



CITY OF SOUTH PORTLAND

THOMAS E. BLAKE  
Mayor

JAMES H. GAILEY  
City Manager

EMILY F. CARRINGTON  
City Clerk

SALLY J. DAGGETT  
Jensen Baird Gardner & Henry

District One  
CLAUDE V.Z. MORGAN

District Two  
PATRICIA SMITH

District Three  
EBEN ROSE

District Four  
LINDA C. COHEN

District Five  
BRAD FOX

At Large  
MAXINE BEECHER

At Large  
THOMAS E. BLAKE

**Name of Body: City Council**  
**Tentative Agenda for the Meeting of: May 16, 2016**  
**Meeting Begins: 7:00 P.M.**  
**Location: City Hall Council Chambers**  
**Amended Agenda Issued:**

- A. Acceptance of Minutes**
- B. Communications from City Manager**
- C. Petitions and Communications**
- D. Appointment Calendar**
  - 1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.
  - 2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote..
  - 3. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.
  - 4. ORDER #71-15/16- Library Advisory Board, District One (Morgan), appointing **Debora Schofield** for an unexpired term which expires on 01/01/19. Postponed since 01/04/16. Passage requires majority vote.
  - 5. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/19. Postponed since 01/04/16. Passage requires majority vote.
  - 6. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

**- 2 -**  
**In Council**  
**May 16, 2016**

7. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.
8. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for a term which expires on 05/05/19. Postponed since 03/21/16. Passage requires majority vote.
9. ORDER #127-15/16 - Planning Board, District Two (Smith), for an unexpired term which expires on 04/01/19. Postponed since 04/20/16. Passage requires majority vote.
10. ORDER #137-15/16 – Arts & Historic Preservation Committee, District Three (Rose), for an unexpired term which expires on 10/20/18. Postponed since 05/02/16. Passage requires majority vote.
11. ORDER #146-15/16 – Energy & Recycling Committee, District Four (Cohen), for a term which expires on 05/05/19. Passage requires majority vote.
12. ORDER #147-15/16 - Energy & Recycling Committee, District Four (Cohen), for a term which expires on 05/05/19. Passage requires majority vote.

**E. Consent Calendar**

**F. Citizen Discussion (First Part)**

**G. Public Hearings and Action**

13. ORDER #148 – Diamond Dogs DBA Chicago Dogs, 671 Main Street, for a Food Establishment/Restaurant with Malt & Vinous license. Passage requires majority vote.

**H. Action on Old and New Business**

14. PROCLAMATION #3-15/16 – Regarding Memorial Day, and directing that flags be placed on the graves of veterans.
15. ORDER #149-15/16 – Setting the time for opening the polls for the June 14, 2016 State Primary Election and School Budget Validation Referendum.
16. ORDER #150-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

**- 3 -**  
**In Council**  
**May 16, 2016**

17. ORDER #151-15/16 – Award of Bid #33-16 to GovConnection, of Merrimack, NH, for office and email solution for the Information Technology Department. Passage requires majority vote.
18. ORDER #152-15/16 – Authorizing the City Manager to sign a Use Agreement between the City of South Portland and the Town of Scarborough for placement of a bus shelter on Gallery Boulevard in the Town of Scarborough. Passage requires majority vote.
19. ORDER #153-15/16 – Appropriating \$24,985 from the Sewer User Fund Reserves and award of Bid #36-16 to Gorham Sand & Gravel, of Buxton, ME, for sewer repair work on Ocean Street. Passage requires majority vote.
20. ORDER #154-15/16 – Amending ORDER #87-15/16 regarding the award of bid for the purchase of police cruisers. Passage requires majority vote.
21. RESOLVE #9-15/16 - That \$18,397,844 be expended for Regular Instruction. Passage requires majority vote.
22. RESOLVE #10-15/16 - That \$8,892,384 be expended for Special Education. Passage requires majority vote.
23. RESOLVE #11-15/16 - That \$290,559 be expended for Career and Technical Education. Passage requires majority vote.
24. RESOLVE #12-15/16 - That \$913,774 be expended for Other Instruction. Passage requires majority vote.
25. RESOLVE #13-15/16 - That \$3,842,182 be expended for Student and Staff Support. Passage requires majority vote.
26. RESOLVE #14-15/16 - That \$1,398,085 be expended for System Administration. Passage requires majority vote.
27. RESOLVE #15-15/16 - That \$2,410,127 be expended for School Administration. Passage requires majority vote.
28. RESOLVE #16-15/16 - That \$1,947,029 be expended for Transportation and Buses. Passage requires majority vote.
29. RESOLVE #17-15/16 - That \$4,247,233 be expended for Facilities Maintenance. Passage requires majority vote.

- 4 -  
**In Council**  
**May 16, 2016**

30. RESOLVE #18-15/16 - That \$4,881,765 be expended for Debt service and Other Commitments. Passage requires majority vote.
31. RESOLVE #19-15/16 - That \$438,312 be expended for All Other Expenditures. Passage requires majority vote.
32. RESOLVE #20-15/16 - That \$35,699,041.29 be appropriated for the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$29,420,871.67 be raised as the City's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688. Passage requires majority vote.

*Explanation: The City's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by State law to be the minimum amount that the municipality must raise in order to receive the full amount of State dollars.*

33. RESOLVE #21-15/16 - That \$4,160,074 be raised and appropriated for the annual payments on debt service previously approved by the voters for non-State funded school construction projects and non-State funded portions of school construction projects in addition to the funds appropriated as the local share of the City's contribution to the total cost of funding public education from pre-kindergarten to grade 12. Passage requires majority vote.

*Explanation: non-State funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major school construction projects that are not approved for State subsidy. The bonding of this long-term debt was previously approved by the voters of the City as follows:*

- *SPHS Auditorium/Cafeteria Construction, approved by voters on November 8, 1994*
- *Elementary Schools Construction and Renovation, approved by voters on November 6, 2001*
- *SPHS Addition and Renovation, approved by voters on November 2, 2010*

**- 5 -**  
**In Council**  
**May 16, 2016**

34. RESOLVE #22-15/16 - That \$6,120,073.33 be raised and appropriated in additional local funds, which exceed the State's Essential Programs and Services Allocation model by \$5,339,960.52 as required to fund the budget recommended by the Board of Education. Passage requires majority vote.

*The Board of Education recommends \$6,120,073.33 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$5,339,960.52.*

- *Pension Obligation Debt Service, approved by voters November 4, 2003*
- *Co-curricular/Athletic costs not recognized by EPS*
- *Maintaining/Staffing two small Middle Schools rather than one*
- *Staffing for Nursing Services greater than acknowledged by EPS*
- *Maintaining/Staffing five small Elementary Schools rather than four*
- *Class Size Targets less than State standard*
- *Purchase of two 88 passenger school buses*
- *Payment of one-half of MLTI iPad lease payments*
- *Capital Improvement Projects for Mahoney, Memorial and SPHS approved by voters on June 9, 2009*

*Explanation: The additional local funds are those locally raised funds over and above the municipality's local contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-State funded debt service that will help achieve the school department budget for educational programs.*

35. RESOLVE #23-15/16 – That the Board of Education be authorized to expend \$47,659,294 for the fiscal year beginning July 1, 2016 and ending June 30, 2017 from the municipality's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-State funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools. Passage requires majority vote.
36. RESOLVE #24-15/16 - That the City of South Portland will appropriate \$20,000 for Adult Education and raise \$20,000 as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program. Passage requires majority vote.

- 6 -  
**In Council**  
**May 16, 2016**

37. RESOLVE #25-15/16 - That the City of South Portland will raise and appropriate \$430,000 in additional local dollars in support of the food service program. Passage requires majority vote.
38. RESOLVE #26-15/16 – That the Board of Education be authorized to expend such other sums as may be received for state and federal grants or programs or other sources during the fiscal year for school and/or adult education purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated. Passage requires majority vote.
39. ORDER #155-15/16 – Authorizing the Superintendent to implement the FY17 School Department Capital Improvement Plan in the amount of \$1,103,048 as detailed in the Superintendent’s memo and FY17 Proposed CIP Expenditure Summary. Passage requires majority vote.
40. ORDER #156-15/16 - Authorizing the Mayor to sign the City Manager’s Employment Agreement. Passage requires majority vote.
41. RESOLVE #27-15/16 - Pursuant to §612 of the City Charter determining details of issue of \$14,000,000 principal amount of bonds authorized by bond ordinance finally passed and enacted June 17, 2013. Passage requires majority vote.

**I. Citizen Discussion (Second Part)**

**J. Councilor’s Round Robin**

**K. Executive Session**

Note: Items may be added to or deleted from the tentative agenda. Copies of amended agenda may be obtained from the City Clerk. Amendments, if any, appear on attachments to the tentative agenda.

In the event the Council determines that it may not reach all agenda items by 11:00 P.M., it may postpone some items to a subsequent meeting. Postponement is not required, and the Council may take up agenda items after 11:00 P.M. Any items postponed to the next meeting will normally be scheduled ahead of subsequently scheduled agenda items.