

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 34
OCTOBER 3, 2016**

Roll Call: Mayor Blake called the meeting to order at 7:00pm. All Councilors were present.

A. Acceptance of Minutes

Beecher moved for passage, seconded by Rose. The motion passed 7-0.

B. Communications from City Manager

The City Manager welcomed new businesses to the City.

C. Petitions and Communications

The City Clerk announced the date of the candidate forums.

D. Appointment Calendar

Morgan made a motion to have items 1-8, 10 & 11 read and voted on as one item. Seconded by Rose. The motion passed 5-2 (Cohen, Beecher).

Morgan moved to postpone items 1-8, 10 & 11, seconded by Rose. The motion passed 7-0.

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 #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.

4. 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.

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5. ORDER #157-15/16 – Energy & Recycling Committee, District One (Morgan), for an unexpired term which expires on 05/05/18. Postponed since 06/06/16. Passage requires majority vote.
6. ORDER #36-16/17 – Arts & Historic Preservation Committee, At-Large (Beecher), for an unexpired term which expires on 10/20/17. Postponed since 09/07/16. Passage requires majority vote.
7. ORDER #37-16/17 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 03/03/18. Postponed since 09/07/16. Passage requires majority vote.
8. ORDER #38-16/17 – Conservation Commission, District Three (Rose), for an unexpired term which expires on 03/03/19. Postponed since 09/07/16. Passage requires majority vote.
9. ORDER #39-16/17 – Conservation Commission, At-Large (Beecher), appointing **Rick Foss-Lacey**, for an unexpired term which expires 03/03/17. Postponed since 09/07/16. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 7-0.

10. ORDER #48-16/17 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 11/20/17. Postponed since 09/19/16. Passage requires majority vote.
11. ORDER #51-16/17 – Economic Development Committee, District Two (Smith), for an unexpired term which expires 03/23/18. Postponed since 09/19/16. Passage requires majority vote.

E. Consent Calendar

F. Citizen Discussion (First Part)

The following spoke:

Russ Lunt, Brigham St.
Rosemarie DeAngelis, Pleasantdale
Caroline Hendry, B St.

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G. Public Hearings and Action

H. Action on Old and New Business

12. ORDER #56-16/17 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Smith. The motion passed 7-0.

3. ORDER #57-16/17 – Award of Bid #13-17 to Westmatic, of Buffalo, NY for the purchase of an automated vehicle wash system for the South Portland Municipal Facility. Passage requires majority vote.

The following spoke:

Russ Lunt, Brigham St.
Doug Howard, Director of Public Works

Beecher moved for passage, seconded by Rose. The motion passed 7-0.

14. ORDER #58-16/17 – Award of Bid #14-17 to Skid Steer Services, LLC, of Naples, ME, for the repair of the retaining wall at 30 Anthoine Street. Passage requires majority vote.

The following spoke:

Greg L'Hereux, Finance Director

Morgan moved for passage, seconded by Smith. The motion passed 6-1 (Smith).

15. ORDINANCE #3-16/17 – Amending Chapter 16, “Nuisances Generally”, regarding the process for filing a Nuisance Complaint. First reading. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Morgan.

Rose moved to amend ORDINANCE #3-16/17 to clarify sentence in subsection (d) on page 2. Seconded by Cohen. The motion passed 6-1 (Morgan).

The main motion passed 7-0.

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16. ORDINANCE #4-16/17 – Amending Article VIII of Chapter 18, “Parks and Recreation,” and Article I of Chapter 23, “Streets and Sidewalks,” of the Code of Ordinances regarding smoking/tobacco use in parks and recreation facilities and at school bus stops. First reading. Passage requires majority vote.

The following spoke:

Russ Lunt, Brigham St.
Patricia Whyte, Orchard St.

Morgan motioned to have item read by title only; seconded by Beecher. The motion passed 7-0.

Cohen moved for passage, seconded by Fox.

Cohen moved to accept the revised amended version (correcting grammatical errors), seconded by Beecher. The motion passed 7-0.

The main motion passed 7-0.

I. Citizen Discussion (Second Part)

The following spoke:

Adrian Dowling, Brickhill Ave.

J. Councilor’s Round Robin

Councilor Fox thanked Adrian Dowling and recommended him for reappointment to the Arts & Historic Preservation Committee.

Beecher commended staff on the new updates from each department. Beecher also commended Amanda Larson on her service to the Arts & Historic Preservation Committee.

Blake updated the public on the status of the City Manager search.

Morgan thanked Jesssica Skwire Routhier for her service on the Arts & Historic Preservation Committee.

Rose commented on the campaign signs and the fact there has been no complaints made to the City Clerk so far.

Cohen wished a happy new year to Muslim and Jewish friends. Commented on a

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recent news article on elections.

K. Executive Session

Executive Session: A motion may be made to go into executive session pursuant to 1 M.R.S.A. § 405(6)(E) to discuss the pending litigation matters of *Devin Deane v. City of South Portland* with the City's legal counsel.

Morgan motioned to go into executive session at 8:20pm, seconded by Fox. The motion passed 7-0.

Morgan motioned to come out of executive session at 8:52pm, seconded by Beecher. The motion passed 7-0.

Morgan motioned to adjourn at 8:53pm, seconded by Cohen. The motion passed 7-0.

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ATTEST _____
Emily F. Scully