

TOWN COUNCIL MEETING #15-2002

JUNE 25, 2002 - 7:00 P.M.

TOWN COUNCIL CHAMBERS

SUMMARY AGENDA

ITEM #125-2002 To consider action relative to adopting the June 25, 2002 Consent Agenda.

ITEM #126-2002 To consider action relative to the issuance of Special Amusement Permits for Dancing and Entertainment to the Harraseeket Inn and Gritty McDuff's. (Public Hearing).

ITEM #127-2002 To consider action relative to proposed Zoning Ordinance Amendments concerning parking requirements in the Commercial Districts (Chapter 21). (Public Hearing).

ITEM #128-2002 To consider action relative to endorsing a Transportation Enhancement Grant application.

ITEM #129-2002 To consider action relative to proposed amendments to the Dogs, Animals and Fowl Ordinance concerning animals or dogs in cemeteries (Chapter 37).

ITEM #130-2002 To consider action relative to the MMA's Legislative Policy Committee.

ITEM #131-2002 To consider action relative to conducting a public opinion poll on the potential use of the \$750,000 in bond proceeds to develop a community center at the Eastland Shoe Property on Park Street.

ITEM #132-2002 To consider action relative to releasing certain ways listed on Exhibit A1 of the Notice to Extend Deadline of Automatic Vacation of "Paper Streets" as recorded in the Cumberland County Registry of Deeds at Book 13338 Page 083 pursuant to 23 MRSA § 3032, of such notice.

OTHER BUSINESS:

1. Presentation and request for funds for improvements to the Green Space at the Corner of Main and West Streets – George Denney.
2. Report from the Freeport Economic Development Corporation on the potential for a Business and Light Industrial Park – Ed Bonney.
3. Request for an appropriation of \$1,250 from current year's Miscellaneous and Contingency fund for support of public restrooms (will be matched equally by each Freeport Merchants Association and Freeport Economic Development Corporation) – Rod Regier.

ITEM #133-2002 To consider action relative to an Executive Session to discuss real estate transactions specifically the possible acquisition of the Eastland Shoe Property on Park Street. (IF NECESSARY)

Adjourn.



AGENDA
FREEPORT TOWN COUNCIL MEETING #15-2002
TOWN HALL COUNCIL CHAMBERS
JUNE 25, 2002 – 7:00 P.M.

FROM: Dale C. Olmstead, Jr.

TO: Robert Stevens, Chairperson, Porters Landing
John Arsenault, Vice Chairperson, Prout Road
Kenneth Mann, Mann Road
David Soley, Arnold Road
Eileen Lowell, So. Freeport Road
Rod Regier, South Street
Susan Campbell, Hunter Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of Meeting #14-2002, held on June 11, 2002 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 #15-2002
JUNE 25, 2002**

ITEM #125-2002 To consider action relative to adopting the June 25, 2002 Consent Agenda.

BE IT ORDERED: That the June 25, 2002 Consent Agenda be adopted.

ITEM #126-2002 To consider action relative to the issuance of Special Amusement Permits for Dancing and Entertainment to the Harraseeket Inn and Gritty McDuff's. (Public Hearing)

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the following Special Amusement Permit applications be approved:

Nancy Gray, Mystic Motor Inn, Inc. d/b/a Harraseeket Inn, 162 Main Street
Jonathan Soule, Center-Cotton, Inc., d/b/a Gritty McDuff's, 187 Lower Main Street

ITEM #127-2002 To consider action relative to proposed Zoning Ordinance Amendments concerning parking requirements in the Commercial Districts (Chapter 21). (Public Hearing)

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved.

ITEM #128-2002 To consider action relative to endorsing a Transportation Enhancement Grant application.

BE IT ORDERED: That the Town Council endorse a Transportation Enhancement Grant application and expend up to \$20,000 from the FY2002 Miscellaneous and Contingency account to provide for the local match.

ITEM #129-2002 To consider action relative to proposed amendments to the Dogs, Animals and Fowl Ordinance concerning animals or dogs in cemeteries (Chapter 37).

BE IT ORDERED: That a Public Hearing be scheduled for July 16, 2002 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Dogs, Animals and Fowl Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 7 and the Town's website.

ITEM #130-2002 To consider action relative to the MMA's Legislative Policy Committee.

BE IT ORDERED: That the Town of Freeport cast its ballot for Robert E. Stevens for membership to the MMA Legislative Policy Committee.

ITEM #131-2002 To consider action relative to conducting a public opinion poll on the potential use of the \$750,000 in bond proceeds to develop a community center at the Eastland Shoe Property on Park Street.

BE IT ORDERED: That a public opinion poll be conducted on July 10, 2002 from 8:00 a.m. to 7:00 p.m. in the Town Hall Council Chambers on the proposed use of \$750,000 in bond proceeds approved at the November 2001 election for the construction of a community center at the Eastland Shoe building on Park Street.

BE IT FURTHER ORDERED: That notice of the public opinion poll be provided to all local newspapers, placed on local cable Channel 7 and on the Town website and posted at the usual places throughout the community.

ITEM #132-2002 To consider action relative to releasing certain ways listed on Exhibit A1 of the Notice to Extend Deadline of Automatic Vacation of "Paper Streets" as recorded in the Cumberland County Registry of Deeds at Book 13338 Page 083 pursuant to 23 MRSA § 3032, of such notice.

REPORT FROM THE ORDINANCE COMMITTEE.

The Town Council is in the process of reviewing the purported unaccepted ways listed in its (notice to extend deadline of automatic vacation of "Paper Street"), September 16, 1997). It has determined, to date, that it has no interest, pursuant to (23 MRSA § 3032), in any unaccepted ways on the plans below for one or more of the following reasons: 1) the plan is not a subdivision plan; 2) the purported unaccepted ways are less than twenty feet in width; and 3) the purported ways are designated as private.

BE IT ORDERED: That pursuant to 23 MRSA §3032 the municipal officers of the Town of Freeport hereby vote to release certain of the ways listed on the Notice's Exhibit 1 from the exception, thereby placing those ways, to the extent they are paper streets, in "deemed vacation" status. To the extent the released ways are not paper streets, the purpose of this document is to state as a matter of record that the Town of Freeport claims no interest in the ways arising under 23 MRSA §3032.

BE IT FURTHER ORDERED: The ways released consist of the following:

INDEX NO.	DATE	BOOK/ PAGE	TITLE
30	1891	7/12	Aldrich & Pettingills Farms, Sec. 1, E.B. Mallett
31	1891	7/13	Aldrich & Pettingills Farms, Sec. 2-5, E.B. Mallett
32	1891	7/15	Aldrich & Pettingills Farms, Sec. 7 & 8, E.B. Mallett

**COUNCIL MEETING #15-2002
JUNE 25, 2002**

33	1891	7/15	Aldrich & Pettingills Farms, Sec. 6, E.B. Mallett
96	1936	24/27	Property of Mary Goldman, Main Street and Central Avenue
138	1954	40/26	Spar Cove Point, South Freeport
178	(1960)	54/6	Spar Cove Point owned by Mary Dean Arnold & John Lavers
185	1960	55/18	Spar Cove Point Section B ((except unbuilt portions of Lavers Road (now Spar Cove Road), Arnold Road, and Ledge Road)
220	1968	79/31	High View, South Freeport Land Co.
230	1970	82/28	So. Freeport Land Co. High View Sec. 2
241	1971	85/27	High View Sec. III, South Freeport Land Co.
300	1978	121/ 64-65	Final Plan of Harvey Brook Estates, Sheet 1 of 2; Sheet 2 of 2
316	1979	124/59	Plan of South Street Lots for South Freeport Land Co.
349	1982	135/33	Survey of Wolfs Neck Road formerly Woodland Avenue for Eleanor H. Smith
359	1983	137/76	Final Plan of Indian Ridge, Lots 3 & 9 for Drive. Thomas J. Miller
402	1985	152/28	Amendment to Condominium, Plan of Royal Oaks
418	1986	157/30	Minor Subdivision Final Plan -- Fawn Meadow Lane for Deer Meadow Associates

**COUNCIL MEETING #15-2002
JUNE 25, 2002**

OTHER BUSINESS:

1. Presentation and request for funds for improvements to the Green Space at the Corner of Main and West Streets - George Denney.
NOTE: Mr. Denney is requesting that \$7,500 be expended from the Fiscal Year 2002 Miscellaneous and Contingency Account for these improvements.
2. Report from the Freeport Economic Development Corporation on the potential for a Business and Light Industrial Park - Ed Bonney.
3. Request for an appropriation of \$1,250 from current year's Miscellaneous and Contingency fund for support of public restrooms (will be matched equally by each Freeport Merchants Association and Freeport Economic Development Corporation) - Rod Regier.
4. Discussion on a Village Study Committee.

ITEM #133-2002 To consider action relative to an Executive Session to discuss real estate transactions specifically the possible acquisition of the Eastland Shoe property on Park Street. (IF NECESSARY)

MOTION: That the Council enter into Executive Session with the Town Council to discuss real estate transactions specifically the possible acquisition of the Eastland Shoe property on Park Street.

MOTION: That the Council reconvene.

NOTE: May be Council action taken as a result of the Executive Session.

Adjourn.

**TOWN COUNCIL
CONSENT AGENDA
JUNE 25, 2002**

ITEM #120-2002 To consider action relative to applications for Victualers licenses.

BE IT ORDERED: That the following application for Victualers Licenses be approved:

Jonathan Soule d/b/a Gritty McDuff's, 187 Lower Main Street
Amy Cartmell d/b/a Brewster House B&B, 180 Main Street
Gwen Sartoris d/b/a White Cedar Inn, 178 Main Street
Wingnut Hospitality, LLC Peter Anastos d/b/a Comfort Suites, 500 US Route One
Michael Ashby d/b/a Dick's Sub Shop, 15 South Street

ITEM #121-2002 To consider action relative to an application for a Malt, Spirituous and Vinous Liquor License.

BE IT ORDERED: That the following application for a Malt, Spirituous and Vinous Liquor License be approved:

The Leading Edge, Inc. d/b/a The Corsican Restaurant, 9 Mechanic Street

ITEM #122-2002 To consider action relative to applications for Waste Hauling Licenses.

BE IT ORDERED: That the following applications for Waste Hauling Licenses be approved.

<u>Company Name</u>	<u>Address</u>	<u>License Type</u>
Reynolds & Sons Disposal, Inc.	11 Anderson St., Portland	Commercial
D. Wentworth Rubbish Removal	18 Curtis Rd., Freeport	Residential
Waste Management of Maine	2000 Forest Ave., Portland	Commercial
Wentworth Rubbish	16 Curtis Rd., Freeport	Residential
Waterman's Rubbish & Recycling, Inc.	1527 U.S. Route 1, Freeport	Combined
Troiano Waste Services, Inc.	197 Lincoln St., So. Portland	Commercial
Pine Tree Waste, Inc.	33 Rigby Rd., So. Portland	Combined

ITEM #123-2002 To consider action relative to accepting a donation from L.L. Bean, Inc.

BE IT ORDERED: That a donation of two mountain bikes and accessories to support Freeport Emergency Medical Bike Team be accepted.

ITEM #124-2002 To consider action relative to accepting a bid for Mobile Data Program Software.

BE IT ORDERED: That the bid from Data Maxx Applied Technologies in the amount of \$24,608 be accepted.

End of Consent Agenda



**MINUTES
COUNCIL MEETING #15-2002
FREEPORT TOWN HALL COUNCIL CHAMBERS
June 25, 2002-7:00 P.M.**

CHAIRPERSON'S CALL TO ORDER

Present

Absent

Excused

Robert Stevens, Chairperson
Porters Landing

x

John Arseneault, Vice Chairperson
Prout Road

x

David Soley
Arnold Road

x

Susan Campbell
Hunter Road

x

Rod Regier
South Freeport Road

x

Kenneth Mann
Mann Road

x

Eileen Lowell
South Freeport Road

x

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #14-2002 HELD ON JUNE 11, 2002 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #14-2002 HELD ON JUNE 11, 2002 AND ACCEPT THE MINUTES AS PRINTED. (Councilors Arseneault & Campbell) (7Ayes).

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

Chair Stevens explained that the Council will not be holding an Executive Session tonight and brought everyone up-to-date on the Eastland Shoe issue. A public hearing has been set for next Tuesday, July 2, 2002. He clarified that the DeLorme Building is not town owned. It is owned by FCS. The Coalition is interested in the larger Eastland Shoe Building and will donate any profit that is generated from the sale of the DeLorme Building to The renovation of the Eastland Shoe Building. At this time there is no agreement with the Nappi family. Councilor Soley noted that the \$900,000 price also includes four lots of land.

MOVED AND SECONDED: To open the Public Comment Period (Lowell & Arsenault)
(7 Ayes)

Ed Campbell urged the Council to examine the Eastland Shoe Building very carefully. While the location may be suitable, consideration should be given to whether the building needs to be flattened and a new building erected.

Nancy Gray, serving on the Coalition, is excited with the Eastland Shoe Building because of its size and parking availability. She recommended that the Town explore it very carefully as well.

MOVED AND SECONDED: To close the Public Comment Period (Soley & Arsenault) (7 Ayes)

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

ITEM #125-2002 To consider action relative to adopting the June 25, 2002 Consent Agenda

BE IT ORDERED: That the June 25, 2002 Consent Agenda be adopted. (Soley & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

ITEM #126-2002 To consider action relative to the issuance of Special Amusement Permits for Dancing and Entertainment to the Harraseeket Inn and Gritty McDuff's. (Public Hearing)

MOVED AND SECONDED: That the Public Hearing be opened. (Lowell & Arsenault) (7 Ayes).

There was no discussion.

MOVED AND SECONDED: That the Public Hearing be closed. (Lowell & Regier) (7 Ayes)

BE IT ORDERED: That the following Special Amusement Permit applications be approved:

Nancy Gray, Mystic Motor Inn, Inc. d/b/a Harraseeket Inn, 162 Main Street
Jonathan Soule, Center-Cotton, Inc., d/b/a Gritty McDuff's, 187 Lower Main Street

(Lowell & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

ITEM #127-2002 To consider action relative to proposed Zoning Ordinance Amendments concerning parking requirements in the Commercial Districts (Chapter 21). (Public Hearing)

MOVED AND SECONDED: That the Public Hearing be opened. (Mann & Regier) (7 Ayes).

Town Planner, Donna Larson, explained that this request came to the Planning Board from Shaw's for a 65,000

square foot store. She answered questions for Councilors. Discussion followed.

MOVED AND SECONDED: That the Public Hearing be closed. (Mann & Arsenault)
(7 Ayes).

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance be approved.
(Mann & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

Mr. Regier noted that the following item is a revised item:

ITEM #128-2002 To consider action relative to endorsing a Transportation Enhancement Grant application.

BE IT ORDERED: That the Town Council endorse a Maine Department of Transportation, Transportation Enhancement Grant to construct 4' wide paved shoulders along a section of Flying Point Road (Upper Mast Landing Road to approximately 1,000' east of Pleasant Hill Road) and that the Town Council is willing to commit to 20% of the total cost of constructing the project (approx. \$26,680). (Regier & Arsenault)

Town Planner, Donna Larson, explained the grant and answered questions for Councilors. Discussion followed. Ms. Larson noted that she has to have the application in next week. Steve Brown added that the Bicycle and Pedestrian Subcommittee concur that this is the most dangerous road in Freeport and it would be in everyone's best interest to improve this stretch.

ROLL CALL VOTE: (7 Ayes).

ITEM #129-2002 To consider action relative to proposed amendments to the Dogs, Animals and Fowl Ordinance concerning animals or dogs in cemeteries (Chapter 37).

BE IT ORDERED: That a Public Hearing be scheduled for July 16, 2002 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Dogs, Animals and Fowl Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's Office, the Town Manager's Office and the Freeport Community Library for inspection by citizens during normal business hours and the notice be placed on Freeport's local cable channel 7 and the Town's website. (Arsenault & Campbell).

Councilor Mann explained why he introduced this amendment. He reviewed the changes suggested by the Town Attorney but does not agree with all of them. Chair Stevens noted that Councilors have the Ordinance and the proposed changes by the Town Attorney and both copies will be set out at the public hearing.

ROLL CALL VOTE: (7 Ayes).

ITEM #130-2002 To consider action relative to the MMA's Legislative Policy Committee.

BE IT ORDERED: That the Town of Freeport cast its ballot for Robert E. Stevens for membership to the MMA Legislative Policy Committee. (Campbell & Arsenault)

Chair Stevens explained that this area is entitled to two seats. He has a good chance of being elected and would like to serve on this committee.

ROLL CALL VOTE: (7 Ayes).

ITEM #131-2002 To consider action relative to conducting a public opinion poll on the potential use of the \$750,000 in bond proceeds to develop a community center at the Eastland Shoe Property on Park Street.

BE IT ORDERED: That a public opinion poll be conducted on July 10, 2002 from 8:00 a.m. to 7:00 p.m. in the Town Hall Council Chambers on the proposed use of \$750,000 in bond proceeds approved at the November 2001 election for the construction of a community center at the Eastland Shoe building on Park Street.

BE IT FURTHER ORDERED: That notice of the public opinion poll be provided to all local newspapers, placed on local cable Channel 7 and on the Town website and posted at the usual places throughout the community. (Soley & Arsenault)

Chair Stevens noted that if a decision is made to accept the contract on July 2, the Town would have 30 days to do due diligence. The public opinion poll could be held on the 24th Councilors concurred.

MOVED AND SECONDED: To amend: **BE IT ORDERED:** That a public opinion poll be conducted by secret ballot on July 24, 2002 from 7:00 a.m. to 8:00 p.m. in the Town Hall Council Chambers on the proposed use of \$750,000 in bond proceeds approved at the November 2001 election for the purchase of the Eastland Shoe building for construction of community center at the Park Street location. (Soley & Arsenault). **ROLL CALL VOTE:** (7 Ayes).

Discussion followed on timing and Councilors concurred that this should be tabled until after the public hearing on July 2.

MOVED AND SECONDED: To table until after the July 2, 2002 public hearing. (Mann & Arsenault) **ROLL CALL VOTE:** (7 Ayes).

Councilor Regier clarified to the public that this tabling is not eliminating the straw poll.

ITEM #132-2002 To consider action relative to releasing certain ways listed on Exhibit A1 of the Notice to Extend Deadline of Automatic Vacation of "Paper Streets" as recorded in the Cumberland County Registry of Deeds at Book 13338 Page 083 pursuant to 23 MRSA § 3032, of such notice.

REPORT FROM THE ORDINANCE COMMITTEE.

The Town Council is in the process of reviewing the purported unaccepted ways listed in its (notice to extend deadline of automatic vacation of "Paper Street"), September 16, 1997). It has determined, to date, that it has no interest, pursuant to (23 MRSA § 3032), in any unaccepted ways on the plans below for one or more of the following reasons: 1) the plan

not a subdivision plan; 2) the purported unaccepted ways are less than twenty feet in width; and 3) the purported ways are designated as private.

BE IT ORDERED: That pursuant to 23 MRSA §3032 the municipal officers of the Town of Freeport hereby vote to release certain of the ways listed on the Notice's Exhibit 1 from the exception, thereby placing those ways, to the extent they are paper streets, in "deemed vacation" status. To the extent the released ways are not paper streets, the purpose of this document is to state as a matter of record that the Town of Freeport claims no interest in the ways arising under 23 MRSA §3032.

BE IT FURTHER ORDERED: The ways released consist of the following:

MOVED AND SECONDED: To not read the following out loud. (Stevens & Arsenault) (7 Ayes).

INDEX NO.	DATE	BOOK/PAGE	TITLE
30	1891	7/12	Aldrich & Pettingills Farms, Sec. 1, E.B. Mallett
31	1891	7/13	Aldrich & Pettingills Farms, Sec. 2-5, E.B. Mallett
32	1891	7/15	Aldrich & Pettingills Farms, Sec. 7 & 8, E.B. Mallett
33	1891	7/15	Aldrich & Pettingills Farms, Sec. 6, E.B. Mallett
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138	1954	40/26	Spar Cove Point, South Freeport
178	(1960)	54/6	Spar Cove Point owned by Mary Dean Arnold & John Lavers
185	1960	55/18	Spar Cove Point Section B (except unbuilt portions of Lavers Road (now Spar Cove Road), Arnold Road, and Ledge Road)
220	1968	79/31	High View, South Freeport Land Co.
230	1970	82/28	So. Freeport Land Co. High View Sec. 2

241	1971	85/27	High View Sec. III, South Freeport Land Co.
300	1978	121/64-65	Final Plan of Harvey Brook Estates, Sheet 1 of 2; Sheet 2 of 2
316	1979	124/59	Plan of South Street Lots for South Freeport Land Co.
349	1982	135/33	Survey of Wolfs Neck Road formerly Woodland Avenue for Eleanor H. Smith
359	1983	137/76	Final Plan of Indian Ridge, Lots 3 & 9 for Drive. Thomas J. Miller
402	1985	152/28	Amendment to Condominium, Plan of Royal Oaks
418	1986	157/30	Minor Subdivision Final Plan – Fawn Meadow Lane for Deer Meadow Associates

Campbell & Arsenault)

Councilor Soley noted that the Ordinance Committee is not unanimous on this and has been assisted heavily by Councilor Campbell. In 1997 the Town Council filed a notice in the Registry of Deeds that listed plans on which it extended options for 20 years. The Paper Streets Committee has spent four years reviewing these plans and has had multiple meetings well attended by the public to review the work that the Paper Streets Committee has done. In most cases, somebody needs to go and look at the alleged paper streets to decide what to do with them. This is an enormous time-consuming undertaking. He would recommend that the Council and friends of the Council and former Paper Street's Committee members should do these visits. The Ordinance Committee has put together a "no" list that the Ordinance Committee has no interest in preserving rights and doesn't even want to visit them. This list has been brought to the Town Manager and the Town Attorney came back with a proposed notice that is in everyone's package. Councilor Mann noted that there are a few that are missing from this "no" list. Discussion followed.

MOVED AND SECONDED: To change wording on the Report From The Ordinance Committee:—strike "and" on the 6th line and at the end put a semi colon and add "4) purported ways designated as pedestrian; and 5)ways which are already built and/or used."

On the "no list" add

<u>Index No.</u>	<u>Date</u>	<u>Book/Page</u>	<u>Title</u>
405	1986	153/15	Meadows Condominium for Service Center, Inc.
451	1987	168/13	"
204	1965	70/31	Spar Cove Point

Mary Arnold/John Lavers

(Soley & Regier) **ROLL CALL VOTE:** (7 Ayes).

More discussion followed. Councilor Soley recommended the following amendment:

BE IT "FURTHER" ORDERED: That the Town Council has determined that the following plans should be removed from the notice because these plans are not subdivision plans: Index 30, 31, 32, 33, 349, 402 and move those up without affecting any plans recorded in other books and pages. (Soley & Arsenault)

Gary Profenno, former Chair of the Paper Streets Committee, applauded the Ordinance Committee for their work on this issue. He noted that some of the surveys may be a duplicate of an actual plan that does have streets that need to be considered one way or another. There has to be a note stating this.

ROLL CALL VOTE ON AMENDMENT: (7 Ayes).

Peter Thompson voiced his concerns that the process may be a little premature. He is concerned with the language creeping in that may not be what the law requires for definition.

MOVED AND SECONDED: To add the words to the third line of the Report From The Ordinance Committee stating: It has determined, to date, that it has no interest, pursuant to (23 MRSA§ 3032), or otherwise (Stevens & Soley) **ROLL CALL VOTE:** (7 Ayes).

More discussion followed. Councilor Mann referred to the section **BE IT ORDERED** in the Report From The Ordinance Committee.

MOVED AND SECONDED: To remove "thereby placing those ways, to the extent they are paper streets, in "deemed vacation" status. (Mann & Campbell) No Vote was taken. Councilor Mann agreed to table this.

More discussion followed

MOVED AND SECONDED: To table to the next meeting. (Mann & Soley) **VOICE VOTE:** (7 Ayes).

July Hawley will have it legally reviewed. Anyone who has questions should get them to Judy. Councilor Soley brought up the issue of visits and suggested that the Chair of the Council or the Ordinance Committee be given authorization to draft volunteers to do these visits. There are 60-70 plans that have not been dealt with yet. Chair Stevens suggested asking the Committee to come back with teams to visit designated sites. Councilor Mann noted that money for notices has added up. Councilor Regier shared his views on the costs and noted that everyone will be stunned when they see the totals. He would like to finish the few that have been visited already and total up what it has cost to do those few. He asked if the Ordinance Committee could come back with the process.

OTHER BUSINESS:

Presentation and request for funds for improvements to the Green Space at the Corner of Main and West Streets – George Denney.

NOTE: Mr. Denney is requesting that \$7,500 be expended from the Fiscal Year 2002 Miscellaneous and Contingency Account for these improvements.

Mr. Denney introduced Bobby Bird and Sgt. Susan Nourse to the Council. He explained how the Freeport Community Improvement Association was started. Mrs. Bird displayed plans showing the improvements that are being proposed. The work will be done by volunteers but some help will be requested from the Public Works Dept. The total price is approximately \$15,000 but he is asking for \$7,500 to match what they are requesting from local individuals and businesses. Their organization will take care of the projects once they are installed. The Town will provide water and electricity. Sgt. Nourse explained that she is also a Freeport resident. She is interested in having a flag display at the corner of West Street and Main Street during appropriate holidays. The flags will enhance the plantings being proposed.

Councilor Mann noted that this request should have been made during the budget process but he does not want to have to turn down such a beneficial project. He asked if the money could be taken from next year's municipal contingency funds since it is only a few days away. Chair Stevens advised that this could be done. Councilor Campbell advised that this is a wonderful project but encouraged the committee to come forward during the budget process next year. She regretted not being able to provide support this year. Councilors Regier and Arsenault explained why they could not support this request.

MOVED AND SECONDED: To move an item not on the printed agenda. (Soley & Arsenault). (7 Ayes).

MOVED AND SECONDED: That the Town of Freeport expend \$5,000 from the fiscal year 2000 Miscellaneous and Contingency Account for the improvements proposed by the Freeport Beautification Committee. (Soley & Arsenault) **ROLL CALL VOTE:** (3 Ayes—Soley, Arsenault & Lowell) (4 Nays—Mann, Campbell, Regier & Stevens).

Chair Stevens encouraged the committee to come back and request money during the budget process next year.

Report from the Freeport Economic Development Corporation on the potential for a Business and Light Industrial Park

Ed Bonney explained the report to Councilors. He introduced Peter Picarello who presented his findings and reviewed the Executive Summary with the Council. He also answered questions. Chair Stevens thanked them for their information.

Request for an appropriation of \$1,250 from current year's Miscellaneous and Contingency fund for support of public restrooms (will be matched equally by each Freeport Merchants Association and Freeport Economic Development Corporation).

Councilor Regier explained that this facility costs about \$20,000 a year. The Council made a \$10,000 appropriation last month believing that the Freeport Merchants Association would make up the difference. From their side, \$3,750 of their share was derived from the profits of a hot dog vendor. This vendor's contract was not renewed so there is a \$3,750 deficit. He is proposing that the Council share a third of this cost and that the \$1,250 be taken from this year's Miscellaneous & Contingency Account.

MOVED AND SECONDED: To move an item not on the printed agenda. (Regier & Soley) (7 Ayes).

MOVED AND SECONDED: That the Council appropriate \$1,250 from its current year's Miscellaneous and Contingency Fund for support of public rest rooms. (Regier & Arsenault) (No Vote)

Discussion followed. Edgar Leighton explained that the original amount was reduced from \$15,000 to \$10,000 and change the Peddler's Ordinance to allow a peddler in front of the Bartol Library. Councilor Regier did not want to do anything to jeopardize the cash flow from the Bartol Library and the lease issue was unclear. Genie Beaulieu explained that all of the carts on Main Street are on private property. Discussion followed.

MOVED AND SECONDED: To amend that we take half of the \$3,750 from the Town of Freeport and half of the money from the Merchants Association and ask the Merchants Association to explore alternative sources in the future to find the shortfall. (Soley) No Second was provided.

Councilor Campbell noted there were things that were not funded during the budget process that were important to her and she cannot support this proposal. Councilor Mann advised that people living in District 2 do not use these bathrooms and he will not vote for it.

Councilor Regier noted that this proposal is outside of the budget process because it only became known two weeks ago. Ed Bonney noted that this \$1,250 is a reasonable amount of money and is a minimal investment.

ROLL CALL VOTE: (5 Ayes) (2 Nays—Campbell & Mann).

Discussion on a Village Study Committee.

Councilor Regier explained that this came from the Residential Growth Committee and he wants to get it back on track. The intent is to examine uses in this area, examine capacity for land uses, etc. Leadership and members for a committee are needed. He asked if the Council would consider appointing Cliff Goodall as Chair of this committee. If he is accepted, Councilor Regier would like Councilor Campbell and Alan Caron to work as a nominating committee to find interested people to serve on this committee. He is proposing that a mailing be done to District I residents, churches, agencies and businesses. The charge will be reported to the Council.

MOVED AND SECONDED: To move an item not on the printed agenda. (Regier & Arsenault) (7 Ayes).

MOVED AND SECONDED:

1. That Cliff Goodall be appointed as Chair of a Village Study Committee.
2. Mr. Goodall, Councilors Regier and Campbell and Alan Caron will serve as an Advisory Committee to the Town Council for appointing members of this Committee.
3. These same four people will serve as an advisory committee for the Town Council to write the charge for the Village Study Committee. (Regier & Arsenault)

Discussion followed. Mr. Goodall and Mr. Caron indicated that they would accept this appointment.

ROLL CALL VOTE: (7 Ayes).

Letter Received from Chris Leighton, Chair of the School Committee

Chair Stevens noted that the State contribution is going to be cut \$23,000. Mr. Leighton wrote advising that the School Committee will absorb this loss and use it as a demonstration of working with the Town Council to keep spending under control.

Adjournment

MOVED AND SECONDED: To adjourn at 10:30 p.m. (Mam & Arsenault)
(7 Ayes).

Respectfully Submitted,

Sharon Coffin

Sharon Coffin
Council Secretary



Freeport Fire Rescue

4 Main Street • Freeport, Maine 04032
tel (207) 865-3421 fax (207) 865-2858

June 18, 2002

L.L.Bean
Casco Street
Freeport, Maine 04032

Attn: Janet Wyper, Public Affairs

Dear Ms. Wyper,

On behalf of the Fire and Rescue Department and the Town of Freeport, we wish to extend our sincere gratitude for the generous donation of two mountain bikes and accessories for the support in developing a Emergency Medical Bike Team.

Plans are well under way for the deployment of our personnel on these two bikes in support of the events that are scheduled throughout the summer both Town and L.L. Bean sponsored.

Again thank you for your continued support of the efforts of the Freeport Fire and Rescue Department.

Sincerely,

Paul J. Conley
Rescue Chief






FREEPORT POLICE DEPARTMENT

16 MAIN STREET • FREEPORT, MAINE 04032 • (207) 865-4800

GERALD B. SCHOFIELD
CHIEF OF POLICE

TO: Dale C. Olmstead, Jr.
Town Manager

FROM: Gerald B. Schofield 
Chief of Police

DATE: June 19, 2002

RE: Mobile Data Program Software

Part of our project to place mobile data terminals (laptop computers) into our police vehicles is to procure software that will interface with our present CAD and records-keeping systems. Since receiving our COPS grant to fund this project, I have received information from a variety of companies advertising their product. I contacted the following companies with our RFP request:

- ◆ Datamaxx Applied Technologies, Tallahassee, FL
- ◆ Transcor Information Technologies (Cerulean), Georgetown, MA
- ◆ Sysborne Enterprise Communications Solutions, Cincinnati, OH
- ◆ ValCom, South Portland, ME

In addition, I have received the following replies from our RFP request:

- | | |
|--|-------------|
| ◆ Datamaxx Applied Technologies | \$24,608.00 |
| ◆ Transcor Information Technologies (Cerulean) | \$44,480.00 |

Since I have received these bids, I have met with two other Maine police agencies that use the identical CAD and records-keeping software as we are presently operating. Both of them decided on the Datamaxx product. After witnessing the quality of the Datamaxx software, I would recommend that we accept the Datamaxx quote.

department memorandum

Date: 6/18/02

To: Dale Olmstead, Town Manager

From: Chief Paul Conley 

RE: Donation

We have received a donation of two mountain bikes with racks and equipment bags from LL Bean for use by the EMS Bike Team. This group is made up of Rescue members willing to ride in supporting the delivery of emergency services to the community during the numerous events in the summer months.

Would you please place this donation on a upcoming council agenda for acceptance.

Attached is a copy of the departments Thank you letter to LL Bean.

Thank you.

TOWN OF FREEPORT

Municipal Offices
(207) 865-4743
FAX (207) 865-0929



June 6, 2002

TO: Dale Olmstead
FROM: Donna Larson *[Signature]*
RE: Parking requirements

On June 5, 2002, the Planning Board unanimously recommended that the Town Council amend the Freeport Zoning Ordinance with regard to reducing the parking requirement for retail uses in the "C" Districts. The request was made for the W/S Development Associates, representing Shaw's Supermarkets.

The Board concluded that the parking requirements in the "C" Districts have resulted in too many parking spaces and that the number of spaces should be reduced to meet the demand. The Board made its decision based on shopping center parking demand data compiled by the Urban Land Institute (ULI).

The Freeport Crossing shopping center falls into the category of "neighborhood shopping center" which is defined by ULI as a "typical square footage for this type of center is about 30,000 square feet to 100,000 square feet or more. It usually includes a supermarket and/or drugstores. ULI's research showed the average demand for this type of center is 1 space per 303 square feet of building, and the high demand is 1 space per 222 square feet of building. The recommendation for this use is one space per 250 square feet of building.

The Planning Board agreed with ULI's recommendation and proposed the following amendments to the Zoning Ordinance to implement this change.

Add to Sec. 104 definitions

Neighborhood shopping center – for the purposes of calculating the parking requirement, a neighborhood shopping center in the C-I, C-II, C-III, and C-IV Districts, is a development with a gross floor area of 30,000 to 100,000 square feet which includes a grocery store and/or drug store and other retail uses.

Add to Sec. 514 Off-Street Parking and Loading

Neighborhood Shopping Center:

1 parking space for each 250 square feet of gross floor area.

Adopted
**PROPOSED AMENDMENTS
TO THE
FREEPORT ZONING ORDINANCE
CHAPTER 21**

Section 104 Definitions - Add

Neighborhood Shopping Center - for the purpose of calculating the parking requirement, a neighborhood shopping center in the C-I, C-II, C-III and C-IV Districts, is a development with a gross floor area of 30,000 to 100,000 square feet which includes a grocery store and/or drug store and other retail uses.

Sec. 514 Off-Street Parking and Loading - Add

Neighborhood Shopping Center

1 parking space for each 250 square feet of gross floor area.

