

Clerk

**TOWN COUNCIL MEETING #15-2001
SEPTEMBER 4, 2001 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

ITEM #143-01 To consider action relative to a proposed amendment to the Freeport Town Charter. (Public Hearing).

ITEM #144-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide for School Administrative Office Space. (Public Hearing).

ITEM #145-01 To consider action relative to the proposed leasing of the Howard Place Parking Lot for Commercial Development.

OTHER BUSINESS:

1. Discussion on proposed County Budget Resolution from the City of Portland.
2. Discussion on Commercial Fishing Waterfront Access Task Force.

Adjourn.

AGENDA
FREEPORT TOWN COUNCIL MEETING #15-2001
TOWN HALL COUNCIL CHAMBERS
SEPTEMBER 4, 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 #14-2001, August 21, 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.

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ITEM #143-01 To consider action relative to a proposed amendment to the Freeport Town Charter. (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 the following proposed amendment to the Freeport Town Charter.

Amend Article II, Section 2.12 of the Charter of the Town of Freeport by adding a new second paragraph, as follows:

The Town Council shall not amend the Freeport Comprehensive Plan to designate a Growth Area west of I-95 between Beech Hill Road and the Desert Road, commonly referred to as the West Freeport Village Area.

ITEM #144-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide for School Administrative Office Space. (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 the following Bond Issue:

REFERENDUM QUESTION

ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS FOR SCHOOL ADMINISTRATIVE OFFICE SPACE

SHALL THE FOLLOWING ORDINANCE BE ENACTED: Ordinance authorizing the issuance of bonds for School Administrative Office Space. **THE TOWN OF FREEPORT HEREBY ORDAINS:** That a sum not to exceed \$250,000 is hereby appropriated for School Administrative Office Space. 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 \$250,000 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 proposed bond will be used to purchase and refurbish the 17 West Street building leased for the past four years for office space for system-wide school administrators and the Community Education Program. The Maine Department of Education is phasing out its program of leasing space for school operations. As part of the phase out, they will pay \$25,600 per year for the next three to six

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years to convert this leased space to permanent space. This will reduce the \$250,000 cost to Freeport taxpayers by \$75,000-\$150,000.

The Freeport School Committee recommends passage of this bond.

ITEM #145-01 To consider action relative to the proposed leasing of the Howard Place Parking Lot for Commercial Development.

BE IT ORDERED: That a Public Hearing be scheduled for September 18, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss the proposed leasing of the Howard Place Parking Lot for Commercial Development.

OTHER BUSINESS:

1. Discussion on proposed County Budget Resolution from the City of Portland.
2. Discussion on Commercial Fishing Waterfront Access Task Force.

Adjourn.

MINUTES
FREEPORT TOWN COUNCIL MEETING #15-2001
TOWN HALL COUNCIL CHAMBERS
SEPTEMBER 4, 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		
Eileen Lowell South Freeport Road	X		

Chair Arsenault called the meeting to order at 7 p.m.

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #14-2001 HELD ON AUGUST 21, 2001 AND ACCEPT THE MINUTES AS PRINTED.

Councilor Soley pointed to page 5, and noted that the last word under ITEM128-01 "official" should be changed to "Board".

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #14-2001 HELD ON AUGUST 21, 2001 AND ACCEPT THE MINUTES AS AMENDED. (Councilors & Stevens & Beaulieu) (6 Ayes).

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.

Andy LeMaistre of Flying Point Road shared his concerns with the Freeport Community Services moving their facilities to the DeLorme Building and the likelihood that core services will be removed from the downtown village. This is in opposition to surveys conducted in Town throughout the years. He is upset that the Council Chambers may be moved to that new location. He would propose that the Council authorize a consultant to gather up some of the data collected during the past few years. He noted that Ed Bradley has a lot of information that could be shared.

Andrew Arsenault of Route One South shared the same concerns that Mr. LeMaistre had. He, too, recalled the referendums that took place and that residents wanted to keep services downtown in order to maintain a village scheme. He is concerned with the incrementalism of moving some services to the DeLorme Building. He would prefer to have Town services stay in the same location but agreed that more information is needed.

Tom Rumpf of South Freeport Village agrees that taking a look at this issue makes sense. He encouraged the Council to look further into this matter.

Susan Campbell of West Freeport echoed the previous speakers' concerns with moving any Town service out of this building. She has heard from many residents that they have voted twice to not move Town Hall. She asked the Council to give this careful consideration as they move forward.

David Marstaller of Beech Hill Road noted his concerns with spending 3 ½ million dollars on the DeLorme Building. He mentioned the closing of Eastland Shoe and its associated parking. It is a big building and he doubts it would cost 3 ½ million to renovate it. It was the Town Hall at one point. He reiterated the importance of keeping as many Town services in the center of town as possible. With taxes rising by approximately 10% he cannot imagine the voters voting in favor of another fairly major referendum. He questioned the need for a second large performance space. A longer term approach is needed.

Beth Findlayson, Director of FCS, noted that they own the DeLorme Building or 181 Lower Main Street, and she does not have all the answers. She regrets that Eastland Shoe has closed and had they known what would have happened two years ago, they would have been able to take a comprehensive look. She explained that they have spent a lot of time on this project and agrees that 3 ½ or 4 million dollars is a lot of money but the building needs renovations. She wants the Townspeople to vote on the referendum.

Barbara Asnes, FCS Board member, noted that she had agreed to not voice her opposition to the community center so that there would appear to be unanimity on the part of the Board. She is prepared to be removed from the Board based on her appearance at the Council tonight. She noted that the original plans have disappeared and the costs have increased significantly. She explained that a public relations firm has been hired and noted some of their practices.

Lesa Andreasen, FCS Board member, noted that she is appalled that FCS business is being carried out in public and that sensitive information is being thrown out during public meetings. FCS is nothing different from what it ever was.

Councilor Mann noted that he has been hearing concerns from residents with the issue of moving core services out of the downtown. He appreciates that FCS is running out of room. He is hearing that Town government should not be moved out of the core downtown. He asked if there was one more meeting to adjust what is going on the ballot. He would be in favor of studying this matter further.

Councilor Soley proposed that the Council ask the Town Manager to gather the facts on the Eastland Building. He would be interested in the square footage, layout, what the price is if it is being listed, etc.

He suspects everyone would be interested in consolidation. Councilor Stevens agreed that much information is needed to do good service to the referendum. Chair Arsenault agreed. Councilor Lowell asked that information be provided on why a decision is made to move any services out of the downtown such as Council meetings. Mr. Olmstead did not object.

MOVED AND SECONDED: To close the Public Comment Period (Councilors Stevens & Soley) (6Ayes).

Councilor Stevens noted how important this public comment period is.

THIRD ORDER OF BUSINESS:

ITEM #143-01 To consider action relative to a proposed amendment to the Freeport Town Charter. (Public Hearing).

MOVED & SECONDED: That the Public Hearing be opened. (Councilors Stevens & Soley) (6 Ayes).

Susan Campbell asked if this item relates to the referendum that was put forward for the West Freeport Village. She noted that the public notice in the foyer does not say that it is. She had questions on what form of public notice was put forward and read a section of the State Statute to the Council. Mr. Olmstead explained that notice was inserted in the *Times Record* as has been done consistently in the past. Discussion followed. Councilor Beaulieu pointed out that she is confident at least four Councilors will vote to put this on the ballot. Councilor Mann noted that this discussion is on how would the public know there was going to be a public hearing if they happened to come into the Town Hall and look at what is posted. He has always been troubled that Councilors have different details as far as what is posted compared to the Town Hall. Councilor Stevens offered to continue this hearing to allow members of the public to come forward with additional comments if needed at the next Council meeting.

Ms. Campbell noted how many roadblocks have been thrown their way and they have fulfilled their obligations to the State Statute. Councilor Stevens proposed to continue with the public hearing. Ms. Campbell reviewed the history of the proposal. She noted that it is time for the public process to go forward.

MOVED & SECONDED: That the Public Hearing be closed. (Councilors Soley & Stevens) (6 Ayes).

BE IT ORDERED: That the Town Clerk be instructed to place on the November 6, 2001 ballot the following proposed amendment to the Freeport Town Charter.

Amend Article II, Section 2.12 of the Charter of the Town of Freeport by adding a new second paragraph, as follows:

The Town Council shall not amend the Freeport Comprehensive Plan to designate a Growth Area west of I-95 between Beech Hill Road and the Desert Road, commonly referred to as the West Freeport Village Area. (Councilor Soley & Stevens).

Councilor Soley noted that he feels that this issue is not going anywhere and is a complete waste of time. Councilor Mann explained how the petitioners feel and that this amendment will put the matter into the hands of the people. He thanked everyone involved in the petition process for their dedication. Councilor Stevens agreed with Councilor Mann and that it was a mistake to include the West Freeport Village. He explained some of the problems that occurred in the process. Councilor Mann pointed out some of the legal problems that took place. Councilor Beaulieu advised that she had people ask her to point out that the Residential Growth Committee could have done things better. She noted that the Council could have acted quicker.

CALL FOR QUESTION: (Councilors Stevens & Soley) (6 Ayes).

ROLL CALL VOTE: (6 Ayes).

ITEM #144-01 To consider action relative to a proposed November 6, 2001 Referendum Question in the amount of \$250,000 to provide for School Administrative Office Space. (Public Hearing).

MOVED & SECONDED: That the Public Hearing be opened. (Beaulieu & Stevens) (6 Ayes).

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

REFERENDUM QUESTION

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EXPLANATION AND RECOMMENDATION: The proposed bond will be used to purchase and refurbish the 17 West Street building leased for the past four years for office space for system-wide school administrators and the Community Education Program. The Maine Department of Education is phasing out its program of leasing space for school operations. As part of the phase out, they will pay \$25,600 per year for the next three to six years to convert this leased space to permanent space. This will reduce the \$250,000 cost to Freeport taxpayers by \$75,000-\$150,000.

The Freeport School Committee recommends passage of this bond.

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Rich DeGrandpre of Beech Hill Road had questions about financing the lease and learned that the State has been paying the lease. He also had questions about the Soule School.

Councilor Mann advised that he looked carefully at the building at 17 West Street with Joe Carroll and reviewed his 15-point inspection report. He is of the opinion that this building is not ideal from a municipal point of view. He took a tour of the old Soule School and learned that it has pretty much the same square footage as the building at 17 West Street.. He reviewed the issues that will need to be addressed in this building. There is adequate parking at this location and room for additions. He is of the opinion that the Town would be better off putting money in this building rather than purchasing the building on West Street.

Alan Hindley asked for an estimate of what it would cost to renovate and remodel the 17 West Street Building. Councilor Mann advised that he does not have a figure available. Mr. Lyman advised that they have been working on space for at least four years and have considered six different options but they have been ruled out. Soule School has long been on his list but the major concern is location. He explained who is housed in this building. He noted that the building has been leaking for approximately 11 years and needs new windows. He touched on other issues that exist there. Builders, Bob Davenport and Peter Taggart have looked over the 17 West Street building and provided their suggestions. Discussion followed. Councilor Beaulieu noted that there are many unanswered questions and asked when is the last date the Council can vote on this issue and still get it on the ballot. She was told it is September 18. Councilor Mann suggested studying this some more. Councilor Lowell asked that the Council not lose sight of the fact that the facility needs to be accessible for townspeople.

Jerry Tims of Richards Lane suggested developing this office at Howard Place since the Town already owns it and it would be closer to the schools. Ann Hindley of Wardtown Road is concerned about giving up the Soule building. She asked for clarification on the amount of money being requested. Councilor Soley answered her question. Brad Guay of Holbrook Street suggested hiring a consultant to cost out how much it would cost to renovate both buildings under identical specs. He recommended that the Council weigh Mr. Lyman's opinion. Valerie Gamache of Beech Hill Road recommended keeping the facility within the downtown. She suggested looking at expanding the possibilities and not settle for the West Street facility because it is "easy."

Councilor Soley asked Mr. Lyman to sketch out the difference in costs between the two buildings. He would like to get a ballpark number from the two builders. Councilor Mann asked for a review by the ADA people in Augusta and also a review by the Fire Marshall's office on both buildings.

MOVED & SECONDED: That the Public Hearing be continued until September 18, 2001. (Councilors Beaulieu & Mann) (6 Ayes)

ITEM #145-01 To consider action relative to the proposed leasing of the Howard Place Parking Lot for Commercial Development.

BE IT ORDERED: That a Public Hearing be scheduled for September 18, 2001 at 7:00 p.m. in the Town Hall Council Chambers to discuss the proposed leasing of the Howard Place Parking Lot for Commercial Development. (Councilors Stevens & Beaulieu) **ROLL CALL VOTE:** (6 Ayes).

OTHER BUSINESS:

1. Discussion on proposed County Budget Resolution from the City of Portland

Mr. Olmstead explained that Portland has asked us to join them in a resolution that would request the return of

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some County surplus reserve funds to the municipality. He recommends that we not join them at this time until more information can be obtained. He has offered several dates to the County Commissioners to come and meet with the Council in Freeport. Councilors concurred that more information is needed and asked Mr. Olmstead to get the Commissioners in to discuss this.

Councilor Beaulieu advised that as part of the Cumberland County process, they are going out to communities and there will be a regular budget workshop on November 28 in Freeport. Chair Arsenault noted that he has been elected Vice Chair of the County Budget Committee.

2. Discussion on Commercial Fishing Waterfront Access Task Force.

Mr. Olmstead explained that the Speaker of the House in Augusta will be appointing a task force to make recommendations regarding the loss of commercial fishing waterfront access and other economic development issues regarding commercial fishing. He passed this on to the Coastal Waters and Shellfish Commissions. Chair Arsenault asked for an opportunity to speak to Garrett Simmons who chairs the Shellfish Commission for Freeport who has brought some needed changes. Councilor Mann agreed and also suggested that Chad Coffin be considered should Mr. Simmons not want the position. He is the Vice Chair of the Shellfish Commission. Councilor Soley offered to serve on this task force if no one else wants to serve since it is so important to Freeport.

Adjournment

MOVED & SECONDED: To adjourn at 9:35 p.m. (Councilors Beaulieu & Stevens) (6 Ayes).

Respectfully Submitted,



Sharon Coffin
Council Secretary