

**TOWN COUNCIL MEETING #14-2001
AUGUST 21, 2001 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

ITEM #139-01 To consider action relative to approving the August 21, 2001 Consent Agenda.

ITEM #140-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$1,500,000 to provide partial funding for a Freeport Community Center. (Public Hearing).

ITEM #141-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide School Administrative Office Space.

ITEM #142-01 Tabled August 7, 2001.

To consider action relative to a proposed amendment to the Zoning Map (170 Main Street, Map 13, Lot 10) re-zoning from Village I to Village Commercial II.

Adjourn.

Bew

AGENDA
FREEPORT TOWN COUNCIL MEETING #14-2001
TOWN HALL COUNCIL CHAMBERS
AUGUST 21, 2001 – 7:00 P.M.

SPECIAL NOTE: This agenda is a working agenda that includes background information and is for distribution to Council members only.

FROM: Dale C. Olmstead, Jr.

TO: John Arsenault, Chairperson, Prout Road
Robert Stevens, Vice Chairperson, Porters Landing
David Soley, Arnold Road
Genie Beaulieu, Larue Drive
Kenneth Mann, Mann Road
Eileen Lowell, South Freeport Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #13-2001, August 7, 2001 Meeting and accept the Minutes as printed.

SECOND ORDER OF BUSINESS: Public Comment Period – 30 Minutes
(Non-Agenda Items Only)

THIRD ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

COUNCIL MEETING #14-2001
AUGUST 21, 2001

ITEM #139-01 To consider action relative to approving the August 21, 2001 Consent Agenda.

BE IT ORDERED: That the August 21, 2001 Consent Agenda be approved.

ITEM #140-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$1,500,000 to provide partial funding for a Freeport Community Center. (Public Hearing).

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the Town Clerk be instructed to place on the November 6, 2001 Ballot for the following Bond Issue:

REFERENDUM QUESTION

ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS FOR THE CONSTRUCTION OF A COMMUNITY CENTER

SHALL THE FOLLOWING ORDINANCE BE ENACTED: Ordinance authorizing the issuance of bonds for the Construction of a Community Center. THE TOWN OF FREEPORT HEREBY ORDAINS: That a sum not to exceed \$1,500,000 is hereby appropriated for the Construction of a Community Center. To meet said appropriation, the Chairperson of the Town Council and the Town Treasurer are authorized to issue general obligations securities of the Town of Freeport in a total principal amount not to exceed \$1,500,000 and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to provide for the sale thereof, is delegated to the Chairperson of the Town Council and the Town Treasurer.

EXPLANATION AND RECOMMENDATION

The Freeport Community Center will provide a central location for people of all ages to access social services, resource information, educational, vocational and cultural opportunities. The proposed Community Center will also provide for essential Town services such as general assistance, Cable TV and public meetings.

The total cost of the proposed center is approximately \$3,500,000, which includes \$81,000 for the renovation of the existing Town Hall. Funding for the Center will include revenues from the bond, plus approximately \$2 million from private fundraising and grants. The Town will own a proportional interest in the Community Center. The Center will also save the Town more than \$500,000 by avoiding the need to build an addition to the Town Hall in the foreseeable future.

COUNCIL MEETING #14-2001
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Freeport Community Services, Freeport Child Care Services, Freeport Elders Association, Freeport Community Education, the Freeport Community Players, the Teens and the Town government will all work together in the Community Center to assure accessible, broad-based services for all Freeport residents.

The Freeport Town Council supports this Bond Issue.

ITEM #141-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide School Administrative Office Space.

BE IT ORDERED: That a Public Hearing be scheduled for September 4, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed referendum question in the amount of \$250,000 to provide for School Administrative Office Space.

ITEM #128-01 Tabled August 7, 2001.

To consider action relative to a proposed amendment to the Zoning Map (170 Main Street, Map 13, Lot 10) re-zoning from Village I to Village Commercial II.

MOTION: That since the applicant for the Zone Change has withdrawn the request, Item #128-01 be tabled indefinitely.

Adjourn.

**TOWN COUNCIL
CONSENT AGENDA
AUGUST 21, 2001**

ITEM #134-2001 To consider action relative to approving awards from the Dr. Gould Trust Fund.

BE IT ORDERED: That 15 individuals receive awards totaling \$1,857.64 from the Dr. Gould Trust Fund to provide for medical expenses.

ITEM #135-2001 To consider action relative to approving an award from the Davis Trust Fund.

BE IT ORDERED: That one individual receive an award from the Davis Trust Fund in the amount of \$331.74 to provide for medical expenses.

ITEM #136-2001 To consider action relative to the approval of victualer licenses for Vincent Migliaccio, William James, Leona Smith, Robin Wade and Jane Grant.

BE IT ORDERED: That the applications issued to the following applicants be approved:

Vincent Migliaccio d/b/a Old World Gourmet, 117 U.S. Route 1
William James d/b/a The James Place Inn, 11 Holbrook Street
Leona Smith d/b/a Falcon Restaurant, 8 Bow Street
Robin Wade d/b/a Corsican Restaurant, 9 Mechanic Street
Jane Grant d/b/a Nicholson Inn, 25 Main Street

ITEM #137-2001 To consider action relative to casting Freeport's vote for Maine Municipal Associations Officers for 2002.

BE IT ORDERED: That the Town of Freeport cast its ballot for the proposed slate of officers for 2002 as recommended by the Maine Municipal Association Nominating Committee.

ITEM #138-2001 To consider action relative to the approval of a request for use of parking lots for Maine Winterfest 2002.

BE IT ORDERED: That the request to use parking lots for Maine Winterfest 2002 be approved.

End of Consent Agenda

MINUTES
FREEPORT TOWN COUNCIL MEETING #14-2001
TOWN HALL COUNCIL CHAMBERS
August 21, 2001 – 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
John Arsenault, Chairperson Prout Road	X		
Robert Stevens, Vice Chairperson Porters Landing	X		
Genie Beaulieu, Larue Drive			X
David Soley Arnold Road	X		
Kenneth Mann Mann Road	X (late)		
Eileen Lowell South Freeport Road	X		

Chair Arsenault called the meeting to order at 7 p.m. He advised that Councilor Beaulieu is excused and Councilor Mann will be arriving shortly.

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #13-2001 HELD ON AUGUST 7, 2001 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #13-2001 HELD ON AUGUST 7, 2001 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Soley & Stevens) (4 Ayes) (2 Excused—Beaulieu & Mann had not yet arrived).

SECOND ORDER OF BUSINESS: Public Comment Period – 30 Minutes (Non-Agenda Items Only). Chair Arsenault asked members of the public to limit their comments to three minutes.

There were no public comments made.

MOVED AND SECONDED: To close the Public Comment Period (Councilors Soley & Stevens) (4Ayes) (2 Excused—Beaulieu & Mann had not yet arrived).

Chair Arsenault read a letter addressed to Chief Fournier from the Androscoggin County Sheriff's Department thanking him for assistance when a 12 year old drowned in the Androscoggin River on July 7, 2001. He asked the Secretary to make this letter part of the record.

Councilor Mann apologized for being late. He asked if the Minutes had been amended during the acceptance of them. Councilor Soley advised that they had been amended as shown on the last page and they had been accepted.

THIRD ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson:

ITEM #139-01 To consider action relative to approving the August 21, 2001 Consent Agenda.

BE IT ORDERED: That the August 21, 2001 Consent Agenda be approved. (Councilors Soley & Stevens) **ROLL CALL VOTE:** (5 Ayes) (1 Excused—Beaulieu).

ITEM #140-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$1,500,000 to provide partial funding for a Freeport Community Center. (Public Hearing).

MOVED AND SECONDED: That the Public Hearing be opened. (Councilors Stevens & Lowell) (5 Ayes) (1 Excused—Beaulieu).

(Councilor Stevens read the question). Councilor Soley advised that he met with Ed Bradley to flesh out some of the possible details and Mr. Bradley furnished a letter accurately portraying their discussions which has been put in all Councilors' packets. Mr. Olmstead offered to make more copies for the public.

Jason Donohue of Orcutt & Associates explained that they have been working on this project for the past month and a half or two months. He had plans to share and noted that the building will have four stories. While it currently has 17,000 sq. ft. they have determined that 21,000 sq. feet is needed. He pointed out where additions will be constructed and where the various agencies, meeting spaces, classes, fashion shows, etc. may be located.

Chair Arsenault approached the podium and advised that his co-chair, Vaughndella Curtis is unable to attend tonight. He requested that the Council consider putting this referendum on the November 6, 2001 ballot and cited reasons why he was urging support for this item. This will allow the entire community to make its wishes known. He mentioned that many communities already have a Community Center that were provided by taxes in many instances. The following people spoke in favor of putting this item on the ballot:

Beth Edmonds, Linda Hogan, Tom Whelan, Bob Lyman, Harry Blumenthal, Julie Fraser, Sally Emory, Gail Senese, Heather Fraser and members of her Advisory Board for a Teen Center, Brenda White, Elizabeth Guffy, Pat Morrison Gile, Cindy Doolen and Tom Edwards.

Ed Bradley thanked the Council and all coalition members and concluded the presentation of the coalition. He explained the funding needed and the benefits of having a community center in the downtown.

Ruby McDermott of Desert Road noted that she is not against the community center but has concerns at this time

with the tax base that exists. There are a lot of empty stores in the downtown and it may affect everyone's taxes. She also mentioned the school renovations and new school bus that have been voted in and that the Town is going to be reevaluated. She feels it is irresponsible to be thinking of spending more money and she cannot afford to have her taxes go up. She does not want to ask people that need public assistance to have to enter a three million dollar building and ask for help. Ed Bonney noted that it is important to ask whether the Town can afford to not seize this opportunity to have a community center and urged Councilors to give the voters an opportunity to decide for themselves in November. T. J. McDermott of Desert Road thanked his wife for saying everything he wanted to say. He is concerned with taxes. He has serious questions about the amount of money the community center will cost. Barbara Jacks noted that many things have to be looked at very seriously and that perhaps this project can start small with one level and then expanded. Jerry Tims had a concern with the lack of parking and also for the expected Vision 2010 traffic flow. Chair Arsenault advised that traffic is not an issue for this project. Brad Guay of Holbrook Street asked how this project would affect the mill rate over the next few years. He noted his concerns with parking and the possible addition of impervious surface in this watershed. He suggested asking Bean for permission to use the pond that is located in this vicinity for public skating.

MOTION: That the Public Hearing be closed. (Soley & Lowell)

Ed Bradley asked people to raise their hands if they came in support of this proposal. A large number raised their hands

Voice Vote: 5 Ayes (1 Excused—Beaulieu).

Councilor Mann asked about the cost of the project and the effect on the interest of the term. Mr. Olmstead advised that this would be announced before the ballot is printed. While he could not speak about the total dollar amount based on today's interest rate, should the voters approve this item, the effect on the tax rate in the second year on a 20 year borrowing, would most likely increase taxes by approximately 1% or 20 cents on the tax rate.

Councilor Mann asked for clarification on the difference between actual costs of 1 ½ million and \$750,000 which were discussed this evening. Councilor Soley pointed out that if this issue were not on the ballot, he understands that the leadership of the Town Council would be asking the Town by way of an amendment, to pass a referendum to expand Town Hall because the current building is too small. The estimated amount of that expansion is in the neighborhood of three-fourths of a million dollars. This referendum being discussed tonight would mean that the Town would not need to put an addition on the Town Hall because the new community center will meet the Town's space needs for the future. Councilor Mann noted that people have approached him with their concerns about moving Town services out of the Town Hall. He would like to see more public input on the floor plans and Councilor Soley advised that the floor plans are not carved in stone. Councilor Lowell advised that core services will remain in the Town Hall.

Vice Chair Stevens thanked Councilor Soley for all his efforts in working with the Coalition to ensure that it meets everyone's needs. He, too, is concerned with the effect on taxes as are other Councilors and will support sending this to the voters.

BE IT ORDERED: That the Town Clerk be instructed to place on the November 6, 2001 Ballot for the following Bond Issue:

REFERENDUM QUESTION

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SHALL THE FOLLOWING ORDINANCE BE ENACTED: Ordinance authorizing the issuance of bonds for the Construction of a Community Center. **THE TOWN OF FREEPORT HEREBY ORDAINS:** That a sum not to exceed \$1,500,000 is hereby appropriated for the Construction of a Community Center. To meet said appropriation, the Chairperson of the Town Council and the Town Treasurer are authorized to issue general obligations securities of the Town of Freeport in a total principal amount not to exceed \$1,500,000 and the discretion to fix the dates, maturities, denominations, interest rates, places of payment, forms and other details of said securities, including execution and delivery on behalf of the Town of Freeport, and to provide for the sale thereof, is delegated to the Chairperson of the Town Council and the Town Treasurer.

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Freeport Community Services, Freeport Child Care Services, Freeport Elders Association, Freeport Community Education, the Freeport Community Players, the Teens and the Town government will all work together in the Community Center to assure accessible, broad-based services for all Freeport residents.

The Freeport Town Council supports this Bond Issue.

ROLL CALL VOTE: (5 Ayes) (1 Excused—Beaulieu).

ITEM #141-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide School Administrative Office Space.

BE IT ORDERED: That a Public Hearing be scheduled for September 4, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss a proposed referendum question in the amount of \$250,000 to provide for School Administrative Office Space. (Councilors Mann & Stevens)

Bob Lyman explained that they have explored many options during the past four years to provide School Administrative Office space. They looked into the cost of building a one-story 4,000 sq. ft. building but it would be more expensive than purchasing the building they currently lease. State money will be available for this project beginning this year and Freeport may be able to obtain \$75,000 over the next three years. Councilor Soley suggested limiting the amount of the referendum to the amount of the purchase price when the School Committee writes the referendum as opposed to including the \$40,000 needed for upgrades. Vice Chair Stevens would prefer to include the \$40,000 at the time it is put out for referendum to make it a satisfactory location. Councilor Mann

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AUGUST 21, 2001

would like more information on the windows, furnace, etc. and Councilor Soley volunteered to accompany Councilor Mann to look through the building. Other Councilors concurred that they would like to see Councilors Mann and Soley inspect the building. Councilor Soley wanted to see what the \$40,000 will cover.

ROLL CALL VOTE: (5 Ayes) 1 Excused—Beaulieu).

ITEM #128-01 Tabled August 7, 2001.

To consider action relative to a proposed amendment to the Zoning Map (170 Main Street, Map 13, Lot 10) re-zoning from Village I to Village Commercial II.

MOVED AND SECONDED: That since the applicant for the Zone Change has withdrawn the request, Item #128-01 be tabled indefinitely. (Councilors Lowell & Soley).

Mr. Olmstead explained that the Town Planner and Codes Enforcement Officer offered to work with the applicant but the applicant has not taken them up on their offer. The neighborhood has been advised of this situation. Vice Chair Stevens noted that the applicant's letter mentioned that his needs have been met by the agreement for the approval of a home occupation. Councilor Soley noted that if the Council votes to table this item indefinitely, the applicant should be advised that the home occupation would have to be approved by the appropriate Town official.

Voice Vote: (5 Ayes) 1 Excused—Beaulieu)

Other Business:

Regarding the West Freeport Village referendum, Councilor Stevens mentioned that State law requires a public Hearing within 10 days after the Clerk has certified that it qualifies for referendum and the Town must also give at least 7 days notice. He suggested that the public hearing could be held on September 4 if the Clerk ends up certifying the adequacy on the 27th and eliminate the need for a special meeting.

MOVED AND SECONDED: To move an item not on the printed agenda. Stevens & Soley)
(5 Ayes) (1 Excused—Beaulieu).

ITEM #142-01 To consider action relative to a citizen's petition concerning a town charter amendment.

BE IT ORDERED: That a public hearing be scheduled on September 4, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss a citizen's petition proposing an amendment to the Town Charter.

BE IT FURTHER ORDERED: That 30 copies of the proposal be distributed equally between the Town Clerk's Office and the Freeport Library for inspection by the public. (Stevens & Soley)

MOVED AND SECONDED TO AMEND: To require that the statutory 7 days public notice be given. (Mann & Soley) (5 Ayes) (1 Excused—Beaulieu).

ROLL CALL VOTE: (5 Ayes) (1 Excused—Beaulieu).

COUNCIL MEETING #14-2001
AUGUST 21, 2001

RFP Process—Howard Place Councilor Stevens advised that the Town Manager did a mailing to a very broad group of people including developers, office managers, etc. as well as having a notice published in the newspaper. He would like to make sure that we are not moving too fast. This area has been used by the school. He feels a public hearing should be scheduled to hear the advantages or disadvantages on proceeding with this Town land. There may be strong feelings on this land. He suggested considering scheduling a public hearing at the September 4 meeting. He asked other Councilors to give some thought to this issue. Discussion followed on the bleachers that exist in this location.

Mr. Olmstead referred Councilors to Olympia Snow's letter and the referendum submitted in both the House and Senate about moving heavy traffic from Main Street to I-95. He has learned that we are making substantial progress on this issue. We have all four legislators working on this. Representatives from surrounding towns have reviewed the bill with Senator Snow.

Vice Chair Stevens mentioned that this issue was important to Jack Maier and the Council is indebted to Chair Arsenault for working so hard on this issue. Chair Arsenault noted that Councilor Beaulieu has been very instrumental in the progress to date.

Mr. Olmstead advised that many groups are all signing on to the "Freeport effort".

Solid Waste Construction Project—Mr. Olmstead advised that the bids came in higher than expected. The committee has met and has put most of the paving of the project on hold until the building and other components are built. Hopefully there will be enough money left to do a good portion of the paving after the building is built.

New Playing Field on Pownal Road—Councilor Mann advised that the grass is brown and that all organized sports have been requested to keep off the field. He asked if the Fire Department could go up and water and see if the grass roots can be saved. We need to make sure that some group is in charge of the appropriation and should be keeping track of it. This is municipal property and he asked if some action can be taken before it is too late. Mr. Olmstead offered to follow up on this to see what can be done. Mr. Olmstead advised that it was mowed too close in very hot weather. Chair Arsenault noted that some people have golfed on it and Mr. Olmstead advised that these people have been advised to not play golf on it. Councilor Stevens advised that people should not feel that they cannot use it appropriately.

Adjournment

MOVED AND SECONDED: To adjourn at 9:35 p.m. (Soley & Stevens) (5 Ayes) (1 Excused—Beaulieu).

Respectfully Submitted,



Sharon Coffin
Council Secretary