Bowring and seconded by Mayor Boudreau to adjourn. Passage 6-0, 7:22 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 8
AUGUST 2, 1999**

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

A. Acceptance of Minutes

Motion was made by Councilor Avery and seconded by Councilor Bowring to accept the minutes of the July 19,1999 regular meeting and the July 26,1999 special meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan thanked the City's employees for their part in the Capital Improvement Program process.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #5-99/00 – Board of Appeals, District 5 (Johnson). Term to expire on 07/23/02. Postponed on 7/19/99.

Motion was made by Councilor Johnson and seconded by Councilor Avery to postpone this item to 8/16/99. Passage 7-0.

E. Consent Calendar

Street Closing

Christopher Bowring,151 Elderberry Drive, requests the closing of Elderberry Drive on August 14, 1999 from 11:00 A.M. to 11:00 P.M.

Motion was made by Councilor Avery and seconded by Mayor Boudreau for passage of the Consent Calendar. Passage 6-0 (Bowring abstaining).

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, referenced an article in the Press Herald about the school consolidation proposal. He said the City could close all of the gymnasiums and cafeterias in all of the schools that have them, and then there would be equity in all of the schools.

G. Public Hearings and Action

H. Action on Old and New Business

2. ORDER #11-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

3. ORDINANCE #1-99/00 – authorizing the appropriation of \$25,940,000 for capital improvement projects for the fiscal year ending June 30, 2000. First reading.

The following people addressed this item:

Bill Dale, 93 Loveitt's Field Road
Larry Albert, 98 B Margaret Street
Lori Bowring Michaud, 10 Hudson Road
Bob Devlin, Pine Street

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage of the first reading. Motion was made by Councilor Avery and seconded by Councilor Bowring to amend the ordinance in Paragraph 4 to read \$650,000, not \$650,000,000. Passage 7-0. Passage of first reading, as amended, 5-2 (Larsen, Fickett).

4. ORDER #12-99/00 – authorizing the City Manager to subscribe to Time Warner for Internet access services.

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

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

5. ORDER #13-99/00 – filing a written certification with the City Clerk of notice that has been sent regarding a proposed zoning map change from Non-Residential Industrial INR to Residential A on Sunset Avenue.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

Lori Bowring Michaud, 10 Hudson Road, rebutted comments made earlier by Larry Albert about School Board Chairman David Abramson. She said that Mr. Abramson never made disparaging remarks about the Redbank neighborhood or school, and that the entire Board has nothing but respect for Mary Marsh, the teachers and the students there.

Tex Haeuser, Planning Director, said that Councilor Fickett likes to refer to the Planning office as "Central Planning," which implies a certain degree of power and authority that is non-existent. With

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reference to the comment that the Planning Board is too eager to transform industrial property into residential, he said the Board is often accused of just the opposite.

J. Councilors' Round Robin

Councilor Johnson said he had been in Finland for 5 weeks, and they are having the same drought that we are. He said he was very impressed with the roads, transportation system and infrastructure in Stockholm. He said they take enormous care of the system, and all telephone lines are underground, so there are no telephone poles and wires to be seen.

Councilor Larsen welcomed Councilor Johnson back.

Councilor Fickett thanked Councilor Johnson for his post card.

Mayor Boudreau cautioned everyone not to make some of the areas of the City feel like victims in the referendum discussions.

Councilor Avery said she threw out the first pitch at the All Stars game, and she displayed the t-shirt she was given.

Councilor Baxter said the Council has a big decision to make on the 16th, and he hopes people will call all of the Councilors to let them know how they feel about the consolidation. He welcomed Councilor Johnson back and thanked him for the postcard.

Councilor Bowring welcomed Councilor Johnson back. He is now in his new home with the same phone number as he had in his other house.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to adjourn. Passage 7-0, 8:26 PM..

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 11
AUGUST 16, 1999**

Roll Call: Mayor Boudreau called the meeting to order at 7:03 P.M. Councilor Avery was absent.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Johnson to accept the minutes of the 8-2-99 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read a letter from a resident who had fallen on the Green Belt Walkway.

C. Petitions and Communications

Department Reports for the month of July.

Attendance Reports for the month of July.

D. Appointment Calendar

1. ORDER #5-99/00 – Board of Appeals, District 5 (Johnson). Term to expire on 07/23/02. Postponed since 7/19/99.

Motion was made by Councilor Johnson and seconded by Councilor Bowring to postpone this item to 9-8-99. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Kathryn Latendresse, High Street, addressed Item #10 and suggested the City put the agenda on the web page.

Stan Cox, 460 Highland Avenue, addressed Item 10.

Julia McCue, 12 Richards Street, addressed Item 2.

Karen Callahan, 241 Alfred Street, addressed Item 2.

Ray Lee, 28 Henry Street, addressed Items 11 – 14 and Item 2.

Kristin Rioux, 56 Sprague Street, addressed Item 2.

Mark Loring, 5 Woodmoor Road, addressed Item 2.

Angel Leighton, 149 Brigham Street, addressed Item 2.

Kelley Arseneault, 812 Sawyer Street, addressed Item 2.

Lori Bowring Michaud, 10 Hudson Road, Board of Education, addressed Item 2.

Janice Doctor, High Street, addressed Item 2.

Jerry Griffis, 35 Barberry Creek, addressed Item 2.

Chris Mills, Hillcrest Avenue, addressed Item 2.

Beth Detine, 22 Gould Road, addressed Item 2.

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Ian Gleason, 94 Margaret Street, congratulated Councilors Larsen and Fickett for winning the November election and commended the other Councilors for sitting here week after week taking abuse. He also addressed Item 2.

Kim Preston, 95 Preble Street, addressed Item 2.

Stephanie Bourassa, 62 Sawyer Street, addressed Item 2.

Larry Albert, 98 Margaret Street, addressed Item 2.

Doug Ura-neck, 82 Willow Street, addressed Item 2.

Judy Kimball, 62 Aspen Avenue, addressed Item 2.

Bob Devlin, 228 Pine Street, addressed Item 2.

Diane Lavangie, 32 Paddock Place, addressed Item 2.

G. Public Hearings and Action

2. ORDINANCE #1-99/00 – authorizing the appropriation of \$25,940,000 for capital improvement projects for the fiscal year ending June 30, 2000. Passed first reading on 8/02/99.

The following people addressed this item:

Kevin Glynn, 109 Huntress Avenue, State Representative

Clarence Beckwith, Bonnybriar Road

David Abramson, 14 Sylvan Road, Board of Education Chairman

Kathy Latendresse, 199 High Street

Stanley Cox, 460 Highland Avenue

Walter Kimball, 62 Aspen Avenue

Ray Lee, Henry Street

Kathy Cabana, 81 Providence Avenue

Kristin Rioux, 56 Sprague Street

Margaret Esten, 15 Kent Road

Ms. Carter, 249 Evans Street

Larry Albert, 98 Margaret Street

Linda French, 160 Sawyer Street

Donna Kane, 158 Walnut Street

Janice Doctor, High Street

Doug Ura-neck, 82 Willow Street

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

Motion was made by Councilor Bowring and seconded by Councilor Johnson to amend the ordinance by adding “equipping and other improvements” in paragraph 1. Passage 6-0.

Motion was made by Councilor Bowring and seconded by Councilor Johnson to amend the ordinance by adding “Broadway and Main Street” in paragraph 4. Passage 6-0. Passage, as amended, 4-2 (Fickett, Larsen).

3. The Calabash, d/b/a The Calabash, 425 Western Avenue. FSE/Class A Lounge with Liquor. Upgrade of existing business.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 13
AUGUST 16, 1999

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

H. Action on Old and New Business

4. ORDER #14-99/00- changing the location of the District One polling place from SMTC to the Portland Lyric Theatre.

Linda French, 160 Sawyer Street, addressed this item.

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

5. ORDER #15-99/00 – accepting Appletree Drive as a City Street.

There was no public discussion

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

6. ORDER #16-99/00 – authorizing the City Manager to sign an agreement with Matthew DiPierro regarding his property at 73 Carignan Avenue.

Ray Lee, Henry Street, addressed this item.

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

7. ORDER #17-99/00 – accepting a grant from the Maine Criminal Justice Academy to be used by the Police Department.

The following people addressed this item:

Ed Googins, Police Chief
Linda Barker, DARE Officer

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

8. ORDER #18-99/00 – authorizing the City Manager to implement the FY 2000 Capital Improvement Program.

The following people addressed this item:

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Linda French, 160 Sawyer Street
Ray Lee, Henry Street
Stan Cox, 460 Highland Avenue
Clarence Beckwith, Bonnybriar Road

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

9. ORDER #19-99/00 – authorizing the City Manager to notify the Maine Department of Transportation of the City’s commitment to fund the local share of the Turner’s Island Greenbelt Walkway Project.

The following people addressed this item:

Clarence Beckwith, 51 Bonnybriar Road
Linda French, 160 Sawyer Street
Ray Lee, Henry Street

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

10. ORDINANCE #2-99/00 – amending Chapter 27 “Zoning” changing the number of votes required to amend from five (5) to four (4). First reading.

Motion was made by Councilor Bowring and seconded by Councilor Johnson to withdraw this item so that the Planning Board could review it. Passage 6-0.

11. ORDINANCE #3-99/00 – amending Chapter 2 “Administration and Legislation” regarding vacancies on boards and committees. First reading.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

Motion was made by Mayor Boudreau and seconded by Councilor Larsen for passage of the first reading. Passage 5-1 (Fickett).

12. ORDINANCE #4-99/00- amending Chapter 13 “Libraries” regarding vacancies on the Library Advisory Board. First reading.

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Ray Lee, Henry Street, addressed this item.

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

13. ORDINANCE #5-99/00 – amending Chapter 19 “Personnel Rules and Regulations” regarding vacancies on the Civil Service Commission. First reading.

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Baxter for passage of the first reading. Passage 5-1 (Fickett).

14. ORDINANCE #6-99/00- amending Chapter 27 “Zoning” regarding vacancies on the Board of Appeals. First reading.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to withdraw this item so that the Planning Board could review it. Passage 6-0.

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, said it was funny that the middle and high school figures have never changed, but the elementary schools did. He said the New York Times reports that 22% of the population is having trouble meeting monthly expenses. He asked why City employees were working on the tennis courts on a Saturday.

Linda French, 160 Sawyer Street, said she is concerned about the whole country, and that we are headed for a dictatorship. She said the Council’s spending is out of control for non-essentials. She said she is very concerned about Y2K and whether or not the City is ready.

J. Councilors’ Round Robin

Mayor Boudreau mentioned that Jimbo and Fred had written graffiti at Willard Beach, and that is inappropriate. She noted that Spring Point Festival is Saturday.

Councilor Bowring said that Art in the Park was a great success. He said he had a block party on Saturday and Officer Kevin Webster brought Officer Bear to do a demonstration. He said the dog is really impressive. Shortly after the demonstration, they went out on a call where the dog’s police talents were needed.

Motion was made by Councilor Bowring and seconded by Councilor Baxter to adjourn. Passage 6-0, 12:15 A.M. (8-17-99).

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 16
SEPTEMBER 8, 1999

Roll Call: Mayor Boudreau called the meeting to order at 7:05 P.M. Councilor Avery arrived after the minutes.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Bowring to accept the minutes of the 8/16/99 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read a letter from Rusty Nelson, Spring Point Ledge Light. He read a letter from the Westbrook Fire Chief regarding South Portland's help on a recent incident. He also read a letter from Beth Della Valle from the State Planning Office commending Tony Vigue, SPCTV Manager.

Corporation Counsel Mary Kahl noted that the City had won the recent law suit regarding the Housing Authority's project with SMTC.

Mr. Jordan announced that the new Public Works Director will start on October 4. He is currently employed in the Lewiston Public Works Department. His name is Steve Johnson.

Mayor Boudreau showed a new stamp unveiled at a ceremony at Fairchild Semiconductor.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #5-99/00 – Board of Appeals, District 5 (Johnson). Term to expire on 07/23/02. Postponed since 7/19/99.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Stan Cox, 460 Highland Avenue, asked if the City has a policy regarding who owns trash dumped on other people's property.

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G. Public Hearings and Action

2. ORDINANCE #3-99/00 – amending Chapter 2 “Administration and Legislation” regarding vacancies on boards and committees. Passed first reading on 8/16/99.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage. Motion was made by Councilor Avery and seconded by Councilor Bowring to amend the ordinance by exempting anyone appointed prior to this ordinance and allowing that person to finish his/her term. Passage 7-0. Passage, as amended, 7-0.

3. ORDINANCE #4-99/00- amending Chapter 13 “Libraries” regarding vacancies on the Library Advisory Board. Passed first reading on 8/16/99.

There was no public discussion.

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

4. ORDINANCE #5-99/00 – amending Chapter 19 “Personnel Rules and Regulations” regarding vacancies on the Civil Service Commission. Passed first reading on 8/16/99.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

H. Action on Old and New Business

5. ORDER #20-99/00 – award of bid to Mainland Structures, of Gorham, ME, for the construction of the Community Recreation Facility.

Councilor Bowring announced that he would abstain from this item because the windows he sells are the ones being used in the project.

The following people addressed this item:

Stanley Cox, 460 Highland Avenue
Clarence Beckwith, Bonnybriar Road
Judd Bean, 48 Clinton Street
Dana Anderson, Parks and Recreation Director
Ben Walter, lead architect

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Motion was made by Councilor Avery and seconded by Mayor Boudreau for passage. Motion was made by Councilor Baxter and seconded by Councilor Avery to amend the order by adding language waiving Ordinance Section 2-190(c). Passage 4-2 (Fickett, Larsen). Passage, as amended, 4-2 (Fickett, Larsen).

6. ORDER #21-99/00 – award of bid to Allied Engineering, Inc., of Westbrook, ME, for engineering services for the former compost facility.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Pat Cloutier, Pollution Abatement Director

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

7. ORDER #22-99/00 – award of bid to O'Connor GMC, of Augusta, ME, for the purchase of a utility vehicle for the Pollution Abatement Department.

Pat Cloutier, Pollution Abatement Director, addressed this item.

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

8. ORDER #23-99/00 – award of bid to T/Buck Construction, Inc., of Lewiston, ME, for modifications to the Wastewater Treatment Facility's Operations Building.

There was no public discussion.

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

9. ORDER #24-99/00 – accepting miscellaneous equipment valued at \$3,290.40 from the State of Maine Department of Conservation Maine Forest Service to be used by the South Portland Fire Department.

John True, Fire Chief, addressed this item.

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

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10. ORDER #25-99/00 – authorizing the City Manager to sign an Employer Adoption Agreement with the Maine State Retirement System and State Street Bank for a 401(a) Deferred Compensation Savings Plan and setting contribution rates.

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

I. Citizens Discussion (Second Part)

J. Councilors' Round Robin

Mayor Boudreau said the City was certainly surprised last week by the announcement about the Irving Oil property. An unfair tone has been set. This property will be watched closely, but new zoning is in place. She advised people to limit negativity and look at this as an opportunity.

Councilor Bowring said he was also at the stamp unveiling. Video was interesting and impressive.

Councilor Johnson said he received information about the Trucking for Kids Convoy to be held on October 10th. All kinds of trucks will participate to raise money for children and various child help programs.

Councilor Larsen announced the formation of the South Portland Dog Owners Group. She read the mission of the group. Debbie Kimball is the President. Councilor Larsen encouraged people to join the group and be responsible dog owners.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to adjourn. Passage 7-0, 10:07 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 20
SEPTEMBER 20, 1999**

Roll Call: Mayor Boudreau called the meeting to order at 7 P.M. Councilor Avery arrived after the minutes were accepted.

A. Acceptance of Minutes

Motion was made by Councilor Bowring and seconded by Councilor Larsen to accept the minutes of the 9-8-99 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the packet. Rusty Nelson, from Portland Harbor Museum, and William Alexander, Library Director, presented a picture of Spring Point Light to Mr. Jordan.

C. Petitions and Communications

Department Reports for the month of August.
Attendance Reports for the month of August.

D. Appointment Calendar

1. ORDER #26-99/00 – delegate to Maine Municipal Association’s 1999 Convention.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Ed Rowe, 2 Deake Street, said there should be a deadline for enforcement of setback violations. He said the City is not consistent in its enforcement of the laws. New standards should not be set until old ones are enforced.

G. Public Hearings and Action

H. Action on Old and New Business

2. Reconsideration of ORDINANCE #3-99/00 - amending Chapter 2 “Administration and Legislation” regarding vacancies on boards and committees.

There was no public discussion.

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Motion was made by Mayor Boudreau and seconded by Councilor Bowring to reconsider. Passage 6-1 (Fickett).

Motion was made by Councilor Bowring and seconded by Councilor Johnson to postpone this item to 10-4-99 for a new public hearing. Passage 7-0.

3. ORDER #27-99/00 - accepting miscellaneous donations.

There was no public discussion.

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

4. ORDER #28-99/00 – authorizing the purchase of miscellaneous radio equipment from the City of Portland and installation by Dorler Communication to be used by the South Portland Police and Fire Departments.

The following people addressed this item:

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

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

5. ORDER #29-99/00 – authorizing the contribution of \$9,000 to Friends of Casco Bay to fund the vessel Pump Out Program.

Joe Payne, Friends of Casco Bay, addressed this item.

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

6. ORDER #30-99/00 – authorizing the City Manager to sign an administrative agreement with the property owners of 107 Stanford Street regarding setback violations.

The following people addressed this item:

Patricia Doucette, Code Enforcement Officer
Ed Rowe, 2 Deake Street

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

7. ORDER #31-99/00 – amending the City’s Personnel Policy, Chapter VII, “Insurance, Retirement and Other Benefits,” Section (F), regarding deferred compensation.

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There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage. Motion was made by Councilor Avery and seconded by Councilor Bowring to amend the order to make both vesting schedules 3 years. Passage 7-0. Passage, as amended, 7-0.

8. ORDINANCE #7-99/00 – amending Chapter 27, “Zoning,” Article V, Board of Appeals, regarding variance standards. First Reading.

The following people addressed this item:

Ed Rowe, 2 Deake Street
Mark Goldstein, 1 Franklin Terrace

Motion was made by Councilor Avery and seconded by Councilor Johnson for passage of the first reading. Motion was made by Councilor Larsen and seconded by Councilor Baxter to postpone this item until after related litigation is resolved. Withdrawn. Motion was made by Councilor Larsen and seconded by Councilor Baxter to withdraw this item. Passage 7-0.

I. Citizens Discussion (Second Part)

Before citizen input, Councilors were presented with jackets from Mr. Jordan.

Clarence Beckwith, Bonnybriar Road, complimented Corporation Mary Kahl for winning the Housing Authority's case. He said the City did a great job paving Henley Street. He said he hopes that people will remember that this suit cost the Housing Authority a lot of money when they go to the polls to vote. With regard to the referendum on the schools, he hopes voters will remember the 80's, when the City experienced hard times. He hopes the schools will be repaired, not closed. He said this economy is based on credit cards and wild speculation on the stock market.

J. Councilors' Round Robin

Councilor Avery thanked the City Manager and Mayor for the jacket and recognized the presence of students in the audience.

Councilor Baxter recognized the students in the audience. He thanked the Mayor and City Manager for the jackets. People are wondering about brush pick up.

Councilor Bowring said thank you for the jacket and thanked the students for coming. He encouraged them to ask questions and call Councilors.

Councilor Johnson said it was advised to avoid Portland Harbor for many years. He said the kids from the youth center have been involved in cleaning up the harbor.

Councilor Larsen said thank you for the jacket. She said she will be wearing it to Shanty Town again this year. People sleep in cardboard boxes to raise money for the homeless.

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She said she is looking for sponsors. They raised \$2,200 last year and hope to double it this year.

Councilor Fickett said he and Councilor Larsen are working on a report about Jefferson.

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session, pursuant to 1 M.R.S.A. §405(6)(e), for discussion with Legal Counsel of the legal rights and duties of the City Council, and, pursuant to 1 M.R.S.A. §405(6)(D), to review a tentative labor agreement with the South Portland Police Patrolmen's Association bargaining unit and to review ongoing negotiations occurring with South Portland Police Command Supervisory Unit Local 340. Passage 7-0, 9:21 P.M.

Motion was made by Councilor Avery and seconded by Councilor Larsen to come out of executive session. Passage 5-0 (Johnson, Bowring out), 10:43 P.M.

Motion was made by Councilor Avery and seconded by Councilor Larsen to adjourn. Passage 5-0, 10:44 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 24
OCTOBER 4, 1999**

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

A. Acceptance of Minutes

Motion was made by Councilor Avery and seconded by Councilor Bowring to accept the minutes of the 9-20-99 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan announced that City Clerk Linda Cohen received the Maine Clerk of the Year Award on Thursday at the MMA Convention. He also noted that Dave Pineo, Senior Engineer, had received an award from the Maine Department of Environmental Protection for his extensive work with combined sewer overflows. Mr. Jordan extended congratulations and the City's pride in these employees. Mr. Jordan sent condolences to former Mayor and Councilor Brian Dearborn on the loss of his mother.

C. Petitions and Communications

D. Appointment Calendar

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

1. ORDINANCE #3-99/00 - amending Chapter 2 "Administration and Legislation" regarding vacancies on boards and committees. Passed first reading on 8/16/99. Amended and passed on 9/8/99. Reconsidered and postponed on 9/20/99.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Larsen for passage. Motion was made by Mayor Boudreau and seconded by Councilor Avery to amend the ordinance by deleting the last sentence. Passage 6-1 (Fickett). Passage, as amended, 6-1 (Fickett).

2. William D. Lerman and Rosemary L. Lerman, d/b/a South Portland Taxi, Inc., 139 Ocean Street. Certificate of Public Convenience. New owner of existing business.

There was no public discussion.

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

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

Andy Smith, Attorney for the applicant, addressed this item.

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

H. Action on Old and New Business

4. ORDER #32-99/00 – setting the time of opening the polls on November 2, 1999.

There was no public discussion.

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

5. ORDER #33-99/00 – award of bid to Maine Radio, Inc., of Scarborough, ME, for the purchase of radios and pagers for the Fire Department.

There was no public discussion.

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

6. ORDER #34-99/00 – award of bid to Critical Insights, of Portland, ME, for a Community Survey.

Dave Hill, of Critical Insights, addressed this item.

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

I. Citizens Discussion (Second Part)

J. Councilors' Round Robin

Councilor Avery said she attended the unveiling of “The Blaze” at the pedestrian ramp on the bridge. She said the Planning Department has done a wonderful job and the editorial piece, in the paper, was wonderful, as well. She said that there are a lot of people walking, roller

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OCTOBER 4, 1999

blading, etc., and eventually, people will be able to go from Maine to Florida on this trail. She noted that there has been a big improvement with people cleaning up after their dogs in the City.

Councilor Baxter said the Land Trust is a great organization doing a great job, and John Dore is to be commended.

Councilor Bowring said he went to the MMA Elected Officials Day on Friday. He said he got a lot of information, and he will share it with the Council. He congratulated Dave Pineo and Linda Cohen.

Councilor Johnson noted the passing of Edna, Brian Dearborn's Mom. He said that in the 40's, Edna ran a little restaurant at Rigby Road, and she grossed \$100,000 one year selling seventy-five cent meals. He said she was a grand old lady.

Councilor Larsen said she spent the night in a cardboard box this weekend, and thanked the Council and Corporation Counsel for donations. She said she participated in the coastal clean up and was surprised to see how clean it was. She also attended a service for fallen firefighters at the Elm Street Church.

Councilor Fickett said they used to call cardboard types of houses Hooverville.

Mayor Boudreau congratulated Dave Pineo and Linda Cohen. She noted that Linda also received her Lifetime Certification as a municipal clerk of Maine. She said that week after week, the manager reads names of employees who do wonderful things, and this just re-emphasizes to her that we are a premiere provider already, and we have great employees. She highlighted some of the places she has been during the last couple of weeks.

K. Executive Session

Motion was made by Councilor Baxter and seconded by Councilor Larsen to go into executive session to discuss, pursuant to 36 M.R.S.A., §841, application(s) for abatement of property taxes on account of infirmity or poverty. Passage 7-0, 8:15 P.M.

Motion was made by Councilor Avery and seconded by Councilor Bowring to come out of executive session. Passage 7-0, 8:29 P.M.

Motion was made by Councilor Johnson and seconded by Councilor Larsen to deny Abatement #99/00-01. Passage 7-0.

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

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 27
OCTOBER 18, 1999

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

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Baxter to accept the minutes of the 10-4-99 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He thanked Councilor Fickett for donating pumpkins to decorate chambers and the front steps.

Fire Chief John True introduced State Fire Marshall John Dean who presented the department with an award for one year without fatalities, the 1998 Life Safety Award. Lt. Jeff Webster introduced members of Engine 8, Shift 3.

Maureen O'Meara, the Cape Elizabeth Town Planner, presented an award to the City from the Northern New England Chapter of the American Planning Association, the Outstanding Plan of the Year for 1999 for Knightville/Mill Creek.

Mr. Jordan announced that Councilor Larsen would be hosting a call-in show regarding the City's status with the Y2K situation on Wednesday evening. Mr. Jordan noted several areas in the City that are Y2K compliant.

C. Petitions and Communications

Department Reports for the month of September.
Attendance Reports for the month of September.

D. Appointment Calendar

1. ORDER #35-99/00 – Registration Appeals Board Chairman (City Clerk). Term to expire 9/29/03.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Roberta Kayatta, Pamela Drive, stated that many parents want another option to consolidating the elementary schools. She said a small committee would be placing flyers

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in people's doors this weekend. The voices against consolidation were 2 to 1 at the hearings, but they were not listened to.

Julie Green, 8 Rosetti Avenue, said one of her neighbors has used the end of this dead end street as parking and storage. There are State laws and City ordinances that prohibit this activity. She said she has to shovel, because the City is blocked from plowing.

Kevin Glynn, 109 Huntress Avenue, said he joins with Ms. Kayatta and many other citizens in opposing the consolidation of the schools. He talked about increases in taxes if the bond passes. He noted that many students would have to be bussed if the schools are consolidated. He said the school department would be asking for millions of dollars more during each of several future elections.

Ray Lee, Henry Street, saw a taped meeting of a school board meeting in which Kathy Latendresse spoke. He said there will never be equity in the schools. He said the voters were told that Sawyer School was dangerous, but it is being used as a private school now, and it is fine. He said he went through Kaler School, and it does need work, but so do other schools including the High School. He asked how people would pay their taxes.

Paul LeFevre, 868 Sawyer Street, said he agreed with those opposed to the bond question.

G Public Hearings and Action

H. Action on Old and New Business

2. ORDER #36-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

3. ORDER #37-99/00 – award of bid to Vision Software, Inc., of Castle Hayne, NC, for public safety software.

Finance Director Ralph St. Pierre addressed this item.

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

4. ORDER #38-99/00 – authorizing the City Manager to sign a City/State agreement for the Pleasantdale Walkway.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 29
OCTOBER 18, 1999**

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

5. ORDER #39-99/00 – authorizing the City Manager to sign a collective bargaining agreement with the South Portland Patrolmen’s Association.

Roger Kelley, Labor Relations Consultant, addressed this item.

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

6. ORDER #40-99/00 – authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Command & Supervisory Unit, The Maine Association of Police.

Roger Kelley, Labor Relations Consultant, addressed this item.

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

7. ORDINANCE #8-99/00 – amending Chapter 9, “Garbage and Refuse,” §9-23(b), §9-33(a), §9-34 regarding licensing authority for trash haulers. 1st reading.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Larsen for passage of the first reading. Motion was made by Councilor Baxter and seconded by Councilor Larsen to amend the ordinance in section 9-34 to allow for appeal to the City Council of a denial of the permit by the City Clerk. Passage 7-0. Passage of first reading, as amended, 7-0.

8. ORDER #41-99/00 – authorizing the City Manager to sign a membership form to join the Cumberland/York Coalition for the joint purchase of electricity.

Pollution Abatement Director Patrick Cloutier addressed this item.

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

I. Citizens Discussion (Second Part)

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J. Councilors' Round Robin

Councilor Baxter stated that the transfer facility started accepting brush and grass and leaves free today and it is open seven days a week. He reminded citizens that bagged leaves would be picked up if properly bagged. He said he is encouraged by people cleaning up after their dogs. He said he doesn't know whom to credit for this. He said he respects this group for its efforts.

Councilor Bowring said, "Go Sox."

Councilor Johnson told a God and Adam story about a loyal dog. He said he hopes everyone will get flu shots.

Councilor Larsen said the Y2K Community Conversations will be live Wednesday night and stemmed from questions from citizens. Department heads will be available.

Mayor Boudreau said she received a letter from Maine Municipal Association regarding the DOT changing the town name signs. They are taking a poll to see what communities want. She said she has been reading the recycling rates from RWS, and South Portland has dipped in its rate. She predicted a curbside recycling program next year if the City doesn't do better.

Councilor Avery said she appreciated being considered for inclusion in the New England Planning award. She said she thinks the City might want to communicate the cost of insurance and prescriptions to the public and the employees.

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Avery to go into executive session, pursuant to 1 M.R.S.A. §405(6)(a), for discussion of public employee's employment status – City Clerk's evaluation and, pursuant to 1 M.R.S.A. §405 (6)(e), discussion of pending litigation: City of South Portland v. Nancy Buck. Passage 7-0, 9:23 P.M.

Motion was made by Councilor Avery and seconded by Councilor Bowring to come out of executive session. Passage 7-0, 11:22 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to adjourn. Passage 7-0, 11:23 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 31
NOVEMBER 1, 1999**

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

A. Acceptance of Minutes

Motion was made by Councilor Avery and seconded by Councilor Bowring to accept the minutes of the 10/18/99 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan stated that the household hazardous clean up day on Saturday served 500 cars.

City Clerk Linda Cohen noted the location of the polling places and times of opening and closing of the polls. She also announced that 2000 dog licenses are in.

C. Petitions and Communications

Planning Board report regarding vacancies on the Board of Appeals.

D. Appointment Calendar

1. ORDER #46-99/00 – Registrar of Voters. Term to expire 12/31/00.

Ray Lee, Henry Street, addressed this item.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Sheila McDonough, Fellows Street, urged voters to support Question 1 on the City ballot tomorrow.

Christopher Muse, 35 Mildred Street, encouraged voters to vote no on Question 1 on the City ballot. He said he hopes both sides will come together on Wednesday, no matter what the outcome.

Valerie Swiger, School Street, read a letter she said was expressing the views of several parents about Question 1 on the City ballot. The letter spoke against the passage of Question 1 on the City ballot.

Lisa Collins, Braeburn Avenue, said her neighborhood school was already closed. That was Sawyer School. She said she is proud of Skillin. She encouraged the passage of Question 1 on the City ballot.

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Kevin Glynn, 109 Huntress Avenue, urged voters to vote no on Question 1 on the City ballot. He noted the success of the children at Redbank School. He said the neighborhood schools should be renovated.

Walter Kimball, 62 Aspen Avenue, urged support of Question 1 on the City ballot. He addressed the question from several perspectives.

Janice Doctor, High Street, urged voters to vote no on Question 1 on the City ballot because the plans are out-dated. She said we need security features at our schools, and they are not addressed in the current expansion plans.

Judy Harley, 27 Sawyerbrook Circle, urged voters to vote in favor of Question 1 on the City ballot.

Ray Lee, Henry Street, said that voters are hearing the same things now that they heard before the vote on the expansion of Skillin School. He said big schools would lead to Columbine type incidents. He urged voters to vote no on Question 1 on the City ballot.

Tim O'Neil, Adelbert Street, said that there is such a thing as "too small," and Hamlin School is too small. He encouraged voters to go to the polls and support Question 1 on the City ballot.

Clarence Beckwith, Bonnybriar Road, said this is one of the most important questions the City has faced. He said equality is achieved when there are quality programs and quality teachers. He said that, hopefully, Question 1 on the City ballot would fail tomorrow.

Kathy Cabana, 81 Providence Avenue, by letter, stated her support for the school question and urged others to vote yes.

G. Public Hearings and Action

2. ORDINANCE #8-99/00 – amending Chapter 9, “Garbage and Refuse,” §9-23, §9-24, §9-33(a), and §9-34 regarding licensing authority for trash haulers. Amended and passed 1st reading on 10/18/99.

There was no public discussion.

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

H. Action on Old and New Business

3. ORDER #42-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

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NOVEMBER 1, 1999

4. ORDINANCE #6-99/00 – amending Chapter 27, “Zoning,” regarding vacancies on the Board of Appeals. Withdrawn on August 16, 1999 and committed to the Planning Board. First Reading.

There was no public discussion.

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

5. ORDER #43-99/00 – award of bid to Freightliner of Maine, Inc., of Portland, ME, for the purchase of two dump trucks with plows for the Public Works Department.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Steve Johnson, Public Works Director

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

6. ORDER #44-99/00 – award of bid to Freightliner of Maine, Inc., of Portland, ME, for the purchase of two rubbish packers for the Public Works Department.

The following people addressed this item:

Ray Lee, Henry Street
Steve Johnson, Public Works Director

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

7. ORDER #45-99/00 – award of bid to Southworth-Milton, of Scarborough, ME, for the purchase of a generator for emergency shelter operations at Memorial Middle School.

The following people addressed this item:

Ray Lee, Henry Street
Steve Johnson, Public Works Director

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

I. Citizens Discussion (Second Part)

J. Councilors' Round Robin

Councilor Baxter said he received a number of calls about the accuracy of the flyer put out by Save Our Schools. He thanked Mr. Beckwith for stating the correct figure. He urged everyone to go out and vote.

Councilor Bowring said he received a letter from Ms. Green on Rosetti Drive thanking the City Manager for the signs. He urged voters to get out and vote tomorrow. He echoed Mr. Muse's hope of working together after the vote.

Councilor Johnson said he is confused about feelings being expressed tonight about anger and hard feelings. He said he isn't seeing people going at each other's throats.

Councilor Larsen urged voters to vote no on the school consolidation question on the City ballot. She said that making schools larger can cause multiple social problems. She said her stand is based on research she has done. She thanked the State Representatives who helped her get out the word. She urged the State to fix the school funding formula.

Councilor Fickett said he would vote against the expansion. He said taxes would be going up every year, and a big bond like this will make them go up even faster.

Mayor Boudreau reminded citizens about putting a genuine effort into recycling. The 8th of November starts Maine Recycles Week. She encouraged voters to get out and vote and vote in favor of the school question on the City ballot. She warned that it could be a close vote.

Councilor Avery asked the Manager if he had heard from MDOT regarding the lubrication of the draw on the new bridge during the winter months or a plan to get people off the bridge if it does get stuck. With regard to the school issue on the City ballot, she said the City can afford to incorporate this debt. She said neighborhoods are not dependent on schools.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to adjourn.
Passage 7-0, 8:50 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC, City Clerk

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 35
NOVEMBER 15, 1999

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

A. Acceptance of Minutes

Motion was made by Councilor Baxter and seconded by Councilor Larsen to accept the minutes of the 11-1-99 meeting. Passage 6-0.

B. Communications from City Manager

C. Petitions and Communications

Department Reports for the month of October.
Attendance Reports for the month of October.

D. Appointment Calendar

1. Order #47-99/00 – Conservation Commission, District 2 (Avery). Term to expire 11/20/02.

There was no public discussion.

Motion was made by Councilor Avery and seconded by Councilor Bowring to appoint Anna Marie Thron to this position. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, asked about the new Public Works Director taking a truck home every evening. He said he wonders what the streets will look like this winter if the director doesn't come into town. He said he thinks the director should live in the community. He said he doesn't think it's right that a party wasn't given for Betty Willwerth when she retired. He said he wasn't going to come down but he received a call earlier that a City department head got into a slugfest with a union negotiator. He said he understands charges have been filed.

G. Public Hearings and Action

2. ORDINANCE #6-99/00 – amending Chapter 27, “Zoning,” regarding vacancies on the Board of Appeals. Withdrawn on August 16, 1999 and committed to the Planning Board. Passed first reading on 11/1/99.

There was no public discussion.

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

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NOVEMBER 15, 1999

3. Cheesecake, Inc., d/b/a Governor's Restaurant, 700 Main Street. FSE/Class A Restaurant with Liquor License. New owner of existing business.

There was no public discussion.

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

H. Action on Old and New Business

4. Order #48-99/00 - accepting a Bureau of Justice Assistance Bulletproof Partnership Grant for the Police Department.

Edward Googins, Police Chief, addressed this item.

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

5. Order #49-99/00 – authorizing the appeal of the State Bureau of Taxation's valuation for the City of South Portland.

There was no public discussion.

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

6. Order #50-99/00 - authorizing the City Manager to sign a modification agreement with Wheelabrator Clear Water Systems, Inc. regarding biosolids.

There was no public discussion.

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

7. Order #51-99/00 – authorizing the City Manager to execute a deed to and accept a deed from William Hogan III, effecting a land swap on Boothby Avenue.

There was no public discussion.

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

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8. Order #52-99/00 – award of bid to Hilltop Chevrolet, of Somersworth, NH, for the purchase of an automobile for the Code Enforcement Department.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Avery for passage. Motion was made by Councilor Baxter and seconded by Councilor Bowring to amend the order by replacing Hilltop Chevrolet with Yankee Ford and changing the amounts throughout the order accordingly. Passage 4-2 (Larsen, Fickett). Passage, as amended, 4-2 (Larsen, Fickett).

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, said he was glad to see so many people at the last School Board meeting. He said he hopes the discussion will involve a lot of people.

J. Councilors' Round Robin

Councilor Bowring recognized Mayor Boudreau and Councilor Avery for their nine years on the Council. He thanked them for their service to the City.

Mayor Boudreau thanked the public for the past nine years. She said it was great working with the public and City staff. She said the public needs to realize that municipal employees are different from other employees.

Councilor Avery said it seems like just yesterday that they were sworn in. She said it took a lot of work and she had a lot of help from City employees. She said there have been times when emotion had to be separated out of the decision making process. She thanked Councilors and School Board members.

Councilor Baxter commended Jim Davis for his editorial in the Sentry about how far people should go with their comments. He said he hopes the School Board gets to work on the school issue. He said that Mayor Boudreau and Councilor Avery shared a lot with him, and he thanked them for their help.

K. Executive Session

Motion was made by Councilor Bowring and seconded by Councilor Baxter to go into executive session, pursuant to 1 M.R.S.A. §405(6)(e), to discuss pending bankruptcy litigation: City of South Portland v. Jackson Brook Institute, Inc. Passage 6-0, 7:58 P.M.

Motion was made by Councilor Avery and seconded by Councilor Bowring to come out of executive session. Passage 6-0, 8:16 P.M.

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Motion was made by Councilor Avery and seconded by Councilor Bowring to adjourn. Passage
6-0, 8:17 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, CMC/AAE

**IN COUNCIL INAUGURAL MEETING VOL. 61 PAGE 40
DECEMBER 6, 1999**

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

Mayor Boudreau invited Reverend Parker to offer the invocation.

City Clerk Cohen administered the Oath of office to Councilors-elect Dale, Johnson and Maietta.

City Clerk Cohen declared Councilors Dale, Johnson and Maietta duly qualified Councilors.

Councilor Baxter nominated Councilor Bowring for Mayor for year 1999/00. Councilor Maietta seconded the motion.

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

City Clerk Cohen called for the vote.

City Clerk Linda Cohen announced Councilor Bowring as Mayor for 2000/01 with five votes.

Mayor Bowring presented out-going Councilors Boudreau and Avery with plaques.

Mayor Bowring then presented the Inaugural Address.

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

City Clerk Cohen read RESOLUTION #1-99/00 establishing time and place of meetings. Councilor Baxter moved for passage. Mayor Maietta seconded the motion. Mayor Bowring took the vote and declared the Resolution duly passed.

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

**IN COUNCIL INAUGURAL MEETING VOL. 61 PAGE 40
DECEMBER 6, 1999**

Roll Call: Mayor Bowring called the recessed meeting back to order at 7:00 P.M. Councilor Larsen arrived after Item A.

A. Acceptance of Minutes

Motion was made by Councilor Johnson and seconded by Councilor Baxter to accept the minutes of the 11-15-99 meeting. Passage 6-0 (Larsen absent).

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the packet and thanked the Parks Department for the poinsettias in Council chambers and the ones that were given to all departments. He wished Linda Boudreau and Susan Avery the best as they go off the City Council.

C. Petitions and Communications

Final report from the Project PLAN Committee

D. Appointment Calendar

1. ORDER #53-99/00 – Civil Service Commission, District 2 (Maietta). To fill an unexpired term which expires on 03-01-00.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to postpone this item to 12-20-99. Passage 7-0.

2. ORDER #54-99/00 – Conservation Commission, District 1 (Dale). Term to expire 11-20-02.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item to 12-20-99. Passage 7-0.

3. ORDER #55-99/00 – South Portland Housing Authority (Bowring). To fill an unexpired term which expires 03-25-01.

There was no public discussion.

Motion was made by Mayor Bowring and seconded by Councilor Baxter to appoint Michael Hulsey to this position. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, referenced the last meeting when he asked about an assault that took place in City Hall. He passed around a copy of the police report. He said he was surprised to see the article on the front page of the American Journal. He said it wasn't fair

**IN COUNCIL INAUGURAL MEETING VOL. 61 PAGE 41
DECEMBER 6, 1999**

for Bob Schwartz to be maligned in that article. He said he received several calls after the last meeting telling him that he was right.

Clarence Beckwith, Bonnybriar Road, said it's tragic that a councilor with the word no in his or her vocabulary can't be mayor. He noted that former Councilor Glynn had deserved to be mayor and never was. He said Councilor Larsen deserves to be mayor. He said the community his daughter lives in out west is giving its citizens a tax rebate for Christmas because of a surplus.

John Murphy, 6 Willard Street, asked the Council to support the resolve for Willard Beach.

G. Public Hearings and Action

4. Jerrerd D. and Edward Benjamin, d/b/a Benjamin Building Wrecking Co., 41 Jackson Street, for an Automobile Graveyard and/or Junkyard Permit. Renewal. 12/31/99 to 12/31/00.

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

5. Used Car Lot renewals with increase in total number of cars on lot: John's Service, 695 Broadway (from 20 cars to 30); Ocean Street Auto Repair, 72 Ocean Street (from 3 cars to 25); Pape Chevrolet, Inc., 425 Westbrook Street (from 250 cars to 405). 12/31/99 to 12/31/00.

The following people addressed this item:

Rommie Jones, E Street
Michael Drinan, owner of Market Place
Mel Hopkins, Ocean Street Auto
Don Chase, Pape Chevrolet

Motion was made by Councilor Dale and seconded by Councilor Johnson to grant Pape and John's Service applications and deal with Ocean Street's application separately. Passage 6-1 (Johnson)

Motion was made by Councilor Baxter and seconded by Councilor Dale for passage of the Ocean Street application. Passage 7-0.

H. Action on Old and New Business

6. ORDER #56-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

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7. ORDER #57-99/00 – accepting a donation from Reinauer Transportation Companies and award of bid to Stultz Electric, of Westbrook, ME, for communication equipment at the Long Creek Pump Station.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

8. ORDER #58-99/00 – authorizing the City Manager to enter into a sewer user agreement with Southborough Development L.L.C.

There was no public discussion.

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

9. RESOLVE #2-99/00 – regarding the maintenance of Willard Beach.

The following people addressed this item:

Ray Lee, Henry Street
John Murphy, 6 Willard Street

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

10. ORDER #59-99/00 – authorizing the settlement of the personal property tax claim by the City of South Portland in In Re Jackson Brook Institute.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
John Murphy, 6 Willard Street
Stanley Cox, 460 Highland Avenue

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

I. Citizens Discussion (Second Part)

**IN COUNCIL INAUGURAL MEETING VOL. 61 PAGE 43
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J. Councilors' Round Robin

Councilor Johnson congratulated the young members of the State Championship football team and he said the coaches should be commended for the spirit they have nurtured.

Councilor Fickett said that the new council should work to reduce next year's taxes by the dollar they were increased last year. He suggested the word be sent out to all department heads.

Councilor Dale also congratulated the South Portland High School football team. He asked who donated the greenhouse. He asked about the allegations about charges against an employee, wanting to assure himself that it is being dealt with. He said he doesn't want it to look like it is being swept under the carpet.

Councilor Maietta noted that the South Portland firefighters are going to the service on Thursday for the fallen firefighters in Worcester. He commended the firefighters for their brotherhood.

Councilor Baxter also commended the football team and noted that the basketball team may be headed the same way. He said he is in favor of the super majority required for some items and he has no interest in bringing it back.

Mayor Bowring echoed Councilor Maietta's comments on the tragedy in Worcester. He also congratulated the football team. He thanked Mr. Murphy for organizing the beach walk on Saturday. He noted that the group working on dog issues is really moving forward to make the City a cleaner and greener place. They will also have brochures being given out at City Hall.

K. Executive Session

Motion was made by Councilor Baxter and seconded by Councilor Johnson to go into Executive Session, pursuant to M.R.S.A. §405 (6) (D), to discuss labor negotiations with AFSCME Local #481 and IAFF Local 1476. Passage 7-0, 8:48 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to come out of executive session. Passage 7-0, 9:56 P.M..

Motion was made by Councilor Larsen and seconded by Councilor Johnson for passage to adjourn. Passage 7-0, 9:57 P.M.

A TRUE COPY

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

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 44
DECEMBER 20, 1999**

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 Larsen and seconded by Councilor Fickett to accept the minutes of the 12/6/99 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan passed out a memo from the Planning Board regarding a request from Hannaford Brothers about Thomas Street. He also passed out a memo about the fees collected at the gate of the Transfer Facility and basketball hoops on the streets. Mr. Jordan noted items the Council had received in the packets.

C. Petitions and Communications

Department Reports for the month of November.
Attendance Reports for the month of November.

D. Appointment Calendar

1. ORDER #53-99/00 – Civil Service Commission, District 2 (Maietta). To fill an unexpired term which expires on 03/01/00. Postponed on 12/06/99.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to postpone this item to 1-3-00. Passage 6-0.

2. ORDER #54-99/00 – Conservation Commission, District 1 (Dale). Term to expire 11/20/02. Postponed on 12/06/99.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item to 1-3-00. Passage 6-0.

3. ORDER #60-99/00 – Library Advisory Board, District 3 (Baxter). Term to expire 12/31/02.

Motion was made by Councilor Baxter and seconded by Councilor Maietta to postpone this item to 1-3-00. Passage 6-0.

4. ORDER #61-99/00 – Library Advisory Board, At Large (Larsen). Term to expire 12/31/02.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 45
DECEMBER 20, 1999**

Motion was made by Councilor Larsen and seconded by Councilor Maietta to appoint Eleanor Gilbert to this position. Passage 6-0.

5. ORDER #62-99/00 – Library Advisory Board, At Large (Fickett). Term to expire 12/31/02.

Motion was made by Councilor Fickett and seconded by Councilor Baxter to postpone this item to 1-3-00. Passage 6-0.

6. ORDER #63-99/00 – Civil Service Commission, At Large (Larsen). Term to expire 12/31/04.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to appoint Lee Harvey to this position. Passage 6-0.

7. ORDER #64-99/00 – Civil Service Commission, At Large (Fickett). Term to expire 12/31/04.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to postpone this item to 1-3-00. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, said he would like to see smaller contractors involved in local building. He referenced the latest Sentry newspaper edition, which had an article about Mayor Bowring. He asked how much the windows at City Hall cost.

G. Public Hearings and Action

8. N.E. Restaurant Company, Inc., d/b/a On the Border Mexican Café, 420 Maine Mall Road, for an FSE/Class A Restaurant with Liquor License. New City and State license.

Bob Raftice, representing the restaurant, addressed this item.

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 46
DECEMBER 20, 1999**

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

H. Action on Old and New Business

9. ORDINANCE #9-99/00 – amending Chapter 27, “Zoning,” regarding parking and residential density in the Knightville Design District and Knightville Section of the LB District. First reading.

The following people addressed this item:

Tex Haeuser, Planning Director
Ray Lee, Henry Street

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

10. ORDER #65-99/00 – accepting a pedestrian and railroad crossing easement from 110 Dartmouth Street LLC at 110 Dartmouth Street.

Tex Haeuser, Planning Director, addressed this item.

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

11. ORDER #66-99/00 – award of bid to Dinan & Gwynne, of Portland, ME, for management facilitation consulting services.

The following people addressed this item:

Ray Lee, Henry Street
Tex Haeuser, Planning Director
Steve Johnson, Public Works Director

Motion was made by Councilor Larsen and seconded by Mayor Bowring for passage.
Motion was made by Councilor Larsen and seconded by Councilor Dale to amend the order by paying only the invoice for \$6,000 and postpone further discussion to a workshop.
Passage 6-0. Passage, as amended, 6-0.

12. ORDER #67-99/00 – award of bid to Lee GMC Truck, of Auburn, ME, for the purchase of a dump truck for the Parks and Recreation Department and a pick-up truck for the Public Works Department.

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The following people addressed this item:

Ray Lee, Henry Street
Steve Johnson, Public Works Director

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

13. ORDER #68-99/00 – authorizing the City Manager to sign a collective bargaining agreement with AFSCME Local #481.

The following people addressed this item:

Bob Hodges, Human Resource Director
Ray Lee, Henry Street

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

I. Citizens Discussion (Second Part)

J. Councilors' Round Robin

Councilor Larsen wished everyone Happy Holidays.

Councilor Fickett said Happy New Year.

Councilor Dale said Happy Holidays.

Councilor Maietta said Happy Holidays.

Councilor Baxter thanked the City Manager for the information provided in his earlier comments. He wished everyone Happy Holidays and a Happy New Year.

Mayor Bowring wished everyone Happy Holidays and congratulated City Clerk Linda Cohen for her entry into the International Institute of Municipal Clerks Academy for Advanced Education.

K. Executive Session

Motion was made by Councilor Larsen and seconded by Councilor Maietta 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 6-0, 9:15 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to come out of executive session. Passage 6-0, 9:29 P.M.

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DECEMBER 20, 1999**

Motion was made by Councilor Larsen and seconded by Councilor Baxter to grant Abatement # 99/00-02 in the amount of \$3,095.57 for FY 97/98 and FY 98/99. Passage 6-0.

Motion was made by Councilor Larsen and seconded by Councilor Dale to adjourn. Passage 6-0, 9:30 P.M.

A TRUE COPY

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

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 49
JANUARY 3, 2000**

Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. All Councilors were present. A moment of silence was observed for Cumberland County Commissioner Peter Feeney who passed away unexpectedly on 12/26/99 at the age of 25.

A. Acceptance of Minutes

Motion was made by Councilor Larsen and seconded by Councilor Maietta to accept the minutes of the 12/21/99 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan passed out the confirmation to Public Works Director Steve Johnson when he was hired. He noted that Christmas trees will be picked up for the next four weeks at the curb on regular rubbish day.

C. Petitions and Communications

Planning Board report regarding the discontinuance of Thomas Street.

D. Appointment Calendar

1. ORDER #53-99/00 – Civil Service Commission, District 2 (Maietta). To fill an unexpired term which expires on 03/01/00. Postponed since 12/06/99.

Motion was made by Councilor Maietta and seconded by Councilor Larsen to postpone this item to 1/19/00. Passage 7-0.

2. ORDER #54-99/00 – Conservation Commission, District 1 (Dale). Term to expire 11/20/02. Postponed since 12/06/99.

There was no public discussion.

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

3. ORDER #60-99/00 – Library Advisory Board, District 3 (Baxter). Term to expire 12/31/02. Postponed on 12/20/99.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to postpone this item to 1/19/00. Passage 7-0.

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JANUARY 3, 2000**

4. ORDER #62-99/00 – Library Advisory Board, At Large (Fickett). Term to expire 12/31/02. Postponed on 12/20/99.

There was no public discussion.

Motion was made by Councilor Fickett and seconded by Councilor Larsen to appoint Phyllis Fortin to this position. Passage 7-0.

5. ORDER #64-99/00 – Civil Service Commission, At Large (Fickett). Term to expire 12/31/04. Postponed on 12/20/99.

Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Fickett and seconded by Councilor Baxter to appoint Quirino Lucarelli to this position. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Clarence Beckwith, Bonnybriar Road, thanked the City Manager for getting the information to him about the National Semiconductor TIF. He said he hopes to see taxes cut this year to reflect the revenues the City has coming in.

Ray Lee, Henry Street, asked the City Manager how many union contracts are still unsigned. He asked if contracts can go back and be amended once it's passed. He asked about the possibility of a three member committee being set up to do appointments to boards and committees. He said he hopes the process doesn't change from what it is now.

Eric Howard, by letter, asked about repealing the on-street parking ban that is in effect in the winter in South Portland.

G. Public Hearings and Action

6. ORDINANCE #9-99/00 – amending Chapter 27, “Zoning,” regarding Parking and residential density in the Knightville Design District and Knightville Section of the LB District. Passed first reading on 12/20/99.

The following people addressed this item:

Tex Haeuser, Planning Director
Clarence Beckwith, Bonnybriar Road
Stanley Cox, 460 Highland Avenue
Ray Lee, Henry Street

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Michael Drinan, owner of 87 Ocean Street
Max Brown, 15 E Street
Bill Ciccarone, 60 Minute Photo
Phil Notis, 71 Ocean Street

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

H. Action on Old and New Business

7. ORDER #69-99/00 – award of bid to Road Rescue Specialty Vehicles, Inc., of North Attleboro, MA, for the purchase of two emergency vehicles for the South Portland Fire Department.

The following people addressed this item:

John True, Fire Chief
Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

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

8. ORDER #70-99/00 – award of bid to Gorham Micro, of Saco, ME, for the purchase of computers for the School Department.

Roland LaBelle, School Department, addressed this item.

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

9. ORDER #71-99/00 – authorizing the extension of the June, 1995 Biosolids Agreement between Wheelabrator Clean Water Systems and the City of South Portland.

Pat Cloutier, Pollution Abatement Director, addressed this item.

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

10. ORDER #72-99/00 – accepting a \$10,000.00 grant from the Libra Foundation to be used for the Greenbelt Walkway.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 52
JANUARY 3, 2000

There was no public discussion.

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

11. ORDER #73-99/00 – accepting a \$30,000.00 Comprehensive Planning Grant from the State Planning Office.

Tex Haeuser, Planning Director, addressed this item.

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

12. ORDER #74-99/00 – accepting a Bureau of Justice Assistance Bulletproof Partnership Grant for the Police Department.

Edward Googins, Police Chief, addressed this item.

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

13. ORDER #75-99/00 – authorizing notice to abutters regarding discontinuance of a portion of Thomas Street.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Bill Ciccarone, Waterfront Market Association President, by letter
Tex Haeuser, Planning Director

Motion was made by Councilor Dale and seconded by Councilor Larsen for passage. Motion was made by Mayor Bowring and seconded by Councilor Dale to allow Councilor Maietta to abstain from voting on this item because of an ongoing relationship his family has with Hannaford Brothers. Passage 6-0 (Maietta abstaining). Passage 6-0.

I. Citizens Discussion (Second Part)

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 53
JANUARY 3, 2000

J. Councilors' Round Robin

Councilor Fickett talked about legislative authority and the idea that it cannot be delegated to someone else. He said the Council has the responsibility to make sure all of the people are treated the same.

Councilor Baxter commended the Manager for the success of his predictions for this year. He said he'll hold him to curbside recycling for the coming year. He said he received a call from the Pleasantdale Neighborhood early one morning about a broken down very large vehicle. He commended Sgt. Bernard for the professional way he handled the incident.

Mayor Bowring said he also wants to see curbside recycling. He also received the call about the broken down vehicle.

Councilor Johnson read a letter he had received from a constituent about a cemetery that is run down on Marcelle Avenue. He said he hopes that preserving historical places becomes a priority.

Motion was made by Councilor Larsen and seconded by Councilor Fickett to adjourn. Passage 7-0, 9:06 P.M.

A TRUE COPY.

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

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 54
JANUARY 19, 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 1/3/00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet including the finalized FY 1999/2000 Municipal Budget. He reminded residents of the City's parking ban during the winter months. He read a letter regarding the Dinan and Gwynne item on the agenda this evening.

C. Petitions and Communications

Department Reports for the month of December.

Attendance Reports for the month of December.

D. Appointment Calendar

1. ORDER #53-99/00 – Civil Service Commission, District 2 (Maietta). To fill an unexpired term which expires on 03/01/00. Postponed since 12/06/99.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Johnson to appoint Robert Williams to this position. Passage 7-0.

2. ORDER #60-99/00 – Library Advisory Board, District 3 (Baxter). Term to expire 12/31/02. Postponed since 12/20/99.

There was no public discussion.

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

E. Consent Calendar

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 55
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F. Citizen Discussion (First Part)

Ray Lee, Henry Street, said he would like to have more information about the City's ordinance that allows the City Manager to spend up to \$10,000 without Council approval. He said he would like to see that lowered to \$5,000. He noted that the money spent on consultants would buy a lot of windows for the schools. He said a CEO at Blue Cross Blue Shield would be gone if he spent money like that. He said the money should come from the City Manager.

John Chapin, SPHS History teacher, said he has a lot of students present meeting a requirement of his class.

G. Public Hearings and Action

3. O'Rourke's Landing, 175 Benjamin W. Pickett Street. Pinball/Video machines license. New City license. Applicant is within two hundred fifty feet (250') of a school and residential area.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Dale to grant the license with the variance. Passage 7-0.

H. Action on Old and New Business

4. ORDER #76-99/00 – award of bid to Freightliner of Maine, of Portland, ME, for the purchase of a roll-off truck for the Public Works Department.

The following people addressed this item:

Ray Lee, Henry Street
Steve Johnson, Public Works Director

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

5. ORDER #77-99/00 – award of bid to Casco Bay Ford, of Yarmouth, ME, for the purchase of six (6) police cruisers, and Searway Ford, of Springvale, ME, for two (2) administrative vehicles for the Police Department.

Boyce Sanborn, Deputy Police Chief, addressed this item.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 56
JANUARY 19, 2000

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

6. ORDER #78-99/00 – authorizing the payment of \$2,500 to and continued facilitation services with Dinan and Gwynne, of Portland, ME, through June, 2000.

The following people addressed this item:

Ray Lee, Henry Street
Ed Googins, Police Chief

Motion was made by Councilor Johnson and seconded by Councilor Baxter for passage. Motion was made by Councilor Dale and seconded by Councilor Larsen to amend the order by adding "up to" in front of \$2500 in the first paragraph, deleting the entire second paragraph and changing the fiscal note to \$2500. Passage 5-2 (Johnson, Bowring). Passage, as amended, 5-2 (Johnson, Bowring).

7. ORDER #79-99/00 – authorizing contractors for the Maine Department of Transportation to transport heavy construction equipment over City streets.

Steve Johnson, Public Works Director, addressed this item.

Motion was made by Councilor Larsen and seconded by Councilor Johnson for passage. Motion was made by Councilor Larsen and seconded by Councilor Dale to postpone this item to the next meeting. Passage 7-0.

I. Citizens Discussion (Second Part)

Boyce Sanborn, South Richland Street, thanked the Councilors who supported the City Manager tonight on the training program. He said he has seen things improve between Departments as a result of the manager. He said he hopes the Council supports this in the future.

J. Councilors' Round Robin

Councilor Dale asked where the City is on Christmas tree pickup. He asked the Council to please look at adopting the easier zoning standard for variances. He said a citizen asked him about dead storage of boats and trailers at Bug Light.

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Councilor Maietta said he went in to see Ge Erskine in the hospital today, and he wished him well.

Councilor Baxter said he received a call from a citizen who wants the Democratic and Republican City Committees to be allowed to use the building free as they used to be able to do.

Mayor Bowring said he is attending a grand opening of the Census office on Ocean Street on Sunday. He noted that the Cumberland County Civic Center Board of Trustees would be interviewing companies to look at the possibilities of renovating/expanding the Civic Center.

Councilor Johnson said he was pleased to see the Police Chief recognized at the Martin Luther King Breakfast and suggested that, maybe next year, the entire Council could get a table at the breakfast.

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, and, pursuant to 1 M.R.S.A. §405 (6)(a), for discussion of a public employee's employment status – evaluation of Corporation Counsel. Passage 7-0, 8:40 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to come out of executive session. Passage 7-0, 10:01 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Fickett to adjourn. Passage 7-0, 10:02 P.M.

A TRUE COPY.

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

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 58
FEBRUARY 7, 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 Baxter and seconded by Councilor Maietta to accept the minutes of the 1-19-00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packets.

C. Petitions and Communications

D. Appointment Calendar

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

1. The Beale Street Grill, Inc., d/b/a Beale Street Barbeque & Grill, 90 Waterman Drive. FSE Class A Restaurant with Liquor License. New State and City License.

The following people addressed this item:

Bill Ciccarone, Waterfont Market Association
Ray Lee, Henry Street
Patrick Quigg, applicant

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

H. Action on Old and New Business

2. ORDER #79-99/00 - authorizing contractors for the Maine Department of Transportation to transport heavy construction equipment over city streets. Postponed on January 19, 2000.

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 59
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3. ORDER #80-99/00 – discontinuance of a portion of Thomas Street.

The following people addressed this item:

Kathryn Latendresse, President of Ferry Village Neighborhood Conservation Commission
Ray Lee, Henry Street
Mary Gamage, Hannaford Bros. Real Estate Department
Bill McKenny, Engineer for Hannaford Bros.
Tex Haeuser, Planning Director

Motion was made by Councilor Larsen and seconded by Councilor Dale for passage. Motion was made by Councilor Dale and seconded by Councilor Larsen to allow Councilor Maietta to abstain. Passage 6-0 (Maietta abstaining). Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item until the next meeting so that discussion could take place on the area licensed to the City. Passage 6-0 (Maietta abstaining).

4. ORDER #81-99/00 – authorizing the City Manager to execute a quitclaim deed to Hannaford Bros.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item until 2-23-00. Passage 6-0 (Maietta abstaining).

5. ORDER # 82-99/00 – setting the time of opening the polls for the March 7, 2000 Presidential Preference Primary.

There was no public discussion.

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

6. ORDER # 83-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

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FEBRUARY 7, 2000

7. ORDER # 84-99/00 – changing the name of Taylor Lane to Elizabeth Taylor Lane.

There was no public discussion.

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

8. ORDER # 85-99/00 – approving rates for Spring Point Marina for the year 2000.

Ray Lee, Henry Street, addressed this item.

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

9. ORDER # 86-99/00 – accepting a Governor's Deed for the former U Haul property at Broadway and Waterman Drive.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Maietta for passage. Motion was made by Councilor Larsen and seconded by Councilor Dale to amend the order to stipulate that acceptance will take place after the receipt of the VRAP. Passage 7-0. Passage, as amended, 6-1 (Fickett).

10. ORDER #87-99/00 – authorizing payment of \$5,625 to Barnes Associates, Inc., of Portland ME, for job performance assessment screenings for Civil Service applicants.

Ray Lee, Henry Street, addressed this item:

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage. Motion was made by Mayor Bowring and seconded by Councilor Dale to amend the order by paying the \$5,625 and by adding direction to the City Manager to contact the Civil Service Commission and bring forward changes to the process, as needed. Passage 7-0. Passage, as amended, 7-0.

I. Citizens Discussion (Second Part)

Stanley Cox, 460 Highland Avenue, asked if the 911 System has a way for someone who can't speak to communicate with the dispatcher.

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FEBRUARY 7, 2000

Ray Lee, Henry Street, said he was asked to thank Councilors Dale and Maietta for how they have acted on the Council. He read an article about trust of officials and their appointees. He asked about the light at the intersection of Cottage and Broadway. He said he hopes that anything not absolutely necessary to the running of the City would be cut from the upcoming budget, because the school buildings need work. He said he is concerned that the City will spend too much in fixing up the old U Haul property.

J. Councilors' Round Robin

Councilor Maietta thanked Mr. Lee for his comments.

Councilor Larsen asked Mr. Jordan for a list of vendors for 1998/99 and 1999/2000.

Councilor Fickett said he is very interested in John McCain, and he could possibly vote for him for President.

Councilor Dale said that what Officer Barker is doing with Project Harmony is a good thing. He said he attended his first jetport noise meeting, and he will keep the Council informed. He said the group meets quarterly, and their goal by the end of the year is to identify noises that can be easily fixed. He asked how the budget process goes and when it starts.

K. Executive Session

Motion was made by Councilor Baxter and seconded by Councilor Larsen to go into executive session, pursuant to 1 M.R.S.A.405 (6)(e), to discuss pending litigation: City of South Portland v. Hallamore Corporation. Passage 7-0, 9:08 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Fickett to come out of executive session. Passage 5-0 (Dale, Maietta absent), 9:31 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to adjourn. Passage 5-0, 9:32 P.M.

A TRUE COPY.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 62
FEBRUARY 23, 2000

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 Baxter and seconded by Councilor Larsen to accept the minutes of the 2-7-00 meeting. Passage 7-0.

B. Communications from City Manager

Mr. Jordan cited items in the Council packets.

C. Petitions and Communications

Department Reports for the month of January.

Attendance Reports for the month of January.

D. Appointment Calendar

1. ORDER #88-99/00 – Civil Service Commission, District 2 (Maietta). Term to expire 03/01/05.

There was no public discussion.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to appoint Robert Williams to this position. Passage 7-0.

2. ORDER #89-99/00 – Ward Clerk Pro Tempore (District 2) for the 3/7/00 election only.

There was no public discussion.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to appoint John LaPointe to this position. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Stanley Cox, 460 Highland Avenue, addressed items 11 and 12.

Harvey Oest, representing the South Portland/Cape Elizabeth Chamber, said they will start attending Council meetings again.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 63
FEBRUARY 23, 2000

G. Public Hearings and Action

3. Bugaboo Creek Holdings, Inc., d/b/a Bugaboo Creek Steakhouse, 264 Gorham Road. FSE/Class A Restaurant with Liquor. New owner of existing business.

Barry Gerstein, representing Bugaboo Creek, addressed this item.

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

H. Action on Old and New Business

Mayor Bowring took Items 11 and 12 out of order.

11. ORDER #94-99/00 – removing the Corporation Counsel position from the current pay plan and setting the salary of the Corporation Counsel.

Motion was made by Mayor Bowring and seconded by Councilor Maietta to postpone this item to the May 22 workshop to allow the Human Resource Director to study the pay plan. Passage 7-0.

12. ORDER #95-99/00 – removing the City Clerk position from the current pay plan and setting the salary of the City Clerk.

Motion was made by Mayor Bowring and seconded by Councilor Dale to postpone this item to the May 22 workshop to allow the Human Resource Director to study the pay plan. Passage 7-0.

4. ORDER #80-99/00 – discontinuance of a portion of Thomas Street. Postponed on 02/07/00.

The following people addressed this item:

Ray Lee, 28 Henry Street
Janice Doctor, South Portland

Motion was made by Councilor Dale and seconded by Councilor Larsen for passage. Motion was made by Mayor Bowring and seconded by Councilor Dale to allow Councilor Maietta to abstain from the Hannaford items. Passage 6-0. Passage of order 6-0.

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FEBRUARY 23, 2000

5. ORDER #81-99/00 – authorizing the City Manager to execute a quitclaim deed to Hannaford Bros. Postponed on 02/07/00.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Mary Gamage, representing Hannaford Bros.

Motion was made by Councilor Dale and seconded by Councilor Baxter for passage. Motion was made by Councilor Dale and seconded by Councilor Larsen to amend the order by substituting the order given to the Council by Corporation Counsel. Passage 6-0. Passage, as amended, 6-0.

6. PROCLAMATION #1-99/00 – proclaiming Patricia Maynard as Police Officer of the Year for 1999.

The following people addressed this item:

Ed Googins, Police Chief
Patricia Maynard

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

7. ORDER #90-99/00 – accepting a \$4,200 grant from the Maine Criminal Justice Academy to be used by the Police Department.

The following people addressed this item:

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

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 65
FEBRUARY 23, 2000

8. ORDER #91-99/00 – accepting a Universal Hiring Grant from the U.S. Department of Justice to be used for Resource Officers at Mahoney and Memorial Middle Schools.

The following people addressed this item:

Ed Googins, Police Chief
Lori Bowring Michaud, Board of Education Member
Paul Knowle, Assistant Principal at Memorial Middle School
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Janice Doctor, Board of Education Member
Larry Albert, 98 Margaret Street

Motion was made by Councilor Johnson and seconded by Councilor Dale for passage. Motion was made by Mayor Bowring and seconded by Councilor Maietta to amend the order by allowing only one resource officer to be hired. Failed 2-5 (Dale, Larsen, Fickett, Johnson, Baxter). Passage 5-2 (Larsen, Fickett).

9. ORDER #92-99/00 – award of bid to CB International, of Bangor, ME, for the purchase of two school buses for the School Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Polly Ward, School Business Manager

Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage. Motion was made by Councilor Maietta and seconded by Councilor Johnson to amend the order to remove the trade-in price. Passage 7-0. Passage, as amended, 7-0.

10. ORDER #93-99/00 – award of bid to R. J. Grondin, of Gorham, ME, for the Broadway/Margaret/Mussey Separation Project.

The following people addressed this item:

Ray Lee, Henry Street
Ed Reidman, City Engineer
Clarence Beckwith, Bonnybriar Road
Larry Albert, 98 Margaret Street

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FEBRUARY 23, 2000

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

11. ORDINANCE #7-99/00 – amending Chapter 27, “Zoning,” Article V, Board of Appeals, regarding variance standards. Withdrawn on 9/20/99. First reading.

The following people addressed this item:

Larry Albert, 98 Margaret Street, Planning Board Member
Ed Rowe, 2 Deake Street

Motion was made by Councilor Dale and seconded by Councilor Maietta for passage of the first reading. Motion was made by Councilor Dale and seconded by Councilor Maietta to amend the ordinance by mirroring State language for “practical difficulty.” Passage 7-0. Passage of first reading, as amended, 7-0.

I. Citizens Discussion (Second Part)

Dennis Junkins, School Board Member, said that Councilor Baxter came to the Board of Education meeting last Monday evening and attacked his credibility. He asked Councilor Baxter to resign or not participate in future facility meetings. Mr. Junkins said he got his figures from David Webster, of Portland Design Team.

Larry Albert, 98 Margaret Street, said he thinks that Councilors should be professional in how they take stands on issues. He said he saw one elected official take on another elected official at the recent Board of Education meeting. He said that Dennis Junkins goes against the grain to support the children of the City. He said he would like to know why a Councilor missed his own meeting or was severely late when Councilors receive stipends. He said he doesn't think a City Councilor should publicly attack a School Board Member. He said he was hoping Mr. Baxter would comment on new education standards being proposed.

Ray Lee, Henry Street, said he saw the meeting Mr. Albert and Mr. Junkins referred to in their comments. He said he called the State Board of Education and couldn't get an answer to what constitutes a basic education. He questioned various statements Mr. Baxter made at the meeting.

Clarence Beckwith, Bonnybriar Road, said he saw the School Board meeting, and the Board doesn't think the people knew what they were doing when they voted against consolidating the elementary schools.

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FEBRUARY 23, 2000

J. Councilors' Round Robin

Councilor Baxter apologized to the Council. He said he has been stewing over four wasted years he has spent on the facilities committee. He said he wasn't too worried about the workshop because he had been over those issues before.

Mayor Bowring made a reference to the Manager's newsletter and commended Delcia Hutchinson for her recent work on a difficult situation. He also commended Patty Maynard on her Officer of the Year Award. He noted the new equipment in Council Chambers for the hearing impaired. He also mentioned that the New England Track meet will be held here in June. He thanked the Chamber for hosting the annual Chamber/City Council dinner.

Councilor Johnson said he is a member of the Waterfront Task Force, and they are looking at recreational boating in the Portland and South Portland waterfront area. He said there is an enormous opportunity for this area to be home to recreational boating. He thanked Tex Haeuser for doing a marvelous job. He congratulated the Riots' indoor track team.

Councilor Larsen corrected Mr. Albert on his statement that the Council unanimously sent out the vote on school consolidation.

Councilor Fickett said he also voted against sending out the school consolidation question. He said he was concerned with the enormous debt.

Councilor Dale also congratulated Coach Paul Brogan and his track team. He said he thought Councilor Baxter was at something important when he wasn't at the workshop last Monday and not blowing off the Council.

Councilor Maietta congratulated his nephew for his role in the track team win.

Motion was made by Councilor Dale and seconded by Councilor Larsen to adjourn. Passage 10:28 P.M.

A TRUE COPY.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 68
MARCH 6, 2000

Roll Call: Mayor Bowring called the meeting to order at 7:02 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 2-23-00 meeting. Passage 7-0.

B. Communications from City Manager

City Clerk Linda Cohen gave information regarding the Presidential Preference Primary Election tomorrow.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #96-99/00 – Housing Authority (Johnson). Term to expire 03/25/05.

Clarence Beckwith, Bonnybriar Road

Motion was made by Councilor Johnson and seconded by Councilor Maietta to appoint Frank Morong to this position. Passage 7-0.

2. ORDER #97-99/00 – Waterfront Advisory (Mayor). Term to expire 03/20/03.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 3/20/00. Passage 7-0.

3. ORDER #98-99/00 – Waterfront Advisory (Mayor). Term to expire 03/20/03.

Motion was made by Mayor Bowring and seconded by Councilor Dale to postpone this item to 3/20/00. Passage 7-0.

4. ORDER #99-99/00 – Board of Assessment Review, District 3 (Baxter). Term to expire 03/16/03.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 69
MARCH 6, 2000

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

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

5. ORDINANCE #7-99/00 – amending Chapter 27, “Zoning,” Article V, Board of Appeals, regarding variance standards. Withdrawn on 9/20/99. Passed first reading on 02/23/00.

There was no public discussion.

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

H. Action on Old and New Business

Motion was made by Councilor Dale and seconded by Councilor Baxter to take Item 10 out of order. Passage 7-0.

10. ORDER #104-99/00 – award of bid to Inacom of Maine, of South Portland, ME, for the purchase of eight computers for the Library.

The following people addressed this item:

Ray Lee, Henry Street
Bill Alexander, Library Director
Rob Coombs, Senior Accountant

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

6. ORDER #100-99/00 – authorizing the submission of an application to the Bureau of Highway Safety for an OUI Emphasis Grant to be used by the South Portland Police Department.

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 70
MARCH 6, 2000

7. ORDER #101-99/00 – establishing a policy regarding use of City Hall by outside organizations.

The following people addressed this item:

Tom Mackie, Fickett Street, Democratic City Committee Chair
Ray Lee, Henry Street, Republican City Committee Chair
Stanley Cox, 460 Highland Avenue
Geraldine Bissonnette, 15 Bellaire Road, by letter

Motion was made by Councilor Maietta and seconded by Councilor Baxter for passage. Motion was made by Councilor Maietta and seconded by Councilor Baxter to amend the order by cutting the fiscal note in half to \$597.50 to reflect the six-month period. Passage 7-0. Passage, as amended, 7-0.

8. ORDER #102-99/00 – authorizing a contribution to the Maine Meetings and Conventions Committee.

The following people addressed this item:

Patricia Douglass, Erin Hospitality Management Company
Tim O'Neil, 81 Adelbert Street, SP/CE Chamber President
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

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

9. ORDER #103-99/00 – award of bid to ARCADD, Inc., of West Newton, MA, for a Space Needs Analysis and Master Plan for the South Portland Municipal Center.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Bill Ciccarone, 37 Ocean Street, Waterfront Market Association President

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 71
MARCH 6, 2000

Jack Roberts, Welfare Director and Building Manager

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

I. Citizens Discussion (Second Part)

Stanley Cox, 460 Highland Avenue, addressed item 8. He said he doesn't understand why the State doesn't take charge of it, since it would benefit the entire state, not just this area.

Ray Lee, Henry Street, said he agrees with Mr. Cox. He asked how a convention center built in Skowhegan would benefit South Portland. He said he never stated that the old building at Bug Light Park only needed a roof. He stated that the library doors were locked during the last Council workshop. He asked who would get blamed if damage were done while an outside group is meeting in City Hall and a staff person was watching the building. He asked why all people who speak at the microphone don't have to give their address.

Clarence Beckwith, Bonnybriar Road, said he was shocked at the school department budget. He said he would be shocked if there is no increase in taxes. He asked the anticipated increase in property valuation for the next year. He said he's concerned about what is going to happen at RWS. He said that the City Council should clamp right down on increases.

J. Councilors' Round Robin

Mayor Bowring encouraged everyone to get out and vote tomorrow. He welcomed the Maine Police Chief's Association recently at the Sheraton.

Councilor Dale said he would not have supported the donation to the convention study if he thought it would end up outside the Greater Portland area. He said the only place that makes sense is the Greater Portland area.

Councilor Maietta noted that Mr. Lee was incorrect in thinking there would be another reading on the convention center.

Councilor Baxter reminded the Manager that it is important to use the City's own employees whenever possible.

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

A TRUE COPY.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 72
MARCH 20, 2000

Roll Call: Mayor Bowring called the meeting to order at 7:04 P.M. Councilor Johnson was absent.

Motion was made by Councilor Baxter and seconded by Councilor Maietta to waive Council Rules 3e and 4 to add items 17, 18 and the executive session to the agenda. Passage 6-0.

A. Acceptance of Minutes

Motion was made by Councilor Maietta and seconded by Councilor Larsen to accept the minutes of the 3/6/00 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read a letter in the Council packet, which was written to Marie Chenevert at the Library. Mr. Jordan presented the Council with the Executive Summary of the Proposed FY 2000/2001 Municipal Budget.

C. Petitions and Communications

Corporation Counsel Mary Kahl explained the Council's obligation regarding the Harbor Commission – State Branch Bar Pilot License Rule Change.

Department Reports for the month of February.

Attendance Reports for the month of February.

Planning Board Report Regarding Discontinuance of Charlotte Street.

D. Appointment Calendar

1. ORDER #97-99/00 – Waterfront Advisory Committee (Mayor). Postponed on 03/06/00. Term to expire 03/20/03.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 4/3/00. Passage 6-0.

2. ORDER #98-99/00 – Waterfront Advisory Committee (Mayor). Postponed on 03/06/00. Term to expire 03/20/03.

Motion was made by Mayor Bowring and seconded by Councilor Baxter to postpone this item to 4/3/00. Passage 6-0.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 73
MARCH 20, 2000

3. ORDER #105-99/00 – Planning Board, District 3 (Baxter). Term to expire 04/01/03.

There was no public discussion.

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

4. ORDER #106-99/00 – Planning Board, At Large (Fickett). Term to expire 04/01/03.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

Clarence Beckwith, Bonnybriar Road, said he hopes that everyone is at the School Board meeting. He said the Board completely disregarded what the public wants with the schools. He said some of the money in the proposed school budget could go into the schools and help the children.

Kathryn Latendresse, President of FVNCA, by letter voiced support for the Planning Director's request for another planner in the upcoming budget. She also gave her support to item #17.

G. Public Hearings and Action

5. Griffin Club Dugout Sports Grill, 60 – 62 Ocean Street, for a Special Amusement Permit. 3/20/00 – 1/18/01.

There was no public discussion.

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

H. Action on Old and New Business

6. ORDER #107-99/00 – accepting the State of Maine Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 74
MARCH 20, 2000

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

7. ORDER #108-99/00 – setting April 5, 2000 as the date for Public Hearing in City Council Chambers for the Proposed 2000/2001 Municipal Budget.

There was no public discussion.

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

8. ORDER #109-99/00 – accepting a donation from The Centennial Committee to the City Clerk Department.

There was no public discussion.

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

9. ORDER #110-99/00 – award of bid to T-Buck Construction, of Lewiston, ME, for the replacement of the existing grit screw conveyors at the Treatment Plant.

Jim Jones, Treatment Plant, addressed this item.

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

10. ORDER #111-99/00 – award of bid to Trask*Decrow, of South Portland, ME, for the purchase of a portable generator for the Treatment Plant.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
David Thomes, Sewer Division

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 75
MARCH 20, 2000

Motion was made by Councilor Larsen and seconded by Councilor Baxter for passage. Motion was made by Councilor Maietta and seconded by Councilor Baxter to amend the order to delete the trade in and change the fiscal note to \$18,206.29. Passage 6-0. Passage, as amended, 6-0.

11. ORDER #112-99/00 – accepting a grant from the New Century Community Grants 2000 Program to be used by the Library.

Bill Alexander, Library Director

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

12. ORDER #113-99/00 – authorizing the City Manager to execute an Assignment of Financing Documents for Ridgeland Senior Housing Associates to the Maine Department of Economic and Community Development.
There was no public discussion.

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

13. ORDER #114-99/00 – accepting a donation of four lots in the Waterfront Market Area from Richard J. McGoldrick.

Tex Haeuser, Planning Director, addressed this item.

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

14. ORDER #115-99/00 – accepting a Juvenile Accountability Incentive Block Grant from the Maine Department of Corrections to be used by the Police Department.

Ed Googins, Police Chief, addressed this item.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 76
MARCH 20, 2000

15. ORDER #116-99/00 – authorizing the acceptance of \$946.00 cash and a motor vehicle under the Asset Forfeiture Program.

There was no public discussion.

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

16. ORDER #117-99/00 – award of bid to Boise Cascade, of Portland, ME, for furnishings for the Public Safety Communications Facilities.

There was no public discussion.

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

17. ORDER #118-99/00 – authorizing notice to abutters regarding discontinuance of a portion of Charlotte Street.

The following people addressed this item:

Elizabeth Sawyer, 10 Charlotte Street
Clarence Beckwith, Bonnybriar Road
Yolande Fogg, 9 Charlotte Street

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

18. ORDER #119-99/00 – accepting a Community Gateways Program 2000 Grant from the Maine Department of Transportation to be used for improvements to Gateway Park (Waterman and Broadway).

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 77
MARCH 20, 2000

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Larsen said she is very upset with what the School Board is doing tonight. She said the Board can't take no for an answer, even though the voters said in November that they don't want to consolidate schools. She said she hopes people won't listen to the garbage being thrown at them.

Councilor Fickett said the people issued a mandate not to consolidate, and the School Board is not listening. He said the people voted unanimously not to close the schools. He said he will propose that the City Council spend the money to fix Kaler School and add an auditorium like Redbank has. He asked that this discussion take place at the next available workshop.

Councilor Maietta said he has the same concerns. He said he received a lot of calls about the fact that the School Board is holding this meeting while the Council meeting is going on. He said it is a slap in the face that the Board would do this. He said he hopes this isn't a ploy for more money from the City Council. He said the Board still doesn't have a committee of citizens. He said he would support Councilor Fickett's idea.

Councilor Baxter said that Councilors could attend the workshops held by the Board in the last six months. He said he noticed that three area communities are discussing pay-per-bag, and we are getting ready to discuss the same idea.

Mayor Bowring said there might not be a workshop on the 27th, because three Councilors will be away. He said he spoke at the 102nd meeting of the Daughters of the American Revolution. He said he agrees with Councilors Maietta and Fickett in some ways regarding the school issue. He said it's incumbent upon the Council to put some money into that school to fix it up. He said perhaps a meeting could be held with the Board of Education.

K. Executive Session

Motion was made by Councilor Larsen and seconded by Councilor Dale to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(a), for discussion of public employees' employment status – evaluation of the three City Council appointees and, pursuant to 1 M.R.S.A. §405 (6)(c), discussion of acquisition of real property – West End Fire Station and, pursuant to 1 M.R.S.A. §405 (6)(d), discussion of public employee labor negotiations – IAFF Local #1476.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to amend the motion to delete discussion about the West End Fire Station. Passage 6-0. Passage, as amended, 6-0, 8:31 P.M.

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MARCH 20, 2000

Motion was made by Councilor Larsen and seconded by Councilor Baxter to come out of executive session. Passage 6-0, 10:45 P.M.

Motion was made by Councilor Dale and seconded by Councilor Larsen to adjourn. Passage 6-0, 10:46 P.M.

A TRUE COPY.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 79
APRIL 3,2000

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 Maietta to accept the minutes of the 3-20-00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read a letter of resignation from Library Director William Alexander. He read several letters from residents complaining about the dogs on Willard Beach.

Mayor Bowring said a tour would be offered at Fairchild Semiconductor prior to the Council workshop on 4/24/00 at 5 P.M. He noted the budget public hearing will be held this Wednesday evening in Council Chambers, and workshops will start a week from the following Saturday to discuss individual department budgets. He noted that there would be some discussions with the School Board regarding school facilities in upcoming weeks.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #97-99/00 – Waterfront Advisory Committee (Mayor). Postponed since 03/06/00. Term to expire 03/20/03.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 4/19/00. Passage 7-0.

2. ORDER #98-99/00 – Waterfront Advisory Committee (Mayor). Postponed since 03/06/00. Term to expire 03/20/03.

Motion was made by Mayor Bowring and seconded by Councilor Larsen to postpone this item to 4/19/00. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

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APRIL 3,2000

H. Action on Old and New Business

3. PROCLAMATION #2-99/00 – recognizing the South Portland High School Jazz Ensemble.

Doreen Gay, President of the Music Boosters, addressed this item.

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

4. ORDER #120-99/00 – accepting the final design and location of the Liberty Ship Memorial.

The following people addressed this item:

Fred Thompson and Bob Blackwood, project organizers
Ray Lee, Henry Street

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

5. ORDER #121-99/00 – accepting a Local Law Enforcement Block Grant from the Department of Justice to be used by the Police Department.

The following people addressed this item:

Edward Googins, Police Chief
Ray Lee, Henry Street

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

6. ORDER #122-99/00 – authorizing the acceptance of \$1,375 cash under the Asset Forfeiture Program.

There was no public discussion.

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

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7. ORDER #123-99/00 – award of bid to Drummond, Woodsum and MacMahon, of Portland, ME, for labor negotiation consulting services for I.A.F.F. Local #1476.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road

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

8. ORDER #124-99/00 – waiving the bid process and authorizing the sale of city-owned property at 18 E Street.

Ray Lee, Henry Street, addressed this item.

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

9. ORDER #125-99/00 – award of bid to Turf Products, of Enfield, CT; Hall Implement, of Windham, ME, and Sawtelle Bros., of Lawrence, MA, for the purchase of turf equipment for the Parks Department.

The following people addressed this item:

John Switzer, Parks Superintendent
Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

Motion was made by Councilor Baxter and seconded by Councilor Johnson for passage.
Motion was made by Councilor Dale and seconded by Councilor Maietta to postpone this item to the next meeting. Passage 7-0.

10. ORDER #126-99/00 – authorizing the change in control for the City's cable television service from Time Warner Cable Inc. to AOL Time Warner Inc.

The following people addressed this item:

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Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street

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

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, addressed the proposed FY 00/01 budget. He said the number of people proposed to be hired by the School Department is staggering. He said that curbside recycling would increase fees. He said Westbrook is getting out of RWS, and he wishes South Portland could.

Ray Lee, Henry Street, said the public was told with the ball fields and the addition to the police station that no additional employees would be required. He said the section of Buglight Park that the Council approved this evening is exactly where the elderly sit. He said it's too bad that the meeting of the School Board had to be taped and shown instead of going out live on the school station.

Jerre Bryant, 51 Whitworth Drive, said he was here representing the Chamber this evening. He said the neighborhoods and people are the biggest asset of the community, but the business sector is also an important asset, and the City should know that the businesses are there to help the City in any way possible. He said there are a lot of very good things in South Portland, and he said he appreciates the time and efforts of City staff and boards.

Janice Doctor, High Street, said she is here because a lot of people don't watch the School Board meetings. She encouraged voters to elect people to the School Board in November who will work hard. She said it might be a good idea for the City to take over maintenance of the school buildings as well as the grounds. She said she doesn't like the expansion plans for the schools because it assumes the closure of several schools. She said one of the arguments for consolidation is fewer staff, but that isn't what is happening.

J. Councilor's Round Robin

Councilor Fickett said that the Council appropriated money for the high school roof years ago, and the roof leaked in the upcoming winter. He said the Council ended up spending more money to fix the roof, because the first funds were used for something else. He said Kaler is a perfectly good building.

Councilor Dale said curbside recycling and pay-per-bag are issues the Council should explore because there are big economic implications. He said he didn't put his trash out one Monday holiday this winter, but trash was picked up. He asked the Mayor to again explain to the public the upcoming meetings about school facilities.

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Councilor Maietta said he would like to get together with the School Board and tour the seven schools. He said he would like to bring a friend.

Councilor Baxter said he supports visiting the schools. He said he appreciates Councilor Dale's comments about recycling. He said there was a time frame involved with Mr. Wainwright's fields. He said the decision to add a million dollars to the school budget was made prior to the meeting. He said he thinks the six months given for a dog situation review are about up. He said he hopes the issue will come up on a workshop in the near future.

Mayor Bowring said it is time for the review of the dog situation. He announced the public hearing on the budget scheduled for this Wednesday evening again and encouraged people to get involved. He said he is interested in tours of the schools. He announced that there is a group trying to raise money for a play area at Dyer School, and they are looking for people to help.

Councilor Johnson said he has toured the schools and heartily recommends that.

Councilor Larsen announced Citizens for South Portland Schools, which is a newly formed group to facilitate discussions with the School Board and help elect supportive people to the School Board this fall. A meeting will take place tomorrow night at 7 P.M. at the Elm Street Church. She said she supports touring the schools.

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)(a), for discussion of public employee's employment status – evaluation of City Manager. Passage 7-0, 9:13 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Maietta to come out of executive session. Passage 7-0, 10:14 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Larsen to adjourn. Passage 7-0, 10:15 P.M.

A TRUE COPY.

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

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APRIL 19, 2000

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 4-3-00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He announced that a City Council budget workshop would take place after tonight's meeting. He announced that the South Portland Land Trust would hold a cleanup this Saturday at a variety of locations in the City. The Waterfront Market Association will hold a similar cleanup on May 20. A plaque was presented to retiring Library Director William Alexander whose last day of work will be April 28, ending a 27-year career with the City. Mr. Jordan showed a picture of the Head Start students in South Portland with a note that thanked the City for the new fence around the school.

C. Petitions and Communications

Department Reports for the month of March.

Attendance Reports for the month of March.

D. Appointment Calendar

1. ORDER #97-99/00 – Waterfront Advisory Committee (Mayor). Term to expire 03/20/03. Postponed since 03/06/00.

Motion was made by Councilor Dale and seconded by Councilor Larsen to commit this item to the next Council workshop. Passage 7-0.

2. ORDER #98-99/00 – Waterfront Advisory Committee (Mayor). Term to expire 03/20/03. Postponed since 03/06/00.

Motion was made by Councilor Bowring and seconded by Councilor Larsen to commit this item to the next Council workshop. Passage 7-0.

3. ORDER #128-99/00 – appointment of Democratic Election Clerks. Term to expire 05/01/02.

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APRIL 19, 2000

There was no public discussion.

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

4. ORDER #129-99/00 – appointment of Republican Election Clerks. Term to expire 05/01/02.

There was no public discussion.

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

5. ORDER #130-99/00 – appointment of Unenrolled Election Clerks. Term to expire 05/01/02.

There was no public discussion.

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

E. Consent Calendar

Street Closing

6. The Southern Maine Soap Box Derby Association requests the closing of Surfside Road and Benjamin W. Pickett Street on June 16, 2000 from 2:30 P.M. to 7:00 P.M. and on June 17, 2000 from 7:30 A.M. to 5:30 P.M.

There was no public discussion.

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

F. Citizen Discussion (First Part)

G. Public Hearings and Action

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APRIL 19, 2000

H. Action on Old and New Business

Councilor Dale abstained from discussion because his law firm represents one of the abutters.

7. ORDER #127-99/00 – discontinuance of a portion of Charlotte Street.

The following people addressed this item:

Robert Crawford, Attorney representing Yolande Fogg and the Sawyers
Sue Ellen Roberts, 25 Edgewood Road
Jim Haddow, representing Mr. Frustaci
Joe Frustaci, 8 Rosewood Drive, Cape Elizabeth
Dan Demeara, Home Builders and Remodelers Association of Maine
Gary Roberts, 25 Edgewood Road
Dave Pierson, Attorney representing Home Builders Association of Maine
Edward Kane, 54 Edgewood Road
Ray Lee, Henry Street
Jerry Bley, Creative Conservation, by letter
Tim Carr, 17 Edgewood Road, Land Trust member, by letter

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

8. ORDER #125-99/00 – award of bid to Turf Products, of Enfield, CT; Hall Implement, of Windham, ME, and Sawtelle Bros., of Lawrence, MA, for the purchase of turf equipment for the Parks Department. Postponed on 4/3/00.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, 28 Henry Street

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

9. ORDER#131-99/00 – accepting miscellaneous donations.

There was no public discussion.

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

10. ORDINANCE #10-99/00 – amending Chapter 7, “Electricity,” to incorporate the 1999 N.F.P.A. National Electrical Code. 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 postponement of the public hearing until 5-15-00. Passage 7-0.

11. ORDER #132-99/00 – adopting a policy regarding repairs to Call Company facilities.

Clarence Beckwith, Bonnybriar Road

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

12. ORDER #133-99/00 – authorizing the City Manager to execute a purchase and sale agreement with Louis Maietta, Sr. for property on outer Highland Avenue to provide access to Wainwright Farms Recreation Complex.

Councilor Maietta announced that he is the son of Louis Maietta, Sr., but will not benefit from this transaction, and given the amount involved, he did not see a reason to abstain.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Dana Anderson, Parks and Recreation Director
Ray Lee, Henry Street

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

13. ORDINANCE #11-99/00 – amending Chapter 18, “Parks and Recreation,” prohibiting the storage of boats and trailers at the Municipal Boat Ramp. First reading.

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The following people addressed this item:

Donald Legere, 149 Walnut Street
Dana Anderson, Parks and Recreation Director
Ray Lee, Henry Street

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

I. Citizens Discussion (Second Part)

Don Legere, 149 Walnut Street, said he is here this evening representing the South Portland - Cape Elizabeth Chamber. As a member of the recreation committee, he said he gave two years of his time, and he made it known from the beginning that everything would be made public. He said it was made very clear during the process that the bond was for obtaining the land only, and that there would be additional costs associated with developing and maintaining the fields. He said that just because people didn't take the time to read the report or come to the meetings to which they were invited, that's no excuse.

Clarence Beckwith, Bonnybriar Road, said he attends a lot of meetings and he never knew the bond issue didn't include the equipment. He said he's been watching the progress of the new community center, and it's getting very fancy. He said he attended many budget meetings over the years but stopped coming out of frustration from not being able to speak. He said he is frustrated by the School budget.

Ray Lee, Henry Street, said he also used to attend the budget workshops but stopped out of frustration. He said the plows hit the hot top curbing on Willard Street and the street looks like hell. He said he is disappointed with the boat ordinance. He complimented Councilor Maietta's wife Jane.

J. Councilor's Round Robin

Councilor Maietta said that going into business as a boat storage facility would be inappropriate for the City.

Mayor Bowring said he has received a lot of calls from Board and Committee members that the annual City dinner was one of the best ever. He noted that there are several more meetings coming up regarding the schools and the budget. There will also be a tour of the Fairchild facility before an upcoming workshop.

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Councilor Johnson announced that tomorrow night is the first night of Passover and he would like the Council to recognize it. He said it represents a people breaking away from slavery, and our civilization has roots in that history.

Councilor Larsen said she did a survey on outer Broadway between Cash Corner and Wescott Road. She said she would compile the information and give it to the Council and the State.

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 application(s) for abatement

of property taxes on account of infirmity or poverty; 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)(E), to consult with the Corporation Counsel regarding contemplated litigation against the City by Northern Utilities. Passage 7-0, 9:53 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Johnson to come out of executive session. Passage 6-0 (Maietta out), 11:36 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to grant Abatement #99/00-3 in the amount of \$412.68 plus interest and costs to date. Passage 6-0.

Motion was made by Councilor Dale and seconded by Councilor Johnson to adjourn. Passage 6-0, 11:37 P.M.

A TRUE COPY.

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

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MAY 1, 2000

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

A. Acceptance of Minutes

Motion was made by Councilor Baxter and seconded by Councilor Johnson to accept the minutes of the 4-19-00 meeting. Passage 6-0.

B. Communications from City Manager

City Manager Jeffrey Jordan noted that construction would begin on east Broadway on May 8th. He thanked the South Portland Land Trust for sponsoring clean up weeks and noted upcoming clean-ups of the area. He read a letter written by Corporation Counsel Mary Kahl to the American Journal regarding the City Council's policy on tax delinquent property owners. Mr. Jordan read a letter written to Planning Director Tex Haeuser from Barry Hobbins regarding a recent amended site plan application

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #134-99/00 – Ward Clerk District 2 to fill an unexpired term which expires 11/01.

There was no public discussion.

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

2. ORDER #135-99/00 – Ward Clerk District 5 to fill an unexpired term which expires 11/01.

There was no public discussion.

Motion was made by Councilor Johnson and seconded by Councilor Baxter to appoint Harold Cheney to this position. Passage 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Geraldine Bissonnette, Bellaire Road, said she couldn't believe the City Manager is asking for a tax break for Fairchild Semiconductor when the company is doing fine. She said she studied

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the proposed budget, and there is waste throughout. She said she has a problem with the amount of the salary of the Superintendent and Deputy Superintendent of Schools.

Roberta Kayatta, Pamela Drive, said she is really concerned about the future of the schools in this City. She said she's looking for someone to take the lead on a plan, and she was hoping it would be the Council. She said she sees a lot of turmoil and no one working together on this issue. She said the children are counting on the adults working together on this.

Ray Lee, Henry Street, said that it bothers him every year at this time that South Portland doesn't have a major trash pickup. He said money can be found for a lot of things but not for this. He said that Cubans have better education than American children do, and it has nothing to do with all kinds of fancy things or high paid teachers and administrators. He said the voters voted against a by-pass road on Highland Avenue, but the City is finding a way to do that now for the park.

Marcia and Gabriel Williamson, 39 Scamman Street, by letter, asked the Council not to rezone the South Portland Armory property for a doctors' complex.

G. Public Hearings and Action

3. ORDINANCE #11-99/00 – amending Chapter 18, “Parks and Recreation,” prohibiting the storage of boats and trailers at the Municipal Boat Ramp. Passed first reading on 04/19/00.

Clarence Beckwith, Bonnybriar Road, addressed this item.

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

H. Action on Old and New Business

4. ORDER #136-99/00 – award of bid to Allied Engineering, Inc., of Westbrook, ME, for Phase II, Design/Engineering services for the former compost facility.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Bill Faucher, Allied Engineering

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

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5. ORDER #137-99/00 – award of bid to Susan J. Szwed, P.A., of Portland, ME, for collection services for the Finance Department.

The following people addressed this item:

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

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

6. ORDER #138-99/00 – award of bid to Medtronic, of Redmond, WA, for the purchase of two (2) Lifepak 12 defibrillator monitors for the Fire Department.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
John True, Fire Chief
Ray Lee, Henry Street

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

7. ORDER #139-99/00 – award of bid to Seacoast Machines, of Scarborough, ME, for the purchase of two (2) digital copiers to be used by the City Clerk and Fire Departments.

John True, Fire Chief, addressed this item.

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

8. ORDER #140-99/00 – amending Order #69-99/00 to retain ownership of Rescue #1.

The following people addressed this item:

Edward Googins, Police Chief

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Boyce Sanborn, Deputy Police Chief
Ray Lee, Henry Street

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

9. ORDER #141-99/00 – setting fees for the Municipal Golf Course, effective 07/01/00.

The following people addressed this item:

Clarence Beckwith, Bonnybriar Road
Ray Lee, Henry Street
Jim Fahey, Police Department

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

10. ORDER #142-99/00 – accepting a gift of bleacher frames from Megquier & Jones, Inc., of South Portland, ME.

There was no public discussion.

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

11. ORDER #143-99/00 – giving notice that the City Council will hold a public hearing on a proposed Tax Increment Financing Program (TIF) for Fairchild Semiconductor.

The following people addressed this item:

Ray Lee, Henry Street

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

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MAY 1, 2000

I. Citizens Discussion (Second Part)

Chuck Wilson, Hannaford Brothers, said he is here representing the Chamber. He said Hannaford Brothers supports the TIF.

Clarence Beckwith, Bonnybriar Road, said he is sorry to see the way the School Department is going with the elementary schools. He asked if the Council would cut the School Department budget in order to set money aside for school repairs. He said he hopes it isn't done with a bond issue.

J. Councilor's Round Robin

Councilor Baxter said he has tried for several years to get big trash pick up back. He said he was told it was a little over \$300,000 to add it back in.

Mayor Bowring said he threw out the first ball on Saturday at the Little League's 50th Anniversary. He said the Earth Day effort has grown significantly. He said the Council toured the Fairchild facility. He noted a meeting would be held this Wednesday at 6 P.M. to wrap up the City side of the budget. Another meeting with the School Board will take place on the 10th. He announced that a playscape fundraiser in Mill Creek Park will be occurring on May 20th.

Councilor Johnson said that Wilkinson Park is a gem in the western part of the City. He said the neighborhood hopes new playground equipment would be put in by the City in the next year.

Councilor Larsen said the Citizens for South Portland Schools held an event this past weekend called Landscape Our Schools. On May 6th, the group will hold another Landscape our Schools event. She thanked School Superintendent Reginald MacDonald for working with this group in a cooperative effort.

Councilor Dale said he also misses heavy trash pickup and would like to see the City restore this service. He noted that the City is not talking about instituting a "pay-per-bag" program. He noted that there would be substantial savings in the public works budget with that program that would more than cover the cost of a heavy trash pick up.

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), for discussion with Legal Counsel of the legal rights and duties of the City Council. Passage 6-0, 9:21 P.M.

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

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 95
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Motion was made by Councilor Baxter and seconded by Councilor Larsen to adjourn. Passage 5-0, 10:11 P.M.

A TRUE COPY.

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

**IN COUNCIL REGULAR MEETING VOL. 61 PAGE 96
MAY 15, 2000**

ROLL CALL: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Larsen was absent and Councilor Dale arrived after the first Citizen Discussion.

A. Acceptance of Minutes

Motion was made by Councilor Johnson and seconded by Councilor Baxter to accept the minutes of the 5-1-00 meeting. Passage 5-0.

B. Communications from City Manager

City Manager Jeffrey Jordan congratulated the Bus Service for its participation in the bus rodeo. He announced that trash scheduled for pickup on the 29th will be picked up on the 30th.

C. Petitions and Communications

Department Reports for the month of April.

Attendance Reports for the month of April.

D. Appointment Calendar

1. ORDER #144-99/00 – Ward Clerk Pro Tempore, District 1, for the 6/13/00 Election only.

There was no public discussion.

Motion was made by Councilor Johnson and seconded by Councilor Baxter to appoint Nancy Lombardelli to this position. Passage 5-0.

E. Consent Calendar

Street Closing

2. The Waterfront Market Association and the Knightville Neighborhood are requesting the closing of E Street from the roundabout to the dead end on Monday, May 29, 2000, from 11:00 A.M. to 3:00 P.M.

Max Brown, E Street, Waterfront Market Association

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

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, said he is concerned about the duck out in back of City Hall.

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Jim Dyer, Old Orchard Beach, said the South Portland Kiwanis Club chartered in 1928 is now defunct. He said they sent seed money to the National Kiwanis Foundation for anyone who may wish to start a club in South Portland again. He presented a pediatric trauma seat and a check in the amount of \$200 for the Fire Department to be used for youth activity and a check for \$500 for the Police Department to be used in youth programs. Lt. Amy Berry accepted for the Police Department.

Suzanne Anderson, 187 Harriet Street, said the Parks Department is cutting down some old trees on her street, and the neighbors are protesting that activity.

Max Brown, Waterfront Market Association, noted that there would be a cleanup of the area this Saturday from 9 A.M. to Noon. When the cleanup is done, there will be a cookout in Legere Park. He gave Councilors and staff a cleanup T-shirt. He said the Association welcomes the Beale Street Barbecue on Waterman Drive.

Barbara Driscoll, 192 Harriet Street, asked if the Council is aware of the tree cutting on that street.

Stephanie Bourassa, 62 Sawyer Street, said she heard that the City was going to a pay-per-bag trash collection system, and she is concerned about more trash lying around if that happens. She asked how that would affect the RWS contract. She said she would like to see an elementary program put in place to help with recycling. She said that paying a tax on the bags and paying for the bags is like a double tax on the citizens.

G. Public Hearings and Action

3. ORDINANCE #10-99/00 – amending Chapter 7, “Electricity,” to incorporate the 1999 N.F.P.A. National Electrical Code. Passed first reading on 04/19/00.

Motion was made by Councilor Maietta and seconded by Councilor Johnson to postpone this item to 6-5-00. Passage 6-0.

4. ORDER # 145-99/00 – amending the existing Fairchild Semiconductor Tax Increment Financing (TIF) District and the associated Development Program

Ray Lee, Henry Street, addressed this item.

Motion was made by Councilor Dale and seconded by Councilor Baxter for passage. Motion was made by Councilor Dale and seconded by Councilor Baxter to amend the agreement on page 3 in line 2 to clarify that the \$10,000,000 yearly investment would be capitalized taxable assets. Passage 6-0.

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Motion was made by Councilor Dale and seconded by Councilor Baxter to amend the order in Paragraph 4 to change "City Manager deems" to "City Council deems." Passage 6-0. Passage, as amended, 6-0.

H. Action on Old and New Business

5. PROCLAMATION #3-99/00 - proclaiming May 19, 2000 as Arbor Day within the City of South Portland.

There was no public discussion.

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

6. PROCLAMATION #4-99/00 – designating June 3, 2000 as National Trails Day.

There was no public discussion.

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

7. ORDER #146-99/00 - accepting miscellaneous donations.

There was no public discussion.

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

8. ORDER #147-99/00 - setting the time for opening the polls for the 6/13/00 State Primary Election.

There was no public discussion.

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

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9. ORDER #148-99/00 – award of bid to Pike Industries, of Portland, ME, for paving services for the Public Works Department.

The following people addressed this item:

Steve Johnson, Public Works Director
Doug Howard, Public Works

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

10. ORDER #149-99/00 – award of bid to Wright-Pierce Engineers, of Topsham, ME, for engineering services for the Pearl Street Pump Station.

Patrick Cloutier, Pollution Abatement Director, addressed this item.

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

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Councilor Baxter said he has been taken to task by several people for trying to control the budget on the school side. He asked the City Manager to announce the end of the big brush pickup.

Mayor Bowring thanked Max Brown for the T-shirts and recognized the South Portland Kiwanis for the donations. He announced that the School Board will hold a workshop this Wednesday to discuss the budget.

Councilor Johnson said he probably misspoke when he asked if the paved roads would be smooth enough to roller skate on. He asked if the Recreation Director could take some of the blacktop and make a place for skaters.

Councilor Dale announced that people on both sides of the dog issue will try to work things out and come back to the Council. He said he is chagrined that Charlie Colgan's presentation at the last Council/School Board meeting was not video taped.

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K. Executive Session

Motion was made by Councilor Maietta 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 6-0, 9:10 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Dale to come out of executive session. Passage 6-0, 9:50 P.M.

Motion was made by Councilor Maietta and seconded by Councilor Baxter to postpone Abatement #04-99/00 to June 5, 2000. Passage 6-0.

Motion was made by Councilor Baxter and seconded by Councilor Maietta to adjourn. Passage 6-0, 9:51 P.M.

A TRUE COPY.

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

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Roll Call: Mayor Bowring called the meeting to order at 7:10 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 5-15-00 meeting. Passage 7-0.

B. Communications from City Manager

City Manager Jeffrey Jordan read a letter from John Lee, Director of the South Portland Boys and Girls Club that Officer Kevin Battle has been selected as Volunteer of the Year. He presented a plaque to Mayor Bowring from the Navy Seals.

City Clerk Linda Cohen announced details of the June Primary election next Tuesday.

C. Petitions and Communications

1. Planning Board report regarding donation of city owned property on Robert Mills Road to Habitat for Humanity.

D. Appointment Calendar

2. ORDER #150 – 99/00 – Ward Clerk Pro-Tempore, District 3, for the 06/13/00 election only.

There was no public discussion.

Motion was made by Councilor Baxter and seconded by Councilor Maietta to appoint Doreen Gay to this position. Passage 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Geraldine Bissonnette, Bellaire Road, asked about the surplus account the City has and what it earns for interest. She said she thinks there should be an audit of the City and School budgets. She suggested the City go back to the old way of collecting real estate taxes instead of the current quarterly billing. She said she has a problem with the Fairchild TIF.

Herb Haase, Winding Way, asked what the current surplus amount is. He said he questions no one's integrity on the Council. He said the Manager has never hidden the account. He said that Councilor Larsen deserves credit for bringing this account to the Councilors' attention. He said it is now a matter of public trust. He said that any Councilor past or present who knew about this fund and kept quiet about it made a conscious decision and did a disservice to

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the people who elected them. He suggested an audit of that account for the years it has been accruing. He suggested a note go on the tax bills regarding the amount in that account.

Clarence Beckwith, Bonnybriar Road, asked about the surplus account. He questioned how this account is being used to eliminate the need to borrow tax anticipation money when that's supposedly why the City went to a quarterly bill.

Ray Lee, Henry Street, said the tax cap never affected anything because it was only in effect for a year. He said the City should have a \$2.00 reduction a year for five years to get the tax rate down by \$10. He asked how the taxes will be lowered when times get bad. He congratulated Councilor Larsen and Stan Cox for ferreting out the money. He asked how many employees were laid off several years ago. He said the City doesn't need this kind of money in a slush fund.

Michelle Simonds, Highland Avenue, said she is also a School Board Member. She requested that some of the money in this account be allocated back to the School Department budget to eliminate the cuts the Board was forced to make. She gave numerous examples of where the money is needed.

Christin Rioux, 56 Sprague Street, said she would like her taxes to go up so the schools can be fixed. She said the City is a poor landlord. She said it is irresponsible of the Council to cut one million dollars from the School budget.

Christopher Muse, 35 Mildred Street, said he was shocked to learn about the surplus like everyone else, and even though Councilors never noticed the money was there, it is there. He said it's wrong for the Council to deal with this new information in only a half-hour. He suggested that the budget vote be postponed tonight if that money was never considered in the discussions. He said he doesn't want last year's taxes back, and he would love to see taxes kept at the same rate for the next year, but not at the expense of the schools.

Lori Bowring Michaud, 10 Hudson Road, said she is a member of the School Board, and she asked the Council to postpone its vote on the budget this evening. She noted that 80% of the School Department's budget is personnel, because educating children is a people intensive business. She said she's willing to have her taxes go up to support children.

John LaPointe, Ocean View Avenue, said he and his wife moved to South Portland for the great schools. He said one of his daughters is diabetic, and nurses have been cut from the budget. He said he voted against the consolidation, and understands that a lot of these issues wouldn't be happening if consolidation had happened. He said there needs to be more teachers, and they need a contract. He said he believes in a rainy day surplus, but some of this money could go toward the schools.

Kathy DiPhillipo, 646 Highland Avenue, said she hopes the Council will postpone its vote on the budget tonight. She said she voted against consolidation and was in favor of spending

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more money to keep the schools. She said that maybe the most important information could be provided in four pages to the public especially a balance sheet. She said Michelle Simonds has done a wonderful job and hopes she runs again.

Glen Echo, 89 Simmons Road, thanked the Councilors for the time they give to the City. He said he was concerned about the possible cuts at Hamlin School proposed for next year. He asked that \$33,500 be put back in the budget for the position that was cut there. He said it would be great if some of the surplus can be used.

Steve Onos, 114 Jordan Avenue, said that, in light of the new information, the budget vote should be postponed.

Debbie Gillies, 125 Elderberry Drive, said that something needs to be done for the children. She said more and more kids are being brought into Dyer, and they are in portables. She asked the Council to postpone the decision tonight on the budget.

Liz Flaherty, 44 Berwick Street, said South Portland has always been a good school system. She said she is really worried about the system now. She said the teachers need to be taken care of or they will leave.

Bud Ellis, 111 Mt. Vernon Street, said he doesn't have a lot to add that hasn't been said already, but he agrees that this budget doesn't add much to the school system. He said he's looking at the new money being discussed as a Godsend. He urged the Council to take a step back.

Ralph Baxter, Jr., 50 Higgins Lane, noted that the auditorium was not over-budget; it had a surplus, and the Board is discussing how to use it. He enumerated some of the proposed budget cuts. He said he feels held hostage and too much money is being asked to be cut from the schools. He said he wants to know where the Council comes up with its numbers. He asked the Council to postpone its vote this evening.

David Abramson, 14 Sylvan Road, said he is very aware of the budget process from his three years on the Board. He said there are a lot of mandates on the School Department over which there is no control. He said the proposed staff cuts go to the heart of what they do for the kids in the City. The message being sent is that the City is not committed to education. He urged the Council to postpone its vote on the budget this evening.

Kevin Glynn, 109 Huntress Avenue, said he is the State Representative for District 27. He asked the Council to postpone the vote on the budget this evening. He said the discussion about where the money goes is a very public process, and this money being discussed makes it unfair to vote on the budget tonight. He talked about the things the Legislature did in light of the fact that the State had a surplus this year.

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Beth Horsman, 40 Chapel Street, said she would expect an accounting next year of where the money goes if it is used.

G. Public Hearings and Action

3. Sea Dog Brewing Company, 231 Front Street, for an application for an FSE/Class A Lounge with Liquor License and a Special Amusement Permit without Dancing. New owner of an existing business.

There was no public discussion.

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

4. ORDINANCE #10-99/00 – amending Chapter 7, “Electricity,” to incorporate the 1999 N.F.P.A. National Electrical Code. Passed first reading on 04/19/00. Postponed on 5/15/00.

There was no public discussion.

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

H. Action on Old and New Business

Motion was made by Councilor Dale and seconded by Councilor Larsen to take Items 14 and 15 out of order. Passage 7-0.

5. ORDER #159-99/00 – accepting a van from the “Dare Van Rescue Squad” for the Police Department.

The following people addressed this item:

Jane Eberle, Pilgrim Road
Linda Barker, DARE Officer

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

6. ORDER #160-99/00 – accepting miscellaneous donations.

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There was no public discussion.

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

7. RESOLVE #3-99/00 – Appropriation Resolve for the 2000/01 fiscal year.

The following people addressed this item:

Liz Herron, 10 Crossmeadow Road
Clarence Beckwith, Bonnybriar Road
Kira Salvatore, 133 McKinley Street
Bob Simonds, 775 Highland Avenue
Mary Kahl, 48 Sprague Street
Christopher Muse, 35 Mildred Street
Rick Lee, 161 Westbrook Street
Ray Lee, Henry Street
Glen Echo, 89 Simmons Road
Ed Huggins, 130 S. Kelsey Street
Delcia Hutchinson, 77 Snowberry Drive

Motion was made by Councilor Larsen and seconded by Councilor Fickett to postpone to 6-19-00. Passage 7-0.

8. ORDER #151-99/00 – setting the sewer user fees for fiscal year 2000/01.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item to 6-19-00. Passage 6-0 (Larsen out).

9. ORDER #152-99/00 – award of bid to R.J. Grondin, of Gorham, ME, for the construction of a detention pond at South Portland High School.

The following people addressed this item:

Patrick Cloutier, Pollution Abatement Director
Steve Johnson, Public Works Director
Herb Haase, Planning Board Chairman
Tex Haeuser, Planning Director

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Motion was made by Councilor Johnson and seconded by Councilor Baxter for passage.
Motion was made by Councilor Johnson and seconded by Councilor Baxter to amend to allow discussion of a different kind of fence. Motion to amend was withdrawn. Passage 7-0.

10. ORDER #153-99/00 – accepting a license agreement from the Fairways Owners Association for a sanitary sewer line at the Municipal Golf Course.

There was no public discussion.

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

11. ORDER #154-99/00 – donating a parcel of city owned property on Robert Mills Road to Habitat for Humanity and waiving the public bid requirement, Sec. 2-171.

Dave Snyder, Habitat for Humanity, addressed this item.

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

12. ORDER #155-99/00 – authorizing the Finance Director to release City interest in any real estate in the City of South Portland by quitclaim deed.

Motion was made by Councilor Dale and seconded by Councilor Larsen to postpone this item to 6-19-00. Passage 7-0.

13. ORDER #156-99/00 – award of bid to Hi-Way Safety Systems, Inc., of Hanover, MA, for street line stripe painting for the Public Works Department.

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

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

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14. ORDER #157-99/00 – award of bid to L.P. Murray and Sons, Inc., of Cape Elizabeth, ME, for erosion repairs at the South Portland Landfill.

There was no public discussion.

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

15. ORDER #158-99/00 – award of bid to Grace Quality Used Cars, of Morrisville, PA; A & Silver Auto Sales, of Mattapan, MA and Tri State Auto Brokers, of Seabrook, NH for the sale of four police cruisers.

Buzz Sanborn, Deputy Police Chief, addressed this item.

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

Motion was made by Councilor Larsen and seconded by Councilor Dale to waive Council Rule #4 to add a vote on a hardship abatement to the agenda. Passage 7-0.

Motion was made by Councilor Dale and seconded by Councilor Baxter to deny Abatement Request #99/00-04. Passage 5-2 (Larsen, Fickett).

I. Citizens Discussion (Second Part)

J. Councilor's Round Robin

Mayor Bowring said he did the commencement address for PATHS. He said that a meeting was held with the dog owners group, and some ideas will be coming forward. He said he thought the new route for the parade was good. He said he would like to see the Parade made larger.

Councilor Johnson said there is no fence around Clark's Pond.

Councilor Dale said he was at the parade and it is being rerun on cable television. He also wants to see a larger parade.

Councilor Maietta congratulated the track team.

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Motion was made by Councilor Larsen and seconded by Councilor Dale to adjourn. Passage 7-0, 10:58 P.M.

A TRUE COPY.

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

IN COUNCIL REGULAR MEETING VOL. 61 PAGE 109
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Roll Call: Mayor Bowring called the meeting to order at 7:00 P.M. Councilor Dale arrived after the minutes were accepted.

A. Acceptance of Minutes

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

State Senator Jane Amero presented City Clerk Linda Cohen with a Legislative Sentiment recognizing her recent educational accomplishments and awards.

B. Communications from City Manager

City Manager Jeffrey Jordan cited items in the Council packet. He then presented information about the recent budget discussions and the City Council's direction.

C. Petitions and Communications

Department Reports for the month of May.

Attendance Reports for the month of May.

D. Appointment Calendar

E. Consent Calendar

F. Citizen Discussion (First Part)

Ray Lee, Henry Street, said he doesn't agree with the laptop computers for the City Council. He said it's an expensive toy, and it doesn't show responsibility on the part of the Council when the City can't afford a major trash pick-up. He said he couldn't understand giving more money to the School Department since everyone coming down lately has said the schools are great. He said he also resents department heads putting in clothing allowance requests for office workers for boots, coats and other things.

Melissa Lundgren, Bonnybank Terrace, commended the Council for an excellent job.

G. Public Hearings and Action

H. Action on Old and New Business

1. ORDER #161-99/00 – accepting a \$10,000 donation from the Maine Ladies' Auxiliary of the Fraternal Order of Eagles to the Fire Department.

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The following people addressed this item:

John True, Fire Chief
Marilyn Boynton, Ladies' Auxiliary

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

2. RESOLVE #3-99/00 – Appropriation Resolve for the 2000/01 fiscal year. Postponed on 6/5/00.

The following people addressed this item:

Lori Bowring Michaud, 10 Hudson Road, Board of Education Member
Ray Lee, Henry Street
Janice Doctor, 199 High Street, Board of Education Member
Steve Onos, 114 Jordan Avenue
Dave Thomes, Gleckler Road, Sewer Maintenance Division Director
Rick Wakely, 77 Deake Street
Susan King, 165 Margaret Street
Glen Ekholm, Simmons Road
Stanley Cox, 460 Highland Avenue
Melissa Lundgren, Bonnybank Terrace
Reginald MacDonald, Superintendent of Schools

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

Motion was made by Councilor Dale and seconded by Councilor Larsen to amend the resolve by implementing the changes in the City Manager's position paper, thereby changing the appropriation resolve as follows:

In the first paragraph: \$66,519,716 becomes \$66,678,716

In the second paragraph: \$37,392,329 becomes \$37,604,384

In the fifth paragraph: \$7,171,777 becomes \$7,196,777

In the sixth paragraph: "and will appropriate, from undesignated fund balance, \$119,000 for additional school capital reserves" is added as the last sentence.

In the seventh paragraph: \$30,532,536 becomes \$30,676,536

Passage of amendment 7-0.

Motion was made by Councilor Maietta and seconded by Councilor Dale to amend the resolve by removing \$58,000 from the Human Resource budget and placing it in the Executive

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Department budget to create the position of Assistant City Manager. Failed 3-3 (Baxter, Larsen, Fickett opposed, Johnson out of the room).

Motion was made by Councilor Larsen and seconded by Councilor Baxter to amend the resolve by transferring a total of \$66,042 from various accounts to the Executive Department to create an Assistant City Manager position. Passage 4-3 (Bowring, Dale, Maietta).

Passage, as amended, 4-3(Larsen, Fickett, Maietta).

Motion was made by Councilor Dale and seconded by Councilor Maietta to waive reading Order #151. Passage 7-0.

3. ORDER #151-99/00 – setting the sewer user fees for fiscal year 2000/01. Postponed on 6/5/00.

There was no public discussion.

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

4. ORDER #155-99/00 – authorizing the Finance Director to release City interest in any real estate in the City of South Portland by quitclaim deed. Postponed on 6/5/00.

There was no public discussion.

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

5. ORDER #162-99/00 – award of bid to Maine Municipal Association Property and Casualty of Augusta, ME, for property/casualty insurance coverage.

The following people addressed this item:

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

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

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6. ORDER #163-99/00 – authorizing the City Manager to submit a Seat Belt Enforcement Initiative Grant application to the Maine Bureau of Highway Safety.

The following people addressed this item:

Ray Lee, Henry Street
Clarence Beckwith, Bonnybriar Road
Glen Eckholm, 89 Simmons Road

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

7. ORDER #164-99/00 – authorizing a three-percent cost of living adjustment for non-union employees.

The following people addressed this item:

Ray Lee, Henry Street
Glen Eckholm, 89 Simmons Road

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

8. ORDER #165-99/00 – postponing the July 3, 2000 City Council meeting to July 5, 2000.

There was no public discussion.

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

I. Citizens Discussion (Second Part)

Clarence Beckwith, Bonnybriar Road, said he came down to address Councilor Johnson's remarks about the budget. He said that some people have to watch every cent. He said he hopes the Council will listen to people who don't have a lot of money.

Glen Eckholm, 89 Simmons Road, said he appreciates Councilor Johnson's comments. He said this is a good Council. He said there are a lot of people like him who cannot get to the meetings but who are watching at home. He said he suspects that three teaching positions will

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be eliminated. He said it bothers him how quickly the money was found for an Assistant Manager at the expense of two other positions. He said he supports a surplus fund.

J. Councilor's Round Robin

Councilor Fickett talked about the money standard and inflation.

Councilor Dale said he attended graduation last weekend and congratulated the graduates. He stumbled upon the Soap Box Derby this weekend. He said it was a fun event.

Councilor Maietta congratulated the City Clerk on her award. He said he doesn't want the Council to be "snookered" in the next year when an attorney is hired to help the Manager and Assistant City Manager with labor issues. He said he wasn't happy with the way the budget turned out.

Councilor Baxter congratulated the City Clerk on her award. He said it was historical in that it was a unanimous vote of the Legislature.

Mayor Bowring congratulated the City Clerk.

Motion was made by Councilor Maietta and seconded by Councilor Dale to adjourn. Passage 10:50 P.M.

A TRUE COPY.

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

**IN COUNCIL SPECIAL MEETING VOL. 61 PAGE 114
JUNE 26, 2000**

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

H. Action on Old and New Business

1. ORDER #166-99/00 – designating municipal leases as qualified tax exempt obligations pursuant to Section 265(b) of the Internal Revenue Code.

Rob Coombs, Purchasing Agent, addressed this item:

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

K. Executive Session

Motion was made by Councilor Baxter and seconded by Councilor Maietta to go into Executive Session, pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty. Passage 6-0, 7:12 P.M.

Motion was made by Councilor Baxter and seconded by Councilor Larsen to come out of executive session. Passage 6-0, 7:29 P.M.

Motion was made by Councilor Larsen and seconded by Councilor Baxter to grant Abatement #05-99/00 in the amount of \$818.32 plus interest and costs. Passage 6-0.

Motion was made by Councilor Larsen and seconded by Councilor Johnson to deny Abatement #06-99/00 in the amount of \$273.40. Passage 5-1 (Fickett).

Motion was made by Councilor Larsen and seconded by Councilor Baxter to adjourn. Passage 6-0, 7:30 P.M.

A TRUE COPY.

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