

**TOWN COUNCIL MEETING #16-98
SEPTEMBER 22, 1998 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

Circle of Excellence Award

- ITEM #200-98 To consider action relative to applications for victualer licenses for John Welch, Mara Frank and Dale Baker. (Public Hearing).
- ITEM #201-98 To consider action relative to a proposed amendment to the Administrative Code concerning appointments to Boards and Committees (Chapter 2). (Public Hearing)
- ITEM #202-98 To consider action relative to proposed amendments to the Sign Ordinance concerning signage for businesses (Chapter 23).
- ITEM #203-98 To consider action relative to the appointment of a Medium Density A & B Zoning Advisory Committee.
- ITEM #204-98 To consider action relative to casting the Town of Freeport's ballot for the 1999 Maine Municipal Association State of Officers and Voting Delegates.
- ITEM #205-98 To consider action relative to an appointment to the Freeport School Committee.
- ITEM #206-98 To consider action relative to proposed amendments to the General Assistance Ordinance concerning maximum levels of assistance (Chapter 46).
- ITEM #207-98 To consider action relative to the authorization of a going-out-of-business sale for Maine Maid.

OTHER BUSINESS:

1. Presentation of Proposed Open Space Plan – Conservation Commission.

COMMITTEE REPORTS:

Adjourn.

AGENDA
FREEPORT TOWN COUNCIL MEETING #16-98
TOWN HALL COUNCIL CHAMBERS
SEPTEMBER 22, 1998 - 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: Genie Beaulieu, Chairperson, Larue Drive
David Soley, Vice Chairperson, Arnold Road
Edward Campbell, Gay Drive
Alan Hindley, Wardtown Road
Kenneth Mann, Mann Road
Stafford Soule, Arnold Road
Gloria Fogg DeGrandpre, Wolf Neck Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #15-98 September 8, 1998 Meeting and accept the Minutes as printed.

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes
(Non-Agenda Items Only)
*Circle of Excellence Award

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

**COUNCIL MEETING #16-98
SEPTEMBER 22, 1998**

ITEM #200-98 To consider action relative to applications for victualer licenses for John Welch, Mara Frank and Dale Baker. (Public Hearing).

MOTION: That the Council adjourn and the Licensing Board convene.

ROLL CALL OF MEMBERS:

Genie Beaulieu	Kenneth Mann
David Soley	Edward Campbell
Alan Hindley	Gloria Fogg DeGrandpre
Stafford Soule	Dale Olmstead
Patricia Goodwin	

MOTION: That the following applications for Victualer Licenses be subject to Public Hearing.

John Welch, d/b/a Mainely Beans/Gloria Jean's Gourmet Coffee, 123 Main Street
Mara Frank, d/b/a Captain Brigg's House B & B (formerly Bayberry B & B), 8 Maple Avenue
Dale Baker, d/b/a Ralph's Lazy Lobster, Peddler-Private Property, L.L. Bean Factory Outlet Store

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the applications issued to the above named applicants be approved.

MOTION: That the Licensing Board adjourn and the Council reconvene.

ITEM #201-98 To consider action relative to a proposed amendment to the Administrative Code concerning appointments to Boards and Committees (Chapter 2). Public Hearing.

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

MOTION: That Item #201-98 be tabled until October 6, 1998.

ITEM #202-98 To consider action relative to proposed amendments to the Sign Ordinance concerning signage for businesses (Chapter 23).

BE IT ORDERED: That a Public Hearing be scheduled for October 6, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Sign Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

COUNCIL MEETING #16-98
SEPTEMBER 22, 1998

ITEM #203-98 To consider action relative to the appointment of a Medium Density A & B Zoning Advisory Committee.

BE IT ORDERED: That a Medium Density A & B Zoning Advisory Committee be formed and the following members be appointed.

Voting Members:

George Frasier – Chairperson (Planning Board)
Kenneth Mann – Town Council
Kenneth Toner
William Bennett
David Stilkey
David Marstaller
Robert Allen
Chris Rallis
Robert Toothaker, III

Non-Voting Members:

Jacki Cohen – Staff to the Committee
Jack Lufkin – Liaison, Freeport Economic Development Corporation

BE IT FURTHER ORDERED: That the Committee be charged with the following:

Develop recommendations for zoning changes to the MD-A and MD-B zoning districts. Review the “permitted uses” section of the Zoning Ordinance to evaluate whether additional uses should be allowed in the MD-A and MD-B zoning districts, review the setback and buffering requirements in these districts to ensure that they are consistent, and look to see if there are opportunities for industrial and/or business park(s) within these districts.

This Committee will be advisory to the Planning Board and will report its recommendations to the Planning Board at the conclusion of its work.

ITEM #204-98 To consider action relative to casting the Town of Freeport’s ballot for the 1999 Maine Municipal Association Slate of Officers and Voting Delegates.

BE IT ORDERED: That the Freeport Town Council cast its vote for the Slate of Officers for the Maine Municipal Associations Executive and Advisory Committee as recommended by the Maine Municipal Association Nominating Committee.

BE IT FURTHER ORDERED: That Gloria DeGrandpre be appointed Freeport’s delegate at the Maine Municipal Association Business Meeting which will be held on October 14, 1998 and that Genie Beaulieu be appointed as Freeport’s alternate voting delegate.

**COUNCIL MEETING #16-98
SEPTEMBER 22, 1998**

ITEM #205-98 To consider action relative to an appointment to the Freeport School Committee.

BE IT ORDERED: That Richard Hendee be appointed, effective immediately, to serve as a member of the Freeport School Committee until November 3, 1998.

BE IT FURTHER ORDERED: That Mr. Hendee qualify by swearing an oath of office before the Town Clerk by October 2, 1998.

NOTE: This fills the unexpired term of Janet Hale.

NOTE: This item was requested by Councilor Soley.

ITEM #206-98 To consider action relative to proposed amendments to the General Assistance Ordinance concerning maximum levels of assistance (Chapter 46).

BE IT ORDERED: That a Public Hearing be scheduled for October 6, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the General Assistance Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens.

ITEM #207-98 To consider action relative to the authorization of a going-out-of-business sale for Maine Maid.

BE IT ORDERED: That the application for a going-out-of-business permit issued to Maine Maid be approved.

OTHER BUSINESS:

1. Presentation of Proposed Open Space Plan – Conservation Commission.

COMMITTEE REPORTS:

Adjourn.

MINUTES
FREEPORT TOWN COUNCIL MEETING #16-98
SEPTEMBER 22, 1998 – 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER:</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Genie Beaulieu, Chairperson Larue Drive	X		
David Soley, Vice-Chairperson Arnold Road	X		
Edward Campbell Gay Drive			X
Alan Hindley Wardtown Road	X		
Kenneth Mann Mann Road	X		
Gloria DeGrandpre Wolf Neck Road	X		
Stafford Soule Arnold Road	X (arrived 7:35 P.M.)		

CIRCLE OF EXCELLENCE PRESENTATION

Chairperson Beaulieu stated that it was her privilege to present the first Circle of Excellence Award. The idea of the award was conceived last spring; it became obvious that Freeport has been extremely fortunate to have several business leaders committed to the community and the people of Freeport for several decades. She added that the criteria for this award is that it would be awarded to an individual who may or may not be a Freeport resident, who has substantially contributed to the quality of the Town in job creation, employment retention and growth. The recipient will receive a plaque and a plaque will be hung in the Town Hall. She presented the award to Jonas B. Klein, CEO of Eastland Shoe Mfg. Co. She noted that in addition to employing over 700 employees and for over 30 years, has funded four scholarships annually to high school seniors.

Ed Bonney stated that he was honored to share in honoring Mr. Klein in this award. He shared personal observations gathered over the years about Mr. Klein, adding that he has everyone's respect. He stated that Mr. Klein has always recognized the importance of the employees working for him and is a worthy role model for all of us.

Edgar Leighton added his pleasure with Mr. Klein receiving this award in that he has

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done many things that have gone unheralded, but doing them because it was the right thing to do.

Kevin Kelly, Freeport Economic Development Corp., stated that he was here to recognize Mr. Klein from the perspective of his major contribution to Freeport for many, many years. Freeport is fortunate to have two major employers who care about their employees and the Community.

Vandella Curtis stated that she has known Mr. Klein for many years, serving on committees with him; she added her congratulations to Mr. Klein.

John Oliver, L. L. Bean, stated that he was here on behalf of Leon Gorman who was unable to attend, to read his letter of congratulations.

Chairperson Beaulieu stated that Bill Shea, L. L. Bean, who could not be present, also sent his well wishes. She stated that George Denny also sent his best wishes and congratulations to Mr. Klein.

Councilor Mann stated that he appreciated the fact of how Mr. Klein has kept Eastland Shoe employees working full time over the years.

Councilor Soley stated that the turnout tonight is a testament to the greatness that the Klein Family and Eastland Shoe have bestowed on the Town.

Chairperson Beaulieu presented Mr. Klein with plaque of appreciation.

Mr. Klein stated that this was really a great honor for this special award, and on behalf of the employees of Eastland Shoe, he proudly accepted. He added that the ingredients that have allowed Eastland Shoe to thrive are due to the cooperation, interest and hard work of the "Eastland Family, i.e., the employees. He thanked the Council for this award.

A reception in Mr. Klein's honor followed.

FIRST ORDER OF BUSINESS: PUBLIC COMMENT PERIOD.

(There were no public comments this evening.)

MOVED AND SECONDED: TO CLOSE THE PUBLIC COMMENT PERIOD.
(Councilors Hindley & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

SECOND ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #15-98 HELD ON SEPTEMBER 8, 1998 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #15-98 HELD ON SEPTEMBER 8, 1998 AND ACCEPT THE MINUTES

AS PRINTED. (Councilors Mann & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

**THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE FOLLOWING
ITEMS OF BUSINESS AS READ BY THE COUNCIL CHAIRPERSON.**

ITEM #200-98 To consider action relative to applications for victualer licenses for John Welch, Mara Frank and Dale Baker. (Public Hearing).

MOVED AND SECONDED: That the Council adjourn and the Licensing Board convene. (Councilors DeGrandpre & Hindley) (6 Ayes) (1 Excused-Campbell) (6 Ayes) (1 Excused-Campbell)

ROLL CALL OF MEMBERS:

Genie Beaulieu-present	Kenneth Mann-present
David Soley-present	Edward Campbell-excused
Alan Hindley-present	Gloria Fogg DeGrandpre-present
Stafford Soule-present	Dale Ohmstead-present
Patricia Goodwin-present	

MOVED AND SECONDED: That the following applications for Victualer Licenses be subject to Public Hearing.

John Welch, d/b/a Mainely Beans/Gloria Jean's Gourmet Coffee, 123 Main Street

Mara Frank, d/b/a Captain Brigg's House B & B (formerly Bayberry B & B), 8 Maple Avenue

Dale Baker, d/b/a Ralph's Lazy Lobster, Peddler-Private Property, L.L. Bean Factory Outlet Store

(Councilors DeGrandpre & Soule) (8 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors DeGrandpre & Soule) (8 Ayes) (1 Excused-Campbell)

BE IT ORDERED: That the applications issued to the above named applicants be approved. **ROLL CALL VOTE** (Councilors DeGrandpre & Soule) (8 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Licensing Board adjourn and the Council reconvene. (Councilors DeGrandpre & Soule) (8 Ayes) (1 Excused-Campbell)

ITEM #201-98 To consider action relative to a proposed amendment to the Administrative Code concerning appointments to Boards and Committees (Chapter 2). Public Hearing.

MOVED AND SECONDED: That the Public Hearing be opened. (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

**COUNCIL MEETING #16-98
SEPTEMBER 22, 1998**

MOVED AND SECONDED: That the Public Hearing be closed. (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That Item #201-98 be tabled until October 6, 1998. (Councilors Soley & Soule) (6 Ayes) (1 Excused-Campbell)

ITEM #202-98 To consider action relative to proposed amendments to the Sign Ordinance concerning signage for businesses (Chapter 23).

BE IT ORDERED: That a Public Hearing be scheduled for October 6, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the Sign Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. **ROLL CALL VOTE** (Councilors Hindley & DeGrandpre)

Councilor Mann stated that the committee was appointed by the Town Council; the committee met to look at signage, particularly for businesses with less than 10,000 square feet. This proposal allows businesses of certain size to have signage in the rear. The committee felt that this would not add to "sign clutter". In addition, this allows for properties that have frontage on several streets to have more than one kiosk.

VOTE (6 Ayes) (1 Excused-Campbell)

ITEM #203-98 To consider action relative to the appointment of a Medium Density A & B Zoning Advisory Committee.

BE IT ORDERED: That a Medium Density A & B Zoning Advisory Committee be formed and the following members be appointed.

Voting Members:

George Frasier – Chairperson (Planning Board)
Kenneth Mann – Town Council
Kenneth Toner
William Bennett
David Stilkey
David Marstaller
Robert Allen
Chris Rallis
Robert Toothaker, III

Non-Voting Members:

Jacki Cohen – Staff to the Committee
Jack Lufkin – Liaison, Freeport Economic Development Corporation

BE IT FURTHER ORDERED: That the Committee be charged with the following:

**COUNCIL MEETING #16-98
SEPTEMBER 22, 1998**

Develop recommendations for zoning changes to the MD-A and MD-B zoning districts. Review the "permitted uses" section of the Zoning Ordinance to evaluate whether additional uses should be allowed in the MD-A and MD-B zoning districts, review the setback and buffering requirements in these districts to ensure that they are consistent, and look to see if there are opportunities for industrial and/or business park(s) within these districts.

This Committee will be advisory to the Planning Board and will report its recommendations to the Planning Board at the conclusion of its work.

Discussion followed re: committee make-up, similar to the way we have looked at other zones in consistency with the Comprehensive Plan.

ROLL CALL VOTE (Councilors Soule & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

ITEM #204-98 To consider action relative to casting the Town of Freeport's ballot for the 1999 Maine Municipal Association Slate of Officers and Voting Delegates.

BE IT ORDERED: That the Freeport Town Council cast its vote for the Slate of Officers for the Maine Municipal Associations Executive and Advisory Committee as recommended by the Maine Municipal Association Nominating Committee.

BE IT FURTHER ORDERED: That Gloria DeGrandpre be appointed Freeport's delegate at the Maine Municipal Association Business Meeting which will be held on October 14, 1998 and that Genie Beaulieu be appointed as Freeport's alternate voting delegate. **ROLL CALL VOTE** (Councilors Mann & DeGrandpre)

MOVED AND SECONDED: To amend Item #204-98 replace Genie Beaulieu with Johanna Hammond. (Councilors Beaulieu & Mann) (6 Ayes) (1 Excused-Campbell)

VOTE AS AMENDED (6 Ayes) (1 Excused-Campbell)

ITEM #205-98 To consider action relative to an appointment to the Freeport School Committee.

BE IT ORDERED: That Richard Hendee be appointed, effective immediately, to serve as a member of the Freeport School Committee until November 3, 1998. **BALLOT VOTE** (Councilors DeGrandpre & Hindley) (6 Ayes) (1 Excused-Campbell)

BE IT FURTHER ORDERED: That Mr. Hendee qualify by swearing an oath of office before the Town Clerk by October 2, 1998. **ROLL CALL VOTE** (Councilors DeGrandpre & Soley) (6 Ayes) (1 Excused-Campbell)

NOTE: This fills the unexpired term of Janet Hale.

NOTE: This item was requested by Councilor Soley.

**COUNCIL MEETING #16-98
SEPTEMBER 22, 1998**

Discussion followed re: number of vacancies on the Planning Board, Mr. Hendee's preference to remain on the Planning Board until November 1998 (two more meetings), etc.

ITEM #206-98 To consider action relative to proposed amendments to the General Assistance Ordinance concerning maximum levels of assistance (Chapter 46).

BE IT ORDERED: That a Public Hearing be scheduled for October 6, 1998 at 7:00 p.m. in the Town Hall Council Chambers to discuss proposed amendments to the General Assistance Ordinance.

BE IT FURTHER ORDERED: That 30 copies be distributed equally between the Town Clerk's office and the Freeport Community Library for inspection by citizens. **ROLL CALL VOTE** (Councilors Soley & DeGrandpre)

Manager Olmstead stated that the State originally submitted the wrong Appendix C and the Town subsequently received the new Appendix C with the correct information.

VOTE (6 Ayes) (1 Excused-Campbell)

ITEM #207-98 To consider action relative to the authorization of a going-out-of-business sale for Maine Maid.

BE IT ORDERED: That the application for a going-out-of-business permit issued to Maine Maid be approved. **ROLL CALL VOTE** (Councilors Hindley & Soule)

Manager Olmstead stated that he has a complete list of the inventory regarding this item.

VOTE (6 Ayes) (1 Excused-Campbell)

OTHER BUSINESS:

1. Presentation of Proposed Open Space Plan – Conservation Commission.

Chairperson Beaulieu stated that this item has been postponed until October 6, 1998.

2. Manager Olmstead stated that the Town had received a letter from the Town Attorney asking if we were interested in intervening in the Maine PUC case, regarding Consumers Maine Water Company - Request for Approval of Merger with Philadelphia Suburban Corporation. He added that he has not received a great deal of information regarding this. We have to intervene by September 30, 1998.

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Discussion followed re: lack of information, difference between active or inactive intervening, potential legal fees, having the Manager send a letter to intervene in order to receive further information, following briefs if needed, etc.

MOVED AND SECONDED: To move an item not on the printed agenda. (Councilors Soley & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

MOVED AND SECONDED: That the Town of Freeport intervene into the Consumers Maine Water Company request for approval of merger with Philadelphia Suburban Corporation matter, PUC Docket No. 98-648, and that the intervention be done by the Town as opposed to the Town Attorney. (Councilors Soley & DeGrandpre) (6 Ayes) (1 Excused-Campbell)

COMMITTEE REPORTS:

(There were no committee reports this evening.)

MOVED AND SECONDED: That the meeting be adjourned at 8:22 P.M. (Councilors Mann & DeGrandpre) (6 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin, Recording Secretary