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**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 1**  
**JULY 7, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:30 P.M.

7. ORDINANCE #1-14/15 - Amending Chapter 27, "Zoning," to implement Part 1 of the recommendations of the Draft Ordinance Committee dated July 1, 2014. First reading. Passage requires majority vote.

Councilor Blake moved to postpone the first reading of the ordinance to July 9, 2014 at 7:00 pm with the location to be determined. Mayor Jalbert seconded. The postponement passed 7-0.

8. ORDINANCE #2-14/15 - Amending Chapter 27, "Zoning," to repeal the moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels. First reading. Passage requires majority vote.

Councilor Blake moved to postpone the first reading of the ordinance to July 9, 2014 at 7:00 pm with the location to be determined. Mayor Jalbert seconded. The postponement passed 7-0.

**A. Acceptance of Minutes**

Motion to accept the minutes from the June 16<sup>th</sup> meeting was made by Councilor Smith. Councilor Cohen seconded. Passed 7-0.

**B. Communications from City Manager**

The Manager addressed the following items;

- Tri for the Cure is on July 20<sup>th</sup> and a reminder that there will be road closures in the eastern part of the City.
- Movie Night starts this Thursday at Bug Light Park.
- Summer Concerts are in Millcreek Park.

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 2**  
**JULY 7, 2014**

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed on 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

3. ORDER #1-14/15 – Harbor Commission, Mayoral appointment, appointing **Patrick Arnold** for a term which expires on 06/30/17. Passage requires majority vote.

Patrick Arnold spoke.

Mayor Jalbert moved to appoint Patrick Arnold. Councilor Cohen seconded. The appointment passed 7-0. Mr. Arnold was introduced and sworn in.

**E. Consent Calendar**

4. STREET CLOSURE - South Portland Parks and Recreation Department is requesting to close Ocean St. from D Street to C Street on August 9, 2014 from 3:00 P.M. to 7:00 P.M. for the Knightville Classic Car Show. Passage requires majority vote.

Lisa Thompson from the Parks, Recreation & Waterfront Department spoke on the road closure.

Margaret Stenberg, 72 Ocean Street spoke.

Councilor Cohen moved for passage of the street closure. Councilor Pock seconded. The closure passed 7-0.

5. SIGN PERMIT - South Portland – Cape Elizabeth Rotary Club is requesting to place a sign on the corner of Ocean Street and Broadway to advertise the Rotary Spring Point 5K Classic to be held on July 27, 2014. Passage requires majority vote.

Robert Danielson of Cape Elizabeth and also a representative from the Rotary spoke.

Councilor Beecher moved for passage of the sign permit. Councilor Blake seconded. The permit passed 7-0.

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

The following people spoke:

Russ Lunt, 133 Brigham Street

Rosemarie Deangelis, 30 Buttonwood

Patricia White, 7 Orchard Street

Kevin Rodriguez, 592 Main Street

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**JULY 7, 2014**

Greg Lewis, 153 Mussey Street  
Roberta Zuckerman, 372 Preble Street  
Burt Russell, Portsmouth New Hampshire  
Leslie Gatcombe-Hynes, 47 Elmwood  
PJ. Cragin, 81 Smith Street  
Lee Smolovitch, 89 Willow Street  
Catherine Chapman, 27 Beaufort Street  
Adam Zuckerman. 372 Preble Street

**G. Public Hearings and Action**

6. ORDINANCE #18-13/14 – Amending Chapter 2, “Administration and Legislation”, Article III, Division 9, regarding an Arts and Historic Preservation Committee. Passed first reading on 06/16/14. ROLL CALL VOTE. Passage requires majority vote.

Councilor Cohen moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 7-0.

Lee Smolovitch, 89 Willow Street spoke.

Councilor Blake moved for passage of the ordinance. Councilor Beecher seconded. The ordinance passed 7-0.

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

9. ORDINANCE #3-14/15 – Amending Chapter 24, “Subdivisions” regarding vernal pools and natural, historic and archaeological resources. First reading. Passage requires majority vote.

Councilor Beecher moved to have the ordinance read by title only. Councilor Pock seconded. The motion passed 7-0.

State Representative Terry Morrison spoke.

Tex Haeuser, Planning Director spoke.

Councilor Beecher moved for passage of the ordinance. Councilor Pock seconded. The ordinance passed first reading and set July 21, 2014 for the public hearing date by a vote of 7-0.

10. ORDINANCE #4-14/15 – Amending Chapter 27, “Zoning,” regarding vernal pools, natural, historic and archaeological resources, shoreland zoning, and variance approval process. First reading. Passage requires majority vote.

Councilor Cohen moved to have the ordinance read by title only. Councilor Linscott seconded. The motion passed 7-0.

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**JULY 7, 2014**

Tex Haeuser, Planning Director spoke.

Councilor Cohen moved for passage of the ordinance. Councilor Linscott seconded. The ordinance passed first reading and set July 21, 2014 for the public hearing date by a vote of 7-0.

11. ORDER #2-14/15 – Award of Bid #32-14 to: Sebago Technics, of South Portland, ME; Woodard and Curran, of Portland, ME, GIS Mapping & Analysis, of Portland, ME, and SMRT, of Portland, ME, to provide engineering services for the City of South Portland. Passage requires majority vote.

Brad Weeks, Engineer spoke.

Councilor Cohen moved for passage of the order. Councilor Linscott seconded.

Councilor Cohen moved to amend the order to add Fiscal Note: As shown on the attached fee schedule. Councilor Linscott seconded. The amendment passed 7-0.

The order as amended passed 7-0.

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

The following people spoke:

Bob Whyte, 7 Orchard Street  
Karen Silverman, 17 Churchill Road  
Ken Brown, Freeport, Maine  
Robert Sellin, 5 Deake Street  
Rachel Burger, 17 Churchill Road  
Margaret Stenberg, 72 Ocean Street

**J. Councilor's Round Robin**

Councilor Blake congratulated the South Portland High School Boys Lacrosse team for their State Championship. He is requesting more information on the use of Thomas Knight Park. He also requested more information on the voting machines.

Councilor Beecher commented on the July 5<sup>th</sup> celebration.

Councilor Pock reminded people to attend the July 12<sup>th</sup> Willardfest.

Councilor Smith requested more information on City owned open spaces and the rental of those spaces. She encourages people to attend Willardfest. She also encourages people to attend the Farmers Market on Sundays in the City Hall Parking lot.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 5**  
**JULY 7, 2014**

Councilor Linscott congratulated the South Portland High School Boys Lacrosse team for their State Championship. She also congratulated the Major Little League team whom had a great run this year.

Councilor Cohen encourages people to go to the movies at Bug Light Park. She gave a brief explanation of the voting equipment and the strict procedures that the Clerks have to go through every election to test the machines.

Mayor Jalbert thanked everyone for their patience tonight.

**K. Executive Session**

Councilor Linscott moved to adjourn at 9:30 P.M. Councilor Beecher seconded. The motion passed 7-0.

A TRUE COPY

ATTEST   
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Jessica B. Hanscombe

**IN COUNCIL SPECIAL MEETING VOL. 76 PAGE 6**  
**JULY 9, 2014**

**Roll Call:** Mayor Jalbert called the Special Meeting to order at 7:00 P.M. at the South Portland Community Center Gymnasium. Councilor Blake moved to waive Standing Rule 19(e) to limit citizen discussion to three minutes in order to afford the large number of attendees an opportunity to speak. Councilor Beecher seconded. The motion passed 7-0.

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

1. ORDINANCE #1-14/15 - Amending Chapter 27, "Zoning," to implement Part 1 of the recommendations of the Draft Ordinance Committee dated July 1, 2014. First reading. Passage requires majority vote.

Councilor Cohen moved to have the ordinance read by title only. Councilor Pock seconded. The motion passed 7-0. After a presentation from the Draft Ordinance Committee the following people addressed this item;

Doctor Priscilla Skerry, Naturopathic Medicine  
Janice Doctor, Betsy Ross House  
Chris Owen, Steep Falls  
Rachel Burger, Churchill Road  
Joann Dorsay, Betsy Ross House  
Erin Elizabeth, Buchanan Street  
Jessica Ann Dell, Front Street  
David Manning, Representing Alberta Canada  
Pamela Cragin, Smith Street  
Judy Klein, Breakwater  
Andy Jones, High Street  
Martin Steingesser, Portland  
Ann Morrill, Fickett Street  
Deb Sandler, Fort Road  
John Wibby, Cash Street  
April Caricchio, Cash Street  
Paul Cunningham, Edwards Street  
Kathy Latendresse, High Street  
Karen Sanford, Preble Street  
Sean Mahoney, Falmouth Town Councilor  
Catherine Chapman, Beaufort Street  
Jeff Leary, Mitchell Road  
Bill Duffy, Ocean View Ave.  
Anthony Borrasso, Riverplace Drive  
Bethany Woodworth, Ocean View Drive  
Andrew Farm, Ocean View Drive  
Fred Broncardo, Portland  
Bob Foster, Simmons Road  
Tim Winters, Sprague Energy  
David Mahaney and Ella, Evans Street

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**JULY 9, 2014**

Bruce Yates, Cape Elizabeth  
Dave Dolberg, Sprague Energy  
Alice Donahue, Preble Street  
Dara Saffer, Pond Road  
Max Saffer, Pond Road  
Luke Turner, Pitt Street  
Gregg Raymond, Willow Street  
Kathryn DePhilippo, Highland Ave.  
Peg Gilley, Casco (passed along a handout and picture)  
Margaret Johnson, Sunset Park  
Jamie Py, Maine Energy Marketers  
Charlie Vacchiano, Boothby Ave.  
Ashley Shumacher, Mussey Street  
Phin Sprague, Cape Elizabeth  
Tom Hardison, Portland Pipeline  
Matt Manahan, Representing Portland Pipeline  
Kathy Dillenback, Portland  
Meg Braley, Beach Street (read a communication from Deb Crimmins and Greg Baschkopf)  
Taryn Hallweaver, Natural Resource Council of Maine  
Taylor Hudson, Sprague Energy  
Eben Rose, Buchanan Street  
Joe Hemes, Ridgeland Ave.  
Bob Klotz, Whitehall Ave.  
Nathan Rose, Buchanan Street  
Burt Russell, Sprague Energy  
Eva Goetz, Knightville  
Greg Lewis, Mussey Street  
Bob Whyte, Orchard Street  
Rob Sellin, Deake Street  
Natalie West, Deake Street  
Steve Jocher, Highland Ave.  
Peter Stanton, Deake Street  
Russ Lunt, Brigham Street  
Patricia Whyte, Orchard Street

Councilor Blake moved for passage. Councilor Linscott seconded. The ordinance passed first reading by a vote of 6-1 (Pock).

2. ORDINANCE #2-14/15 - Amending Chapter 27, "Zoning," to repeal the moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels. First reading. Passage requires majority vote.

Councilor Cohen moved to have the Ordinance read by title only. Councilor Pock seconded. The motion passed 7-0.

There was no public discussion.

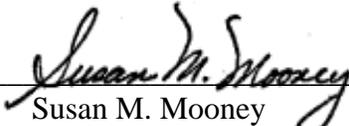
**IN COUNCIL SPECIAL MEETING VOL. 76 PAGE 8  
JULY 9, 2014**

Councilor Cohen moved for passage. Councilor Linscott seconded. The ordinance passed first reading by a vote of 7-0.

Councilor Smith moved to adjourn at 11:16 P.M. Councilor Beecher seconded. The motion passed 7-0.

A TRUE COPY

ATTEST

  
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Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 9**  
**JULY 21, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M. at the South Portland Community Center Gymnasium.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the July 7<sup>th</sup> meeting and the July 9<sup>th</sup> Special Meeting. Councilor Pock seconded. Passed 7-0.

**B. Communications from City Manager**

**C. Petitions and Communications**

Department and Committee reports

Motion to waive Council Standing Rules to limit public comments to 3 minutes. Passage requires majority vote.

Councilor Pock moved to waive Standing Rule 19(e) to limit citizen discussion to three minutes in order to afford the large number of attendees an opportunity to speak. Councilor Linscott seconded. The motion passed 7-0.

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

3. ORDER #3-14/15 – Board of Appeals, District Three (Linscott), appointing **Greg Perry** to fill a term which expires on 07/23/17. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 10  
JULY 21, 2014**

Councilor Linscott moved to appoint Gregg Perry. Councilor Pock seconded. The order passed 7-0.

4. ORDER #4-14/15 – Board of Appeals, District Four (Cohen), appointing **Daniel Fortin** to fill a term which expires on 07/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Daniel Fortin. Councilor Linscott seconded. The order passed 7-0.

5. ORDER #5-14/15 – Board of Appeals, District Five (Jalbert), appointing **Cara Biddings** to fill a term which expires on 07/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to appoint Cara Biddings. Councilor Cohen seconded. The order passed 7-0.

**E. Consent Calendar**

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

Russ Lunt, Brigham Street  
Burt Culfman, Oxford  
Delores Broberg, Bellevue Ave.  
Joann Dorsay, Betsy Ross House  
Beth Burnham, Wythburn Road  
Joseph Conroy, Loveitt's Field Road  
Leslie Gatcombe-Hynes, Elmwood Road  
Ann Bainbridge, Westbrook  
Dr. Pricilla Skerry, Naturopathic Medicine  
Catherine Share, Sylvan Road  
Jessica Ann Dell, Fort Road  
Andrew Parker, Osborne Ave.  
Jessica Brown, Portland

**G. Public Hearings and Action**

6. BUSINESS LICENSE – Oscar Pizza LLC, DBA Otto, 125 John Roberts Road, for a Food Establishment Restaurant with Malt & Vinous License. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 11**  
**JULY 21, 2014**

Councilor Beecher moved for passage. Councilor Pock seconded. The license passed 7-0.

7. RESOLVE #1 – Supporting the City’s current general assistance practices. Passage requires majority vote.

The following people addressed this item;

Rosemarie De Angelis, Pleasantdale  
Ian Meng, Pond Road  
Paul Cunningham, Edwards Street  
Tess Nacelewicz, Robinson Street

Councilor Beecher moved for passage. Councilor Cohen seconded. The resolve passed 7-0.

8. ORDINANCE #1-14/15 - Amending Chapter 27, “Zoning,” to implement Part 1 of the recommendations of the Draft Ordinance Committee dated July 1, 2014. Passed first reading 07/09/14. ROLL CALL VOTE. Passage requires five affirmative votes.

Councilor Blake moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 7-0. The following people addressed this item;

Russ Lunt, Brigham Street  
Judith Moll, Fort Road  
Pricilla Dreyman, Thompson Street  
Scott Duncan, Smith Street  
April Caricchio, Cash Street  
Cokie Giles, Brewer  
Kathryn DiPhilippo, Highland Ave.  
Dawn Ellen Kirkland, Kurt Whited and Zoey  
Dr. Eve Raimon, Angell Ave.  
Janice Doctor, Betsy Ross House  
Rich Stenberg, South Portland  
Greg Griffin, Cape Elizabeth  
Judy Klein, Breakwater  
Dara Saffer, Pond Road  
Rubin Saffer, Pond Road  
Miles Donahue, Preble Street  
Howie Saffer-Meng, Pond Road  
Rosie Saffer-Meng, Pond Road  
Max Saffer-Meng, Pond Road  
Luke Turner, Pitt Street  
Eva Goetz, C Street  
Peg Gilley, Casco  
Paul Cunningham, Edwards Street  
Peter Nichols, Osborne Ave.  
Doug Bowen, Porter

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Ed Miller, Hallowell  
Kevin Rodriguez, Main Street  
Ian York, South Portland  
Marlie, South Portland  
Patricia Whyte, Orchard Street  
Lisa Pohlmann, Natural Resource Council of Maine  
Lee Smolovitch, Willow Street  
Mary Jane Ferrier, School Street  
Bob Whyte, Orchard Street  
Brian Downey, Falmouth  
Tom Hardison, Scarborough  
Matt Manahan, Representing Portland Pipeline  
Dick Ingalls, Front Street  
Sarah Kasprzak-Lachance, Cape Porpois  
Roberta Zuckerman, Preble Street  
Susan Rose, Buchanan Street  
Sean Mahoney, Conservation Law Foundation  
Kathy Latendresse, High Street  
Karen Sanford, Preble Street  
Catherine Chapman, Beaufort Street  
Brian Fournier, President of Portland Tugboat  
Leah Flumerfelt, Falmouth  
Jim Braley, Beach Street  
Margaret Stenberg, Ocean Street  
Meg Braley, Beach Street  
Carolyn Tkach, Portland  
Rachel Burger, Churchill Road  
Burt Russell, Sprague Energy  
Peter Stanton, Deake Street  
Joseph Conroy, South Portland  
Michael Savasuk, Attorney on behalf of Maritime Industry  
Emily Figdor, Environment Maine  
Joseph Capelluti, High Street  
Bob Foster, Front Street  
Rosemarie De Angelis, Pleasantdale  
Eben Rose, Buchanan Street  
Pamela Cragin, Smith Street  
Crystal Goodrich, Highland Ave.

Mayor Jalbert moved for final passage of Ordinance #1-14/15. Councilor Blake seconded. Councilor Pock moved to amend the ordinance to change every occurrence of “crude oil” to “non American crude oil”. Councilor Beecher seconded the amendment. The amendment failed 1-6 (Smith, Linscott, Cohen, Jalbert, Blake, Beecher). The ordinance passed roll call vote 6-1 (Pock).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 13**  
**JULY 21, 2014**

9. ORDINANCE #2-14/15 - Amending Chapter 27, "Zoning," to repeal the moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels. Passed first reading 07/09/14. ROLL CALL VOTE. Passage requires five affirmative votes.

Councilor Pock moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 7-0. The following people addressed this item;

Bob Whyte, Orchard Street  
Patricia Whyte, Orchard Street  
Brian Leonard, Broadway

Councilor Cohen moved to postpone final passage of Ordinance #2-14/15 to the September 3<sup>rd</sup> Council meeting. Councilor Pock seconded. The postponement passed 7-0.

10. ORDINANCE #3-14/15 – Amending Chapter 24, "Subdivisions" regarding vernal pools and natural, historic and archaeological resources. Passed first reading 07/07/14. ROLL CALL VOTE. Passage requires majority vote.

Councilor Pock moved to have the ordinance read by title only. Councilor Linscott seconded. The motion passed 7-0. There was no public discussion.

Councilor Linscott moved for final passage of Ordinance #3-14/15. Councilor Beecher seconded. The ordinance passed roll call vote 7-0.

11. ORDINANCE #4-14/15 – Amending Chapter 27, "Zoning," regarding vernal pools, natural, historic and archaeological resources, shoreland zoning, and variance approval process. Passed first reading 07/07/14. ROLL CALL VOTE. Passage requires five affirmative votes.

Councilor Cohen moved to have the ordinance read by title only. Councilor Pock seconded. The motion passed 7-0. There was no public discussion.

Councilor Beecher moved for final passage of Ordinance #4-14/15. Councilor Smith seconded. The ordinance passed roll call vote 7-0.

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

12. ORDER #6-14/15 – Setting August 4, 2014 as the date of the public hearing on a public nuisance complaint relating to property at 29 Willard Street. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. The order passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 14**  
**JULY 21, 2014**

13. ORDER #7-14/15 – Adopting Appendix A, General Assistance Overall Maximums as mandated by the Maine Municipal Association. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved for passage. Councilor Beecher seconded. The order passed 7-0.

14. ORDER #8-14/15 – Accepting and allocating revenue from the sale of Roosevelt School to Anew Real Property Development, LLC, of Portland, ME. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Blake moved for passage. Councilor Smith seconded. Councilor Beecher moved to amend the sale amount and the fiscal note from \$205,094.30 to \$218,500. Councilor Smith seconded. The amendment passed 7-0. The order passed as amended 7-0.

15. ORDER #9-14/15 – Award of Bid #01-15 to Asplundh Tree Service, Inc., of Naples, ME, to provide tree pruning and removal services. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. Councilor Beecher moved to strike out, “not to exceed”. Councilor Blake seconded. The amendment passed 7-0. The order passed as amended 7-0.

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

**J. Councilor’s Round Robin**

Councilor Cohen remarked about the success of Movie Night in Bug Light Park.

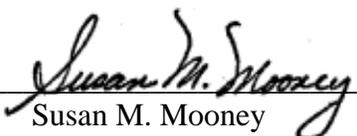
Councilor Blake noted that it was mentioned in the LA Times.

**K. Executive Session**

Councilor Pock moved to adjourn at 11:28 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST

  
Susan M. Mooney

**IN COUNCIL SPECIAL MEETING VOL. 76 PAGE 15**  
**AUGUST 4, 2014**

**Roll Call:** Mayor Jalbert was absent. Councilor Cohen called the Special Meeting to order at 6:30 P.M.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty.

Councilor Beecher moved to go into Executive Session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty. Councilor Blake seconded. The motion passed 6-0 (Jalbert absent).

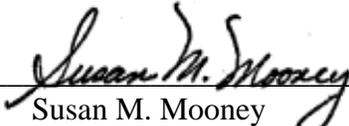
Councilor Smith moved to come out of Executive Session at 6:46 P.M. Councilor Linscott seconded. The motion passed 6-0 (Jalbert absent).

Councilor Beecher moved for passage of Hardship Abatement #1-14/15 in the amount of \$2,407.94 plus interest and costs. Councilor Smith seconded. The abatement passed 6-0 (Jalbert absent).

Councilor Pock moved to adjourn at 6:47 P.M. Councilor Linscott seconded. The motion passed 6-0 (Jalbert absent).

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ATTEST \_\_\_\_\_

  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 16**  
**AUGUST 4, 2014**

**Roll Call:** Mayor Jalbert was absent. Councilor Cohen called the meeting to order at 7:00 P.M.

**A. Acceptance of Minutes**

Councilor Blake moved to accept the minutes from the July 21st meeting. Councilor Beecher seconded. Passed 6-0 (Jalbert absent)

**B. Communications from City Manager**

The Manager addressed the following item;

- 35<sup>th</sup> Annual Art in the Park Show – August 9<sup>th</sup> in Mill Creek Park

**C. Petitions and Communications**

Swearing in of Police Sergeant Christopher Todd

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 6-0 (Jalbert absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 6-0 (Jalbert absent).

**E. Consent Calendar**

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

Russ Lunt, Brigham Street  
David Boyer, Director of the Marijuana Policy Project  
Greg Lewis, 153 Mussey Street  
Melissa Thomas, 51 Scammon Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 17**  
**AUGUST 4, 2014**

**G. Public Hearings and Action**

3. ORDER #10-14/15 – Public hearing and action on a public nuisance complaint regarding 29 Willard Street. Passage requires majority vote.

Ann Thomas and Mary Giggy both provided testimony on this item. The following people addressed this item;

Terry Reager, 43 Willard Street  
Russ Lunt, Brigham Street  
Jane Cook, 51 Willard Street  
Christopher Cook, 51 Willard Street  
Arthur Bolton, 22 Willard Street  
Josh Groupp, 57 Willard Street  
Patricia Whittemore, Anthoine Street

Councilor Smith moved for passage. Councilor Blake seconded. Councilor Blake moved to continue the public hearing at the second meeting in November with the following conditions;

- Consult with DEP regarding air monitoring equipment
- Code Enforcement determine a process to track complaints
- Fire Department and the Health Officer to meet with the home owner

Councilor Beecher seconded. The motion passed 6-0 (Jalbert absent).

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

4. ORDER #11-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Pock seconded. The order passed 4-2 (Smith and Blake out of the room and Jalbert absent).

5. CITIZEN INITIATED ORDINANCE #5-14/15 – Initial reading of the citizen initiated proposed use of marijuana by persons 21 years of age or older ordinance and setting the date of the public hearing on the same pursuant to Section 1107 of the City Charter. Passage requires majority vote.

The following people addressed this item;

Russ Lunt, Brigham Street  
David Boyer, Director of the Marijuana Policy Project  
Patricia Whyte, Orchard Street  
Andrew Ratcliff, 11 Hoyt Street  
Bob Whyte, Orchard Street  
Carter Leighton, 102 Devereaux Circle

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Acting Police Chief, Frank Clark  
Kyle Dixon, 65 Hill Street  
Scott Gagnon, Smart Approaches to Marijuana  
Melissa Thomas, Scammon Street  
Rosemarie De Angelis, Pleasantdale

Councilor Smith moved for passage of first reading. Councilor Blake seconded. The ordinance passed first reading 6-0 (Jalbert absent).

6. ORDER #12-14/15 – Award of Bid #30-14 to GWI, of Biddeford, ME, for dark fiber infrastructure. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 6-0 (Jalbert absent).

7. ORDER #13-14/15 – Appealing the denial of the Public Works’ Director for two (2) new curb cuts on Surfside Road for Southern Maine Community College. Passage requires majority vote.

There was no public discussion. Councilor Blake noted that he teaches at SMCC and may be perceived to have a conflict. Councilor Beecher did not feel there was a conflict and moved to allow Councilor Blake to participate. Councilor Pock seconded. The motion passed 5-0 (Blake recessed, Jalbert absent).

Councilor Beecher moved for passage. Councilor Linscott seconded. After a brief presentation Councilor Pock made a motion to refer this to a workshop to allow Council to have a site walk at this location. Councilor Blake seconded. The motion passed 6-0 (Jalbert absent).

8. ORDINANCE #6-14/15 - Bond ordinance to appropriate \$3,500,000 (\*) for the Thornton Heights Separation Phases II, III and IV project and to authorize \$3,500,000 (\*) principal amount of bonds to finance such appropriations. First reading. Passage requires majority vote.

Councilor Smith moved to have the bond ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0 (Jalbert absent). There was no public discussion.

Councilor Beecher moved for passage. Councilor Pock seconded. The ordinance passed first reading by a vote of 6-0 (Jalbert absent).

9. ORDER #14-14/15 –Appropriating \$81,783 from Undesignated Fund Balance to fund the cost of landscaping and median work in the traffic islands between I-295 Exit 3 and the Western Avenue/Gorham Road intersection through the alternate bid of the Long Creek Watershed District. Passage requires majority vote.

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**AUGUST 4, 2014**

There was no public discussion.

Councilor Smith moved for passage. Councilor Blake seconded. The order passed 6-0 (Jalbert absent).

10. RESOLVE #2-14/15 – Approving an Appropriation Transfer Resolve for FY 2014. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The resolve passed 6-0 (Jalbert absent).

11. ORDER #15-14/15 – Appropriating \$25,000 from Undesignated Fund Balance to the FY 2013/2014 City Council - Contracted Services Account. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. The order passed 6-0 (Jalbert absent).

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

**J. Councilor's Round Robin**

Councilor Cohen commented about the success of the "Movies in Bug Light Park."

Councilor Blake said this is the 5<sup>th</sup> year in a row that the South Portland Corporate Track Team has come in first place. He congratulated Matt Green on his leadership in this venture.

Councilor Pock talked about an event at the Historical Society where they held a program on chocolate making in early times.

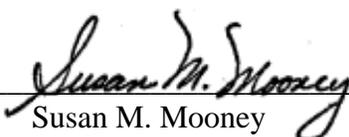
Councilor Smith thanked Police and Public Works for their support with Tri for a Cure. Over 1.3 million dollars was raised this year.

**K. Executive Session**

Councilor Pock moved to adjourn at 10:28 P.M. Councilor Linscott seconded. The motion passed 7-0.

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Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 20**  
**AUGUST 18, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M. All Councilors were present.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the August 4<sup>th</sup> regular meeting. Councilor Linscott seconded. Passed 7-0.

**B. Communications from City Manager**

- The Mayor recognized the City Manager for his receiving the Maine Town and City Manager's "Manager of the Year" award.

**C. Petitions and Communications**

Department and Committee Reports

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Pock seconded. The postponement passed 7-0.

3. ORDER #12-14/15 – Appointing a member to the Long Creek Watershed Management District Board of Directors. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert moved to appoint Fred Dillon from the Water Resource Department. Councilor Smith seconded. The order passed 7-0.

**E. Consent Calendar**

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 21**  
**AUGUST 18, 2014**

- 3A. STREET CLOSURE - South Portland Music Boosters are requesting to close Mountain View Road and Nutter Road on September 27, 2014 from 3:00 P.M. – 10:30 P.M. for a marching band competition.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. The order passed 7-0.

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

Russ Lunt, Brigham Street  
Steve Marston, Hillside Ave.

**G. Public Hearings and Action**

4. CITIZEN INITIATED ORDINANCE #5-14/15 – Initial reading of the citizen initiated proposed use of marijuana by persons 21 years of age or older ordinance and setting the date of the public hearing on the same pursuant to Section 1107 of the City Charter. Passed first reading 08/04/14. ROLL CALL VOTE. Passage requires majority vote.

Councilor Beecher moved to have the ordinance read by title only. Councilor Linscott seconded. The motion passed 6-1 (Blake). David Boyer, Director of the Marijuana Policy Project, presented information about the ordinance. The follow people addressed this item;

Russ Lunt, Brigham Street  
David Falkner, Executive Director of Day One  
Will Heseltine-Clements, Portland  
Joan Kushner, Bayberry Way  
Lt. Frank Clark, South Portland Police Dept  
Bob Whyte, 7 Orchard Street  
Erin Mancini, Falmouth

Councilor Cohen moved to put this item on the November 4, 2014 ballot. Councilor Pock seconded. The motion passed 7-0.

5. ORDINANCE #6-14/15 - Bond ordinance to appropriate \$3,500,000 (\*) for the Thornton Heights Separation Phases II, III and IV project and to authorize \$3,500,000 (\*) principal amount of bonds to finance such appropriations. Passed first reading on 08/04/14. ROLL CALL VOTE. Passage requires affirmative vote of at least 4 members of the City Council.

Councilor Cohen moved to have the ordinance read by title only. Councilor Linscott seconded. The motion passed 7-0. The follow person addressed this item;

Russ Lunt, Brigham Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 22**  
**AUGUST 18, 2014**

Councilor Blake moved for final passage of Ordinance #6-14/15. Councilor Beecher seconded. The motion passed roll call vote 6-0 (Jalbert out of the room).

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

6. ORDER #13-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved for passage. Councilor Cohen seconded. The order passed 7-0.

7. ORDER #14-14/15 – Accepting a Target National Night Out Grant for \$500.00 to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 7-0.

8. ORDER #15-14/15 - Accepting \$607.00, or any portion thereof, under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 7-0.

9. ORDER #16-14/15 –Amending the Non-union Personnel Policy. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. Councilor Blake moved to pass the changes to the personnel policy with the exception of Section X. (B), which restricts a city employee to accept appointment or election to any South Portland elective Office. Councilor Smith seconded. The motion passed 7-0. The order passed with the above mentioned exception by a vote of 7-0.

10. ORDINANCE #7-14/15 – Amending Chapter 9, “Garbage and Refuse” Regarding Solid Waste. First reading. Passage requires majority vote.

Councilor Cohen moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0 (Blake out of the room). The following person addressed this item;

Bob Foster, Front Street

Councilor Beecher moved for passage. Councilor Linscott seconded. The ordinance passed first reading 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 23**  
**AUGUST 18, 2014**

11. ORDER #17-14/15 - Authorizing the method of sale of tax-acquired property located at 56 Washington Avenue (Map 35, Lot 147) as offering for sale by public auction pursuant to Sec. 2-171(2)(a) of the Code of Ordinances and authorizing the City Manager to take any and all such further action necessary to proceed with sale of the property. Passage requires majority vote.

There was no public discussion.

Councilor Linscott recused herself saying she could have a perceived conflict based on the fact that the business she owns will occasionally purchase this type of property to fix up and resell. Mayor Jalbert moved to recuse Councilor Linscott. Councilor Cohen seconded. Councilor Linscott was recused by a vote of 6-0 (Linscott prohibited from voting). Councilor Beecher moved for passage. Councilor Blake seconded. The order passed 6-0 (Linscott recused).

12. ORDER #18-14/15– Establishing a Reserve Account for the Collection of Legal Support for the Clear Sky Ordinance. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Smith moved for passage. Councilor Jalbert seconded. The order passed 7-0.

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

**J. Councilor's Round Robin**

Councilor Beecher remarked about Art in the Park and congratulated the City Manager on the Manager of the Year award.

Mayor Jalbert also commented on Art in the Park and said it was the best run art show in New England. He said the Manager deserves the Manager of the Year award.

Councilor Pock said he appreciates Jim Gailey.

Councilor Linscott also congratulated the Manager and reminded folks that school is starting soon.

Councilor Cohen extended congratulations. She visited the Farmer's Market for the first time and was impressed. She also commented on seeing the Mayor pictures back up in Chambers.

Councilor Blake said SMCC starts one week from today. He also remarked that while he didn't always agree with Manager Gailey, he surrounds himself with great people. He said Jim cares about South Portland.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 24**  
**AUGUST 18, 2014**

**K. Executive Session**

A motion may be made to go into Executive Session pursuant to 1 M.R.S.A. §405 (6)(d) regarding labor negotiations with the Police Patrol Association, the Police Command and Supervisory Unit and IAFF Local #1476, South Portland Firefighters; and pursuant to 1 M.R.S.A. § 405(6)(C) to discuss the potential sale of a parcel of City-owned property.

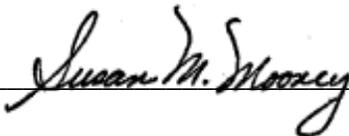
Councilor Beecher moved to adjourn to Executive Session pursuant to 1 M.R.S.A. §405 (6)(d) regarding labor negotiations with the Police Patrol Association, the Police Command and Supervisory Unit and IAFF Local #1476, South Portland Firefighters; and pursuant to 1 M.R.S.A. § 405(6)(C) to discuss the potential sale of a parcel of City-owned property at 9:43 P.M. Councilor Pock seconded. The motion passed 7-0.

Councilor Beecher moved to come out of Executive Session at 10:33 P.M. Councilor Cohen seconded. Councilor Linscott left the Executive Session before the discussion about the sale of a City-owned parcel of land because there was a conflict of interest. The motion passed 6-0 (Linscott gone home).

Councilor Beecher moved to adjourn at 10:34 P.M. Councilor Cohen seconded. The motion passed 6-0 (Linscott gone home).

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ATTEST

  
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**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 25**  
**SEPTEMBER 3, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M. Councilor Linscott was absent.

**A. Acceptance of Minutes**

Councilor Smith moved to accept the minutes from the Special August 4<sup>th</sup> meeting and the regular meeting of August 18th. Councilor Beecher seconded. Passed 6-0 (Linscott absent).

**B. Communications from City Manager**

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

**E. Consent Calendar**

3. Street Closure - Deborah Bassett of 49 Arbutus Avenue is requesting the closure of 25 – 39 Arbutus Avenue on September 20, 2014 from 1:00 P.M. – 7:00 P.M. for the annual Arbutus-Fest neighborhood block party. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The closure passed 6-0 (Linscott absent).

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

Russ Lunt, Brigham Road  
Patricia Whittemore, Anthoine Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 26**  
**SEPTEMBER 3, 2014**

**G. Public Hearings and Action**

4. ORDINANCE #2-14/15 - Amending Chapter 27, "Zoning," to repeal the moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels. Passed first reading 07/09/14 and postponed on 07/21/14. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

Councilor Cohen moved for final passage of Ordinance #2. Councilor Pock seconded. The Ordinance passed roll call vote 6-0 (Linscott absent).

5. ORDINANCE #7-14/15 – Amending Chapter 9, "Garbage and Refuse" Regarding Solid Waste. Passed first reading on 08/18/14. ROLL CALL VOTE. Passage requires majority vote.

Councilor Beecher moved to have the ordinance read by title only. Councilor Blake seconded. The motion passed 6-0 (Linscott absent). The following people addressed this item;

Louis Maietta, Elderberry Drive  
David Tremberth, Parkway Woods

Councilor Beecher moved to postpone this item to the first meeting in October in order to collect more information. Councilor Blake seconded. The item was postponed by a vote of 5-1 (Jalbert, Linscott absent)

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

6. ORDER #19-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Pock seconded. The order passed 6-0 (Linscott absent).

7. ORDER #20-14/15 – Authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Patrol for the period of July 1, 2014 to June 30, 2015. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage. Councilor Beecher seconded. The order passed 6-0 (Linscott absent).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 27**  
**SEPTEMBER 3, 2014**

8. ORDER #21-14/15 – Authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Command and Supervisory Unit for the period of July 1, 2014 to June 30, 2015. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. The order passed 6-0 (Linscott absent).

9. PROCLAMATION #1-14/15 – Proclaiming September 15, 2014 to September 21, 2014 as National Drive Electric Week. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The proclamation passed 6-0 (Linscott absent).

10. ORDER #22-14/15 - Accepting \$550.00, or any portion thereof, and one handgun under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Jalbert seconded. The order passed 6-0 (Linscott absent).

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

Chief Googins expressed his gratitude to the Manager and co-workers for their concern during his recent illness. He also talked about the MRAP vehicle.

**J. Councilor's Round Robin**

Councilor Smith said school is back in session. Please be safe.

Councilor Blake said the Monday workshop will begin at 6:00 with a site walk at SMCC. He also mentioned he had a Board of Appeals vacancy that he needs to fill.

Mayor Jalbert indicated that he would be bringing forth another Proclamation on the 15<sup>th</sup> in support of the Clean Air Act.

Councilor Pock received a call from a resident in the Broadway Garden area. He had some flooding issues. Councilor Pock said city crews bent over backwards to assist and he thanked them for that.

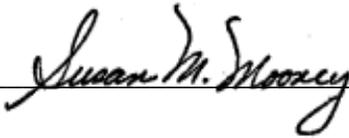
**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 28  
SEPTEMBER 3, 2014**

**K. Executive Session**

Councilor Cohen moved to adjourn at 8:19 P.M. Councilor Pock seconded. The motion passed 6-0 (Linscott absent).

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**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 29**  
**SEPTEMBER 15, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:08 P.M. Councilor Linscott was absent.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of September 3<sup>rd</sup>. Councilor Blake seconded. Passed 6-0 (Linscott absent).

**B. Communications from City Manager**

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

3. ORDER#23-14/15 – Board of Appeals, At-Large (Blake), appointing **Kay Loring** to fill an unexpired term which expires on 07/23/16. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint Kay Loring to the Board of Appeals. Councilor Beecher seconded. The order passed 6-0 (Linscott absent).

**E. Consent Calendar**

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

Russ Lunt, Brigham Street  
Brian Lundquist, Pine Street  
Jack Doughty, Pine Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 30  
SEPTEMBER 15, 2014**

Robert Casimiro, Bridgton, Me.

**G. Public Hearings and Action**

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

4. PROCLAMATION #2-14/15 - Supporting the Clean Air Act. Passage requires majority vote.

The following people addressed this item;

Dr. Marguerite Pennoyer, Scarborough  
Russ Lunt, Brigham Street

Councilor Blake moved for passage. Councilor Beecher seconded. The proclamation passed 6-0 (Linscott absent).

5. ORDER #24-14/15 – Award of Bid #04-15 to Woods Excavating LLC, of Westbrook, ME, for Waterman Drive Parking Improvements. Passage requires majority vote.

The following people addressed this item;

Linda Slater, Ocean Street  
Philip Notis, Ocean Street

Councilor Beecher moved for passage. Councilor Pock seconded. The order passed 6-0 (Linscott absent).

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

**J. Councilor's Round Robin**

Councilor Blake talked about a gathering in New York City on Sunday which will recognize climate change. Several residents will be leaving on Wednesday morning at 8:00 A.M. from the Community Center and will make the journey to New York on bicycles.

Mayor Jalbert talked about cycling being one of his favorite things. He will be participating in a fund raiser on Saturday involving biking in the mountains.

Councilor Smith is looking forward to Climate Change Action. She also reminded folks about Hazardous Waste Day on October 11<sup>th</sup>.

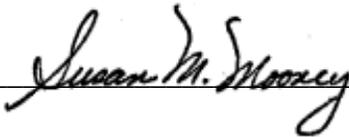
**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 31  
SEPTEMBER 15, 2014**

**K. Executive Session**

Councilor Cohen moved to adjourn at 7:57 P.M. Councilor Pock seconded. The motion passed 6-0 (Linscott absent).

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**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 32**  
**OCTOBER 6, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M. Councilor Cohen was absent.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of September 15<sup>th</sup>. Councilor Smith seconded. Passed 6-0 (Cohen absent).

**B. Communications from City Manager**

The Manager addressed the following items;

- Hazardous Waste Collection – October 11<sup>th</sup> from 9:00 A.M. to 1:00 P.M.
- Police Department was recognized by Family Crisis Service
- October 31<sup>st</sup> – American Lung Association awarding the City
- City Bond Referendum – 3.5 Million for sewer/storm upgrades in the Thornton Heights/Pleasantdale Neighborhood. Bond will not impact tax rate.

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Linscott seconded. The postponement passed 6-0 (Cohen absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 6-0 (Cohen absent).

3. ORDER #25-14/15 – Warden Pro-Tempore, District Three appointing **Kathryn Adams** for the November 4, 2014 General Election. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Kathryn Adams as Warden Pro-Tempore. Councilor Blake seconded. The order passed 6-0 (Cohen absent).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 33  
OCTOBER 6, 2014**

**E. Consent Calendar**

- 3A. SIGN PERMIT – Skillin School PTA is requesting to place four vinyl signs to advertise their 4<sup>th</sup> Annual Pumpkin Festival.

There was no public discussion. Councilor Beecher moved to waive standing rule 3(e) to have this item added to the agenda. Councilor Pock seconded. The motion passed 6-0 (Cohen absent).

Councilor Beecher moved for passage. Councilor Blake seconded. The permit passed 6-0 (Cohen absent).

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

Russ Lunt, Brigham Street

**G. Public Hearings and Action**

4. ORDINANCE #7-14/15 – Amending Chapter 9, “Garbage and Refuse” Regarding Solid Waste. Passed first reading on 08/18/14 and postponed on 9/3/14. ROLL CALL VOTE. Passage requires majority vote.

The following people addressed this item;

Louis Maietta, Elderberry Drive  
David Tremberth, Parkway Woods  
Barry Martin, Gary L. Maietta Parkway

Councilor Blake moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0.

Councilor Blake moved for final reading and passage of ordinance #7-14/15. Councilor Smith seconded. The ordinance passed roll call vote 6-0 (Cohen absent).

The Council unanimously agreed to take item #10 out of order. See that item for details.

5. Business License – Better Burger, Inc., DBA Elevation Burger, 85 Western Avenue, for a food establishment restaurant with malt license. Existing business upgrading to add malt beverages. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Pock seconded. The license passed 6-0 (Cohen absent)

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 34**  
**OCTOBER 6, 2014**

6. Business License – Eight Below LLC, DBA Moe’s Original BBQ, 209 Western Avenue, for a food establishment restaurant with liquor license and special amusement without dancing license. Passage requires majority vote.

The following person addressed this item;

Dwight Hasbrouck, owner of Moe’s Original BBQ.

Councilor Smith moved for passage. Councilor Beecher seconded. The license passed 6-0 (Cohen absent)

7. Business License – Metaheadz LLC, DBA SoPo Bar & Grill, 740 Broadway, for a food establishment restaurant with liquor license. Passage requires majority vote.

The following person addressed this item;

Peter Verrill, owner of SoPo Bar & Grill.  
Gary Hurtubise, Manager

Councilor Beecher moved for passage. Councilor Blake seconded. Chief Googins did not give department approval for the license based on the criminal record of the licensee. The Council debated the issue. Councilor Blake moved to have the renewal of the license come back before Council in one year. Councilor Linscott seconded. The amendment passed 4-2 (Pock, Smith). The license passed as amended. 6-0 (Cohen absent).

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

8. ORDER #26-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

The following person addressed this item;

Louie Maietta, Elderberry Drive

Councilor Beecher moved for passage. Councilor Pock seconded. The order passed 6-0 (Cohen absent).

9. ORDER #27-14/15 - Setting the time for opening the polls for the November 4, 2014 General Election. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The order passed 6-0 (Cohen absent).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 35**  
**OCTOBER 6, 2014**

10. ORDER #13-14/15 – Appealing the denial of the Public Works’ Director for two (2) new curb cuts on Surfside Road for Southern Maine Community College. Postponed on 8/4/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The order failed 0-6 (Cohen absent).

11. ORDER #28-14/15 - Accepting an easement deed granting the City an approximately twelve foot (12') wide sanitary sewer easement on property owned by S. Sam and Norma J. Fratoni located at 2 Bay Road. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 6-0 (Cohen absent)

12. ORDER #29-14/15 – Adopting the Municipal Climate Action Plan. Passage requires majority vote.

The following people addressed this item;

Brad Fox, Rollins Way  
Rachel Burger, Churchill Road

Councilor Blake moved for passage. Councilor Beecher seconded. The order passed 6-0 (Cohen absent)

13. ORDER #30-14/15 – Supporting MDOT in naming State Route 703 and sign installation. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 6-0 (Cohen absent)

14. ORDER #31-14/15 – Disbanding the Draft Ordinance Committee. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved for passage. Councilor Linscott seconded. The order passed 6-0 (Cohen absent)

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 36  
OCTOBER 6, 2014**

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

**J. Councilor's Round Robin**

Councilor Blake remarked about the award from the American Lung Association and said that the City should promote this. He reminded folks about the Bug Light 5K.

Councilor Beecher said the ballot question about marijuana does not refer to medical marijuana. She passed along a reminder about hazardous waste day.

Mayor Jalbert said the City would be presenting South Portland Business Awards for the first time on October 9<sup>th</sup> at SMCC.

Councilor Pock said his son and daughter in law would be running in the Bug Light 5K.

Councilor Smith said the smaller races are more fun, you get to see your neighbors.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty and pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Clerk.

Councilor Beecher moved to go into executive session at 9:05 P.M. pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty and pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Clerk. Councilor Smith seconded. The motion passed 6-0 (Cohen absent).

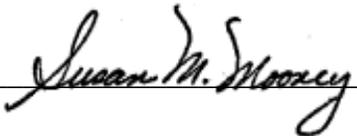
Councilor Blake moved to come out of executive session at 9:55 P.M. Councilor Smith seconded. The motion passed 6-0 (Cohen absent).

Councilor Beecher moved to approve Hardship Abatement #2-2014/2015 in the amount of \$2,625.55 including interest and fees. Councilor Pock seconded. The Abatement passed 6-0 (Cohen absent).

Councilor Pock moved to adjourn at 9:57 P.M. Councilor Smith seconded. The motion passed 6-0 (Cohen absent).

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**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 37  
OCTOBER 20, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of October 6th. Councilor Linscott seconded. Passed 7-0.

**B. Communications from City Manager**

The Manager addressed the following items;

- Candidates forum – tomorrow night
- Debate on the Referendum on legalizing marijuana – October 22<sup>nd</sup> at 7:00 P.M. at South Portland High School Auditorium
- First Annual Business Award Reception – Recognizing the following:
  - Small Business of the Year: Scratch Baking Co.
  - Community Impact: Willow's Pizza
  - New Business of the Year: Otto's Pizza
  - Business of the Year: Casco Bay Steel Structures
  - Business Leader of the Year: Mike Dubyak, WEX
- Food Cupboard is in need of support through the holiday season

**C. Petitions and Communications**

Department and Committee Reports

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

3. ORDER #32-14/15 – Ward Clerk Pro-Tempore, District Two appointing **Robert Morency** for the November 4, 2014 General Election. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 38**  
**OCTOBER 20, 2014**

There was no public discussion.

Councilor Beecher moved to appoint Robert Morency as Ward Clerk Pro-Tempore, District Two. Councilor Blake seconded. The order passed 7-0.

4. ORDER #33-14/15 – Planning Board, At Large (Beecher), appointing **Taylor Neff** to fill an unexpired term which expires on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Taylor Neff to the Planning Board. Councilor Blake seconded. The order passed 7-0.

5. ORDER #34-14/15 – Appointments to the Arts & Historic Preservation Committee. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint the following individuals to the Arts & Historic Preservation Committee;

Amanda Larson (Beecher)	10/20/17
Scott Whitaker (Blake)	10/20/17
Susan Robbins (Cohen)	10/20/17
Jessica Skwire Routhier (Pock)	10/20/16
Jane Batzell (Greater Portland Public Landmarks)	10/20/16

Councilor Beecher seconded. The order passed 7-0.

6. ORDER #35-14/15– Board of Assessment Review, District Five (Jalbert), for a term which expires on 12/31/16. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert moved to postpone the order. Councilor Smith seconded. The postponement passed 7-0.

7. ORDER #36-14/15 – Board of Assessment Review, At Large (Beecher), for a term which expires on 12/31/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone the order. Councilor Pock seconded. The postponement passed 7-0.

**E. Consent Calendar**

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 39**  
**OCTOBER 20, 2014**

8. SIGN PERMIT – The Winter Farmers Market is requesting two signs at the corner of Ocean and Sawyer Streets from November 1<sup>st</sup> until April 30<sup>th</sup>. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. The sign permit passed 7-0.

9. STREET CLOSURE - The City of South Portland is requesting the closure of Hinckley Drive from Ocean Street to Cottage Road to accommodate the Tree Lighting Ceremony on December 5<sup>th</sup>, 2014. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. Councilor Blake moved to amend the time of the closure from 3:00 P.M. to 9:00 P.M. Councilor Beecher seconded. The amendment passed 7-0. The street closure passed 7-0.

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

Russ Lunt, Brigham Street  
Bob Casimiro, Bridgton, Me.  
Eben Rose, Buchanan Street

**G. Public Hearings and Action**

10. BUSINESS LICENSE – The New South Portland Taxi, 42 Kelley Street, for a Certificate of Public Convenience. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Pock seconded. The business license passed 7-0.

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

11. ORDER #37-14/15 – Adopting the MMA Model Ordinance GA Appendices B, C, D, E, F, G, and H, for the period of October 1, 2014 – September 30, 2015. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. The order passed 7-0.

12. ORDER #38-14/15 – Accepting a 2014 Homeland Security Grant of \$177,896.45 from the Maine Emergency Management Agency. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 40  
OCTOBER 20, 2014**

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. The order passed 7-0.

13. PROCLAMATION #3-14/15 - Supporting Free Speech Week. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. The proclamation passed 7-0.

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

Patricia Whyte, Orchard Street

**J. Councilor's Round Robin**

Councilor Beecher supported a no vote on the marijuana referendum saying this is about kids. They learn from what goes on at home.

Mayor Jalbert said it is a bogus referendum and even if it passed the city would have no authority to enforce it.

Councilor Pock agreed and said he will be voting against it.

Councilor Smith said one in four will receive a cancer diagnosis. She said this is breast cancer awareness month.

Councilor Linscott encouraged everyone to participate in the election. She said people should learn about the candidates and issues.

Councilor Cohen advised that sample ballots are posted on the website and the Secretary of State's Office puts out a booklet explaining the State referendum questions.

Councilor Blake thanked the 450 people that participated in the Bug Light 5K. It supports the South Portland Historical Society and the South Portland Land Trust. He encouraged folks to contact the City Clerk if there are issues about campaign signs.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager; and pursuant to 1 M.R.S.A. §405 (6)(C), for discussion of sale of real property.

Councilor Beecher moved to go into executive session at 8:11 P.M. pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager. Councilor Linscott seconded. The motion passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 41  
OCTOBER 20, 2014**

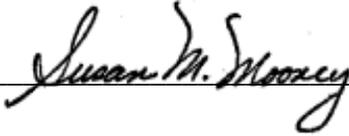
Councilor Cohen moved to go into executive session pursuant to 1 M.R.S.A. §405 (6)(C), for discussion of sale of real property. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 10:40 P.M. Councilor Pock seconded. The motion passed 7-0.

Councilor Cohen moved to adjourn at 10:41 P.M. Councilor Smith seconded. The motion passed 7-0.

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**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 42**  
**NOVEMBER 3, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of October 20th. Councilor Cohen seconded. Passed 7-0.

**B. Communications from City Manager**

The Manager addressed the following items;

- Veterans Day Parade 11/11/14 at 10:00 A.M.
- Transfer Station open Sundays 11/9, 11/16 and 11/23 8:00 A.M. to 3:30 P.M.
- Overnight parking ban 11/1 to 4/1 from 12:00 A.M. to 6:00 A.M.
- Next weeks workshop will be held on Wednesday evening at the High School Lecture Hall
- Residents will vote on a 3.5 million dollar bond ordinance for a sewer/stormwater project in Thornton Heights. The bond will not impact the tax rate.

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

3. ORDER #35-14/15– Board of Assessment Review, District Five (Jalbert), for a term which expires on 12/31/16. Postponed on 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to postpone the order. Councilor Pock seconded. The postponement passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 43**  
**NOVEMBER 3, 2014**

4. ORDER #36-14/15 – Board of Assessment Review, At Large (Beecher), for a term which expires on 12/31/16. Postponed on 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

5. ORDER #39-14/15 – Appointments to the Arts & Preservation Committee. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint James Norton, Kathryn Onos DiPhilippo and Benita Russo. Councilor Cohen seconded. The order passed 7-0.

6. ORDER #40-14/15 – Conservation Commission Associate, District One (Pock), for a term which expires on 3/3/15. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to postpone the order. Councilor Cohen seconded. The postponement passed 7-0.

7. ORDER #41-14/15 – Conservation Commission Associate, District Two (Smith), for a term which expires on 3/3/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

8. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone the order. Councilor Cohen seconded. The postponement passed 7-0.

9. ORDER #43-14/15 – Conservation Commission Associate, District Five (Jalbert), for a term which expires on 3/3/15. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 44**  
**NOVEMBER 3, 2014**

Councilor Jalbert moved to postpone the order. Councilor Pock seconded. The postponement passed 7-0.

10. ORDER #44-14/15 – Conservation Commission Associate, At Large (Blake), for a term which expires on 3/3/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

11. ORDER #45-14/15 – Conservation Commission Associate, At Large (Beecher), for a term which expires on 3/3/17. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

12. ORDER #46-14/15 – Energy & Recycling Associate, District Five (Jalbert), for a term which expires on 5/5/15. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to postpone the order. Councilor Smith seconded. The postponement passed 7-0.

**E. Consent Calendar**

13. SIGN PERMIT – Adrenaline Sports Management is requesting signage on 11/23/14 for the Santa Hustle 5K. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the permit. Councilor Blake seconded. The permit passed 7-0.

- 13A. STREET CLOSURE – Lucas Tree and Central Maine Power are requesting to close a section of Mussey Street on November 4, 2014 from 7:00 a.m. to 2:00 p.m. to remove a tree at 6 Mussey Street. Passage requires majority vote.

This item was withdrawn from the agenda.

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

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 45  
NOVEMBER 3, 2014**

Russ Lunt, Brigham Street  
Rob Sellin, Deake Street

**G. Public Hearings and Action**

14. BUSINESS LICENSE – Los Tapatios II LLC., DBA Los Tapatios II, 671 Main Street, for a Special Amusement without dancing License. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. Councilor Smith moved to postpone to obtain more information. Councilor Pock seconded. The postponement passed 4-3 (Linscott, Beecher, Blake).

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

15. RESOLVE #3-14/15 - Asking that bells be rung at 11:00 a.m. on Veterans Day. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Cohen moved for passage of the resolve. Councilor Linscott seconded. The resolve passed 7-0.

16. ORDER #47-14/15 - Authorizing the City Manager to take any and all such action necessary to proceed with sale of tax-acquired property located at 68 Hillcrest Avenue and 21 Dresser Road to Stan Cox of 460 Highland Avenue. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. The order failed 3-4 (Smith, Linscott, Jalbert, Blake).

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

**J. Councilor's Round Robin**

Mayor Jalbert talked about having the honor of receiving the 2014 Healthy Air Leadership Award from the American Lung Association. South Portland was praised for installing vehicle charging stations.

Councilor Pock said he would be representing the City at the Veterans Day Parade. He will be wearing a "Vote in honor of a Veteran" pin in honor of his father.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 46**  
**NOVEMBER 3, 2014**

Councilor Smith said she is up for re-election and is giving back as a public servant. She wished good luck to everyone on the ballot.

Councilor Linscott praised city staff for pulling together a bond package that has a zero impact on the tax rate. She referred to the resolution the Council passed opposing the legalization of marijuana.

Councilor Cohen said she would be voting in honor of her Dad also. Her Mom taught her that it is her duty to vote. She said there is no reason to not vote.

Councilor Blake expressed his appreciation of Veterans. He said he is looking forward to the election being over. He doesn't like the division between democrats and republicans. He also noted that there is not a lot that we can do about the signs.

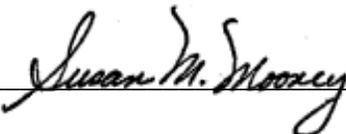
Councilor Beecher encouraged people to vote and urged them to vote no on the marijuana ordinance. She said kids learn from what they see at home and marijuana effects the development of their brain.

**K. Executive Session**

Councilor Pock moved to adjourn at 8:36 P.M. Councilor Linscott seconded. The motion passed 7-0.

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A handwritten signature in cursive script, reading "Susan M. Mooney", is written over a horizontal line.

**IN COUNCIL SPECIAL MEETING VOL. 76 PAGE 47  
NOVEMBER 17, 2014**

**Roll Call:** Mayor Jalbert called the Special Meeting to order at 6:30 P.M.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 36 M.R.S.A. §405(6)(c), for discussion of sale of real property

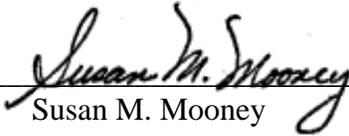
Councilor Beecher moved to go into Executive Session pursuant to 36 M.R.S.A. §405(6)(c), for discussion of sale of real property. Councilor Cohen seconded. The motion passed 7-0.

Councilor Pock moved to come out of Executive Session at 7:00 P.M. Councilor Cohen seconded. The motion passed 6-0 (Blake out of room).

Councilor Cohen moved to adjourn at 7:00 P.M. Councilor Linscott seconded. The motion passed 6-0 (Blake out of room).

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Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 48**  
**NOVEMBER 17, 2014**

**Roll Call:** Mayor Jalbert called the meeting to order at 7:00 P.M.

**A. Acceptance of Minutes**

Councilor Smith moved to accept the minutes from the regular meeting of November 3rd. Councilor Beecher seconded. Passed 7-0.

**B. Communications from City Manager**

The Manager addressed the following items;

- Council just came out of Executive Session to have a discussion on finalizing a purchase and sale agreement on the Armory
- This is Councilor Pock and Mayor Jalbert's last meeting. It has been a pleasure to serve with them
- Senator Millett presented the City Manager will an Official Legislative Sentiment for his award as Manager of the Year

**C. Petitions and Communications**

Department and Committee Reports

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

3. ORDER #35-14/15– Board of Assessment Review, District Five (Jalbert), for a term which expires on 12/31/16. Postponed on 10/20/14. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 49  
NOVEMBER 17, 2014**

Councilor Jalbert moved to postpone the order. Councilor Cohen seconded. The postponement passed 7-0.

4. ORDER #36-14/15 – Board of Assessment Review, At Large (Beecher), appointing **Timothy Hubbard** for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Timothy Hubbard. Councilor Blake seconded. The order passed 7-0.

5. ORDER #40-14/15 – Conservation Commission Associate, District One (Pock), for a term which expires on 3/3/15. Postponed on 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to postpone the order. Councilor Linscott seconded. The postponement passed 7-0.

6. ORDER #41-14/15 – Conservation Commission Associate, District Two (Smith), for a term which expires on 3/3/15. Postponed on 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

7. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Postponed on 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Lincostt moved to postpone the order. Councilor Cohen seconded. The postponement passed 7-0.

8. ORDER #43-14/15 – Conservation Commission Associate, District Five (Jalbert), for a term which expires on 3/3/15. Postponed on 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

9. ORDER #44-14/15 – Conservation Commission Associate, At Large (Blake), for a term which expires on 3/3/17. Postponed on 11/3/14. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 50  
NOVEMBER 17, 2014**

There was no public discussion.

Councilor Blake moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

10. ORDER #45-14/15 – Conservation Commission Associate, At Large (Beecher), appointing **Charles McNutt** for a term which expires on 3/3/17. Postponed on 11/3/14. Passage requires majority vote.

There was no public discussion. Councilor Cohen moved to waive Standing Rule 3(e) to have this appointment added to the agenda. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to appoint Charles McNutt. Councilor Pock seconded. The order passed 7-0.

11. ORDER #46-14/15 – Energy & Recycling Associate, District Five (Jalbert), for a term which expires on 5/5/15. Postponed on 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

12. ORDER #48-14/15 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

13. ORDER #49-14/15 – Conservation Commission, District One (Pock), appointing **David Critchfield** for a term which expires on 11/20/17. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to appoint David Critchfield. Councilor Linscott seconded. The order passed 7-0.

14. ORDER #50-14/15 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/17. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 51  
NOVEMBER 17, 2014**

Councilor Smith moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

**E. Consent Calendar**

15. STREET CLOSING - The Color Run is requesting the closure of various streets for a 5K race on June 22, 2015 (raindate June 29, 2015) from 8:00 A.M. to 11:00 A.M. Passage requires majority vote.

The following people addressed this item;

Kathryn DiPhilippo, Executive Director of the South Portland Historical Society  
Charles McNutt, Dunphe Drive

Councilor Cohen moved for passage. Councilor Linscott seconded. The street closing passed 7-0.

16. STREET CLOSING – The South Portland Parks, Recreation & Waterfront is requesting the closure of Ocean Street at C Street up to D Street, for Winterfest on January 30, 2015. The road closure would be from 3:00 PM to 7:30 PM. Passage requires majority vote.

The following people addressed this item;

Lisa Thompson, Parks & Recreation  
Russ Lunt, Brigham Street

Councilor Cohen moved for passage. Councilor Linscott seconded. The street closing passed 7-0.

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

Russ Lunt, Brigham Street  
Kathryn DiPhilippo, Executive Director of the South Portland Historical Society

**G. Public Hearings and Action**

17. ORDER #10-14/15 – Public hearing and action on a public nuisance complaint regarding 29 Willard Street. Postponed on 8/4/14. Passage requires majority vote.

The following person addressed this item;

Anne Thomas, Willard Street

Councilor Blake moved to postpone the item to get options from Corporation Counsel. Councilor Beecher seconded. The postponement passed 6-1 (Pock).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 52  
NOVEMBER 17, 2014**

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

18. ORDER #51-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Pock moved for passage. Councilor Linscott seconded. The order passed 7-0.

19. ORDER #52-14/15 – Award of Bid #10-15 for the sale of surplus equipment. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 7-0.

20. ORDER #53-14/15 – Accepting \$127,194 from ecomaine to fund the implementation of the Climate Action Plan. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 7-0.

21. ORDER #54-14/15 – Appropriating \$68,299.73 from the Climate Action Plan Implementation Reserve Account to fund projects outlined in the Climate Action Plan. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Linscott moved for passage. Councilor Cohen seconded. The order passed 7-0.

22. ORDER #55-14/15 - Authorizing the City Manager to accept delivery of an easement deed and to execute a release deed in order to effectuate the relocation of the existing 10' wide public pedestrian easement across property owned by Roosevelt Redevelopment, LLC and located between Mussey Street and Pine Street. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Cohen seconded. The order passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 53  
NOVEMBER 17, 2014**

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

**J. Councilor's Round Robin**

Councilor Pock said he's enjoyed serving on the Council and will probably invest his time going forward with the Historical Society.

Councilor Smith said she has appreciated Councilor Pock's diversity of thought. She is looking forward to the oral history of Meeting House Hill.

Councilor Linscott also thanked Councilor Pock and Mayor Jalbert for their service.

Councilor Cohen thanked Councilor Pock and Mayor Jalbert and wished everyone a happy Thanksgiving.

Councilor Blake echoed the sentiments to Pock and Jalbert and wished them the best of luck.

Councilor Beecher said Pock always did his homework and Mayor Jalbert did a great job leading through the tar sands issue. She remarked about the marching band finals at Thornton Academy.

Mayor Jalbert presented two photos from two young people from the Boys and Girls Club. He and the Manager had served as judges. He said it has been a pleasure to serve the city and remarked that the reason the city runs as well as it does is because of the experience and dedication of city staff.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager.

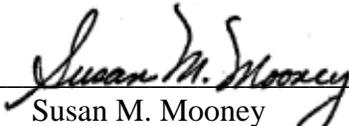
Councilor Cohen moved to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager. Councilor Pock seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 10:16 P.M. Councilor Cohen seconded. The motion passed 5-0 (Linscott and Smith out of room).

Councilor Pock moved to adjourn at 10:17 P.M. Councilor Cohen seconded. The motion passed 7-0.

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ATTEST

  
\_\_\_\_\_  
Susan M. Mooney

**IN COUNCIL INAUGURAL MEETING VOL. 76 PAGE 54  
DECEMBER 1, 2014**

Mayor Jalbert called the meeting to order at 4:00 P.M. Councilor Blake was absent.

Mayor Jalbert invited Rabbi Jared H. Saks, to offer the invocation.

Mayor Jalbert presented Councilor Pock with a plaque and thanked him for his service to the community.

Assistant City Clerk Hanscombe administered the Oath of office to Councilors-elect Fox, Morgan and Smith.

Assistant City Clerk Hanscombe declared Councilors Fox, Morgan and Smith duly qualified Councilors.

Councilor Beecher nominated Councilor Cohen for Mayor for year 2014/2015. Councilor Morgan seconded the motion.

Councilor Linscott moved that nominations cease. Councilor Fox seconded the motion. Passage 6-0.

Assistant City Clerk Hanscombe called for the vote announced Councilor Cohen as Mayor for 2014/2015 with six votes.

Mayor Cohen presented Councilor Jalbert with an engraved gavel and a plaque and thanked him for his leadership over the last year.

Mayor Cohen then presented the Inaugural Address.

Councilor Morgan moved that the Inaugural Address be spread on the records. Councilor Linscott seconded the motion. Mayor Cohen took the vote and ordered the Inaugural Address be spread on the records.

Assistant City Clerk Hanscombe read RESOLUTION #4-14/15 establishing time and place of meetings. Councilor Beecher moved for passage. Councilor Fox seconded the motion. Mayor Cohen took the vote and declared the Resolution duly passed.

Councilor Morgan moved to adjourn. Councilor Smith seconded the motion. Mayor Cohen took the vote and declared that the Council would reconvene on Wednesday evening for the regularly scheduled meeting.

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ATTEST   
\_\_\_\_\_  
Jessica B. Hanscombe

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 55  
DECEMBER 3, 2014**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Blake and Councilor Linscott were absent.

**A. Acceptance of Minutes**

Motion to accept the minutes from the November 17, 2014 meeting was made by Councilor Smith. Councilor Beecher seconded. Passed 5-0.

**B. Communications from City Manager**

The Manager addressed the following items;

12/5 Annual Holiday Festival

12/8 City Council Workshop at City Hall at 6:30pm

12/10 Joint City Council and Board of Education Workshop at City Hall at 7:00pm

12/22 There will be no workshop

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 5-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 5-0.

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for a term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone the order. Councilor Smith seconded. The postponement passed 5-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 56**  
**DECEMBER 3, 2014**

4. ORDER #40-14/15 – Conservation Commission Associate, District One (Morgan), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone the order. Councilor Beecher seconded. The postponement passed 5-0.

5. ORDER #41-14/15 – Conservation Commission Associate, District Two (Smith), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 5-0.

6. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone the order. Councilor Smith seconded. The postponement passed 5-0.

7. ORDER #43-14/15 – Conservation Commission Associate, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone the order. Councilor Smith seconded. The postponement passed 5-0.

8. ORDER #44-14/15 – Conservation Commission Associate, At Large (Blake), for a term which expires on 3/3/17. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 5-0.

9. ORDER #46-14/15 – Energy & Recycling Associate, District Five (Fox), for a term which expires on 5/5/15. Postponed since 11/3/14. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 57**  
**DECEMBER 3, 2014**

There was no public discussion.

Councilor Fox moved to postpone the order. Councilor Beecher seconded. The postponement passed 5-0.

10. ORDER #48-14/15 –Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/15. Postponed on 11/17/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 5-0.

11. ORDER #50-14/15 – Conservation Commission, District Two (Smith), appointing **William Fritzmeier** for a term which expires on 11/20/17. Postponed on 11/17/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint William Fritzmeier. Councilor Fox seconded. The appointment passed 5-0.

12. ORDER #56-14/15 – Community Development Advisory Committee, District One (Morgan), appointing **Elizabeth Morin** for a term which expires on 1/15/18. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Elizabeth Morin. Councilor Fox seconded. The appointment passed 5-0.

**E. Consent Calendar**

13. STREET CLOSURE – Lucas Tree and Central Maine Power are requesting to close a section of Mussey Street on December 16, 2014 from 8:00 a.m. to 3:00 p.m. to remove a tree at 6 Mussey Street. Passage requires majority vote.

Jim Gailey, City Manager spoke on the road closure.

Natalie West, Deake Street spoke.

Thomas Griswold, Representative from Lucas Trees spoke.

Councilor Beecher moved for passage of the street closure. Councilor Morgan seconded. The closure passed 5-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 58  
DECEMBER 3, 2014**

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

The following people spoke:  
Russ Lunt, 133 Brigham Street  
Marlene Heffernan, 67 Baltimore Street

**G. Public Hearings and Action**

14. BUSINESS LICENSE – Los Tapatios II LLC., DBA Los Tapatios II, 671 Main Street, for a Special Amusement without dancing License. Postponed on November 3, 2014. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone indefinitely. Councilor Fox seconded. The postponement passed 5-0.

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

15. ORDER #57-14/15 – Accepting a Federal Transit Administration grant to be used by the Bus Service Department. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the order. Councilor Smith seconded. The order passed 5-0.

16. ORDER #58-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the order. Councilor Fox seconded. The order passed 5-0.

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

The following people spoke:  
Kathy Diphilippo, 646 Highland Avenue  
Natalie West, Deake Street

**J. Councilor's Round Robin**

Mayor Cohen reminded citizens of the Tree Lighting Ceremony on Friday December 5<sup>th</sup>.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 59  
DECEMBER 3, 2014**

Councilor Morgan thanked everyone that supported and elected him

Councilor Smith wants to have a workshop on Tree removal procedure.

Councilor Fox stated that it is an honor to be here and thanked all the voters.

Councilor Beecher also would like to remind people about Friday nights tree lighting ceremony. She commended Public Works on the excellent storm cleanup. She also informed us of the 12/7 event at the Historical Society.

**K. Executive Session**

Councilor Smith moved to adjourn at 7:55 P.M. Councilor Fox seconded. The motion passed 5-0.

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ATTEST



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Jessica B. Hanscombe

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 60  
DECEMBER 15, 2014**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott was absent.

**A. Acceptance of Minutes**

Motion to accept the minutes from the December 1, 2014 and December 3, 2014 meeting was made by Councilor Morgan. Councilor Fox seconded. Passed 6-0.

**B. Communications from City Manager**

The Manager stated that the next meeting is January 5, 2015.

The School Department did a power point presentation on their Adopt-A-Rail initiative. Jane Eberle and Ms Reinhold from Brown School did the presentation.

**C. Petitions and Communications**

Department and Committee reports for November 2014.

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 6-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 6-0.

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for a term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone the order. Councilor Beecher seconded. The postponement passed 6-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 61**  
**DECEMBER 15, 2014**

4. ORDER #40-14/15 – Conservation Commission Associate, District One (Morgan), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone the order. Councilor Blake seconded. The postponement passed 6-0.

5. ORDER #41-14/15 – Conservation Commission Associate, District Two (Smith), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 6-0.

6. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone the order. Councilor Morgan seconded. The postponement passed 6-0.

7. ORDER #43-14/15 – Conservation Commission Associate, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone the order. Councilor Beecher seconded. The postponement passed 6-0.

8. ORDER #44-14/15 – Conservation Commission Associate, At Large (Blake), for a term which expires on 3/3/17. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone the order. Councilor Morgan seconded. The postponement passed 6-0.

9. ORDER #46-14/15 – Energy & Recycling Associate, District Five (Fox), for a term which expires on 5/5/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 62  
DECEMBER 15, 2014**

Councilor Fox moved to postpone the order. Councilor Beecher seconded. The postponement passed 6-0.

10. ORDER #48-14/15 –Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/15. Postponed since 11/17/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 6-0.

**E. Consent Calendar**

- 10A. SIGN PERMIT - The South Portland School Department is requesting to place a sign at the intersections of Broadway/Ocean, Broadway/Westbrook and Westbrook/Main from January 3, 2015 – February 16, 2015 to advertise Mary Poppins. Passage requires majority vote.

Ralph Baxter, 74 New York Avenue Spoke.

Councilor Morgan moved for passage of the sign permit. Councilor Beecher seconded. The permit passed 6-0.

The South Portland Musical put on a presentation for the Council.

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

Patricia Whyte, 7 Orchard Street  
Russell Lunt, 133 Brigham Street  
Marlene Heffernan, 67 Baltimore Avenue  
John Heffernan, 67 Baltimore Avenue  
Greg Lewis, 153 Mussey Street

**G. Public Hearings and Action**

11. ORDER #10-14/15 – Public hearing and action on a public nuisance complaint regarding 29 Willard Street. Postponed on 8/14/14 and 11/17/14. Passage requires majority vote.

Corporation Counsel Sally Daggett spoke in regards to Councilor Fox and Morgan reviewing this item because they were not on the City Council for the two previous meetings on 8/4/2014 and 11/17/2014. Councilor Morgan and Councilor Fox both requested to be recused from this item. Councilor Smith made a motion to recuse Councilor Fox and Councilor Morgan from Order #10-14/15. Councilor Beecher seconded. Motion passed 4-0. Councilor Fox and Morgan moved to the audience for the item.

The following people spoke during Public Discussion;  
Ann Thomas, 45 Willard Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 63  
DECEMBER 15, 2014**

Jan Corey, 493 Preble Street  
Mary Giggey, 29 Willard Street

Councilor Blake moved to end the Public Hearing and have the finding that no current hazard exists. Councilor Beecher seconded. The motion passed 4-0.

12. BUSINESS LICENSE – Edward H. Benjamin d/b/a Benjamin Wrecking Company, 41 Jackson Street, for an Automobile Graveyard/Automobile Recycling Business and/or Junkyard License. Passage requires majority vote.

The following people spoke during Public Discussion;  
Russell Lunt, 133 Brigham Rd  
Patricia Whyte, Orchard Street

Councilor Blake moved for passage of the business license. Councilor Beecher seconded. The business license passed 5-1 (Morgan).

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

13. ORDER #59-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the order. Councilor Fox seconded. The order passed 6-0.

14. ORDER #60-14/15 – Award of Bid #14-15 W. C. Cressey & Son, Inc. of Kennebunk, ME, for the purchase of a 78 passenger school bus for the South Portland School Department. Passage requires majority vote.

There was no public discussion.

Craig Worth, Director of Transportation for the South Portland School Department spoke.

Councilor Beecher moved for passage of the order. Councilor Fox seconded. The order passed 6-0.

15. ORDER #61-14/15 – Authorizing the City Manager to accept delivery of an easement deed and to execute a release deed in order to effectuate the relocation of a storm drain across property owned by South Port Marine, LLC at 14 Ocean Street. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the order. Councilor Blake seconded. The order passed 6-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 64  
DECEMBER 15, 2014**

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

Ann Thomas, 45 Willard Street

**J. Councilor's Round Robin**

Councilor Morgan had no comments

Councilor Smith said Happy Holidays to everyone.

Councilor Fox stated that the American Red Cross needs blood donations.

Councilor Blake stated that workshops are a great place to receive information and on February 9, 2015 we will be discussing Air Quality.

Councilor Beecher reminded citizens that that Comprehensive Plan Implementation Committee meets on Thursday Night. The EcoMaine Excellence awards are coming up, You can nominate people starting January. Happy Holidays.

Mayor Cohen said Merry Christmas, Happy Hanukkah, Happy Kwanza and Happy New Year.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty.

Councilor Morgan moved to go into Executive Session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty. Councilor Smith seconded. The motion passed 6-0.

Councilor Beecher moved to come out of Executive Session at 9:30 P.M. Councilor Morgan seconded. The motion passed 6-0.

Councilor Morgan moved for denial of Hardship Abatement #3-14/15 in the amount of \$3,379.15 plus interest and costs. Councilor Beecher seconded. The denial of the abatement passed 6-0.

Councilor Morgan moved to adjourn at 9:35 P.M. Councilor Smith seconded. The motion passed 6-0.

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Jessica B. Hanscombe

**IN COUNCIL WORKSHOP MEETING VOL. 76 PAGE 65**  
**JANUARY 5, 2015**

**Roll Call:** Mayor Cohen called the Workshop to order at 6:30 P.M. Councilor Linscott arrived at 6:35 P.M.

**K. Executive Session**

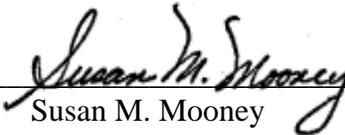
A motion may be made to go into executive pursuant to 1 M.R.S.A. §405 (6)(C), for discussion regarding the acquisition of real property – 29 Robinson Street

Councilor Blake moved to go into Executive Session pursuant to 36 M.R.S.A. §405(6)(c), for discussion of sale of real property – 29 Robinson Street. Councilor Beecher seconded. The motion passed 6-0 (Linscott had not arrived yet).

Councilor Blake moved to come out of Executive Session at 7:02 P.M. Councilor Beecher seconded. The motion passed 7-0.

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Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 66**  
**JANUARY 5, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:01 P.M.

**A. Acceptance of Minutes**

Councilor Fox moved to accept the minutes from the regular meeting of December 15th. Councilor Beecher seconded. Passed 7-0.

**B. Communications from City Manager**

The Manager addressed the following items;

- The Council and the School Board will hold a joint meeting next Wednesday to discuss budget guidance
- Questions that cannot be answered at a Council Meeting will be followed up by a posting on the home page of the City website under “Agendas and Minutes”

**C. Petitions and Communications**

Mayor Cohen attended a ribbon cutting ceremony for DHHS and also the newly renovated South Portland High School

Councilor Smith provided a recap of a December Bike/Ped Committee meeting and spoke about a workshop she and Councilor Beecher attended about food and security in the schools.

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone the order. Councilor Morgan seconded. The postponement passed 7-0.

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for a term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 67**  
**JANUARY 5, 2015**

Councilor Fox moved to postpone the order. Councilor Beecher seconded. The postponement passed 7-0.

4. ORDER #40-14/15 – Conservation Commission Associate, District One (Morgan), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone the order. Councilor Linscott seconded. The postponement passed 7-0.

5. ORDER #41-14/15 – Conservation Commission Associate, District Two (Smith), appointing **Suzette Bois** for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

Councilor Morgan moved to waive Standing Rule 3(e) to have this appointment added to the agenda. Councilor Smith seconded. The motion passed 7-0.

There was no public discussion.

Councilor Smith moved to appoint Suzette Bois. Councilor Morgan seconded. The order passed 7-0.

6. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone the order. Councilor Blake seconded. The postponement passed 7-0.

7. ORDER #43-14/15 – Conservation Commission Associate, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone the order. Councilor Smith seconded. The postponement passed 7-0.

8. ORDER #44-14/15 – Conservation Commission Associate, At Large (Blake), appointing **James Melloh** for a term which expires on 3/3/17. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 68**  
**JANUARY 5, 2015**

Councilor Blake moved to appoint James Melloh. Councilor Linscott seconded. The order passed 7-0.

9. ORDER #46-14/15 – Energy & Recycling Associate, District Five (Fox), appointing **Rolla (Adrian) T. Dowling** for an unexpired term which expires on 5/5/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Rolla Dowling. Councilor Smith seconded. The order passed 7-0.

10. ORDER #48-14/15 –Arts & Historic Preservation Committee, District Two (Smith), appointing **John Schwartzman** for a term which expires on 10/20/15. Postponed since 11/17/14. Passage requires majority vote.

Councilor Smith moved to waive Standing Rule 3(e) to have this appointment added to the agenda. Councilor Beecher seconded. The motion passed 7-0.

There was no public discussion.

Councilor Smith moved to appoint John Schwartzman. Councilor Beecher seconded. The order passed 7-0.

11. ORDER #62-14/15 – Library Advisory Board, At Large, (Beecher), appointing **Aimee Turner** for a term which expires on 12/31/17. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Aimee Turner. Councilor Fox seconded. The order passed 7-0.

12. ORDER #63-14/15 – Library Advisory Board, At Large, (Blake), appointing **Jessica Walker** for a term which expires on 12/31/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint Jessica Walker. Councilor Beecher seconded. The order passed 7-0.

13. ORDER #64-14/15 – Library Advisory Board, District Three, (Linscott), appointing **Linda Eastman** for a term which expires on 12/31/17. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 69**  
**JANUARY 5, 2015**

Councilor Linscott moved to appoint Linda Eastman. Councilor Morgan seconded. The order passed 7-0.

14. ORDER #65-14/15 – Civil Service Commission, At Large, (Beecher), appointing **Brian Wallace** for a term which expires on 12/31/19. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Brian Wallace. Councilor Smith seconded. The order passed 7-0.

15. ORDER #66-14/15 – Civil Service Commission, At Large, (Blake), appointing **Lee Harvey** for a term which expires on 12/31/19. Passage requires majority vote.

Councilor Smith moved to waive Standing Rule 3(e) to have this appointment added to the agenda. Councilor Beecher seconded. The motion passed 7-0.

There was no public discussion.

Councilor Blake moved to appoint Lee Harvey. Councilor Linscott seconded. The order passed 7-0.

16. ORDER #67-14/15 – South Portland Housing Authority, District Five, (Fox), appointing **Judy Carpenter** for an unexpired term which expires on 03/25/19. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Judy Carpenter. Councilor Beecher seconded. The order passed 7-0.

17. ORDER #68-14/15 – Community Development Advisory Committee, District Five, (Fox), appointing **Michael Fletcher** for a term which expires on 01/15/18. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Michael Fletcher. Councilor Beecher seconded. The order passed 7-0.

**E. Consent Calendar**

18. STREET CLOSURE – Tri for a Cure is requesting the closure of Fort Road, Benjamin Pickett Street, Surfsite Road and Preble Street from Willard Square to Fort Road from 5:30 a.m. to 12:00 p.m. for a triathlon on July 26, 2015. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 70  
JANUARY 5, 2015**

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The street closure passed 7-0.

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

Russ Lunt, Brigham Street  
John Heffernan, 67 Baltimore Ave.  
Marlene Heffernan, 67 Baltimore Ave.  
Greg Lewis, Mussey Street

**G. Public Hearings and Action**

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

19. ORDER #69-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 7-0.

20. ORDER #70-14/15 – Authorizing the submission of a grant application to the Maine Bureau of Highway Safety under the 2015 Data-Driven Speed Enforcement Program. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Smith seconded. The order passed 7-0.

21. ORDER #71-14/15 – Award of Bid #6-15 to AD Electric, of Sabattus, ME, for traffic signal improvements at the Broadway/Waterman intersection. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Smith moved for passage. Councilor Linscott seconded. The order passed 7-0.

22. ORDER #72-14/15 – Authorizing the Code Enforcement Officer to execute a consent agreement between NLM ENTERPRISES, LLC and the City relating to a stream protection setback encroachment at 202 Elderberry Drive (Map 58, Lot 167). Passage requires majority vote.

The following people addressed this item;

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 71  
JANUARY 5, 2015**

Vincent Maietta, Elderberry Drive  
Tex Haeuser, Planning Director

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 7-0.

23. ORDINANCE #8-14/15 – Amending Chapter 2, “Administration and Legislation,” regarding the Conservation and Energy and Recycling Committees. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of first reading. Councilor Blake seconded. The ordinance passed first reading 7-0.

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

Bob Klotz, Whitehall Ave.  
Jeff Selser, Summit Street

**J. Councilor’s Round Robin**

Councilor Linscott talked about goals for the school system.

Councilor Blake reached out to residents that may be having a difficult time financially. He mentioned several programs and recommended contacting General Assistance at City Hall.

Councilor Beecher encouraged residents to check out and utilize the newly renovated High School.

**K. Executive Session**

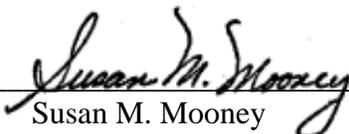
Councilor Morgan moved to go into Executive Session at 10:12 P.M. pursuant to 36 M.R.S.A. §405(6)(c), for discussion regarding the acquisition of real property – 29 Robinson Street. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to come out of Executive Session at 10:45 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to adjourn at 10:45 P.M. Councilor Linscott seconded. The motion passed 7-0.

A TRUE COPY

ATTEST

  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 72**  
**JANUARY 21, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Morgan was absent.

Mayor Cohen made a request to postpone Item #15. The item was postponed, see Item #15 for details.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of January 5th. Councilor Fox seconded. Passed 6-0 (Morgan absent).

**B. Communications from City Manager**

**C. Petitions and Communications**

Department & Committee Reports

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Morgan absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

4. ORDER #40-14/15 – Conservation Commission Associate, District One (Morgan), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 73  
JANUARY 21, 2015**

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Morgan absent).

5. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Morgan absent).

6. ORDER #43-14/15 – Conservation Commission Associate, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

7. ORDER #73-14/15 – Energy & Recycling Associate, District Three (Linscott), for an unexpired term which expires on 5/5/16. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Morgan absent).

8. ORDER #74-14/15 – Community Development Advisory Committee, District Two (Smith), appointing **Anton Hoecker** for a term which expires on 01/15/18. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Anton Hoecker. Councilor Beecher seconded. The order passed 6-0 (Morgan absent).

**E. Consent Calendar**

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

Russ Lunt – Brigham Street  
Eben Rose – Buchanan Street  
John Heffernan, 67 Baltimore Ave.

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JANUARY 21, 2015**

Greg Lewis – Mussey Street  
Bob Whyte – Orchard Street

**G. Public Hearings and Action**

9. ORDINANCE #8-14/15 – Amending Chapter 2, “Administration and Legislation,” regarding the Conservation and Energy and Recycling Committees. Passed first reading 1/5/15. ROLL CALL VOTE. Passage requires majority vote.  
There was no public discussion.

Mayor Cohen moved for final passage of Ordinance #8. Councilor Beecher seconded. Councilor Blake moved to amend that a quorum for both committees would be changed from five to the majority of appointed members. Councilor Beecher seconded. The amendment passed 6-0. The ordinance passed roll call vote 4-2 (Beecher, Cohen, Morgan absent).

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

10. ORDER #75-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Linscott seconded. The order passed 6-0 (Morgan absent).

11. ORDER #76-14/15 – Award of Bid #11-15 to Autotronics, of Madawaska, ME, for the purchase of a light response vehicle for the Fire Department. Passage requires majority vote.

The following person addressed this item;

Russ Lunt – Brigham Street

Councilor Linscott moved for passage. Councilor Beecher seconded. The order passed 5-1 (Blake, Morgan absent).

12. ORDER #77-14/15 - Accepting \$510.00, or any portion thereof, and one handgun under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

The following person addressed this item;

Patricia Whyte, Orchard Street

Councilor Beecher moved for passage. Councilor Fox seconded. The order passed 6-0 (Morgan absent).

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**JANUARY 21, 2015**

13. ORDINANCE #9-14/15 - Amending Chapter 27, "Zoning," for a zone map change from CCRT to CS at 10 and 20 Executive Drive and Map 69, Lot 5. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Beecher seconded. The ordinance passed first reading 6-0 (Morgan absent).

14. ORDINANCE #10-14/15 - Amending Chapter 27, "Zoning," for a zone map change from IL to CCR at 55 Maine Mall Road, Map 47, Lot 1. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Linscott seconded. The ordinance passed first reading 6-0 (Morgan absent).

15. ORDER #78-14/15 – Authorizing the Code Enforcement Officer to execute a consent agreement between Linda J. Davidson and the City relating to a rear setback encroachment at 38 Cloyster Road (Map 1, Lot 48). Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone this item to the February 2<sup>nd</sup> meeting. Councilor Linscott seconded. The order was postponed 6-0 (Morgan absent).

16. ORDER #79-14/15 - Appointment to the Long Creek Watershed Management District Board of Directors. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint Councilor Fox to fill the vacancy left by former Councilor Jalbert. Councilor Beecher seconded. The order passed 6-0 (Morgan absent).

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

Marlene Heffernan, 67 Baltimore Ave.  
Patricia Whyte, Orchard Street

**J. Councilor's Round Robin**

Councilor Smith would like to have a Council discussion on minutes.

Councilor Blake agreed and thanked Patricia Whyte for mentioning the minutes.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 76  
JANUARY 21, 2015**

**K. Executive Session**

A motion may be made to enter executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss pending and potential litigation matters with the Corporation Counsel.

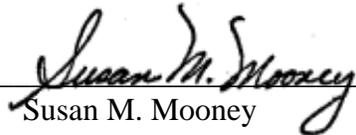
Councilor Linscott moved to go into Executive Session at 9:16 P.M. pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss pending and potential litigation matters with the Corporation Counsel. Councilor Fox seconded. The motion passed 6-0 (Morgan absent).

Councilor Smith moved to come out of Executive Session at 9:51 P.M. Councilor Fox seconded. The motion passed 5-0 (Morgan absent, Beecher gone home).

Councilor Smith moved to adjourn at 9:52 P.M. Councilor Linscott seconded. The motion passed 5-0 (Morgan absent, Beecher gone home).

A TRUE COPY

ATTEST \_\_\_\_\_

  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 77**  
**FEBRUARY 2, 2015**

**Roll Call:** Councilor Morgan sat in for Mayor Cohen. Councilor Morgan called the meeting to order at 7:00 P.M. Mayor Cohen, Councilor Smith and Councilor Blake were absent.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of January 21<sup>ST</sup>. Councilor Fox seconded. Passed 4-0 (Cohen, Smith, Blake absent).

**B. Communications from City Manager**

The Manager addressed the following:

- Winterfest – February 6<sup>th</sup> & 7<sup>th</sup>
- Mill Creek Master Plan

**C. Petitions and Communications**

12-31-14 Investment Report

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Morgan requested a motion to postpone Items #1 through #8. Councilor Beecher moved to postpone. Councilor Fox seconded. The motion passed 4-0 (Cohen, Smith, Blake absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

See Item #1 for details on postponing this item.

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

See Item #1 for details on postponing this item.

4. ORDER #40-14/15 – Conservation Commission Associate, District One (Morgan), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 78  
FEBRUARY 2, 2015**

There was no public discussion.

See Item #1 for details on postponing this item.

5. ORDER #42-14/15 – Conservation Commission Associate, District Three (Linscott), for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

See Item #1 for details on postponing this item.

6. ORDER #43-14/15 – Conservation Commission Associate, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

See Item #1 for details on postponing this item.

7. ORDER #73-14/15 – Energy & Recycling Associate, District Three (Linscott), for an unexpired term which expires on 5/5/16. Passage requires majority vote.

There was no public discussion.

See Item #1 for details on postponing this item.

8. ORDER #80-14/15 – Arts & Historic Preservation Committee, District Three (Linscott), for an unexpired term which expires on 10/20/15. Passage requires majority vote.

There was no public discussion.

See Item #1 for details on postponing this item.

**E. Consent Calendar**

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

The following citizens spoke:

Marlene Heffernan, 67 Baltimore Ave.  
Russ Lunt, Brigham Street  
Albert DiMillo, 64 Colchester Drive

**G. Public Hearings and Action**

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 79**  
**FEBRUARY 2, 2015**

9. ORDINANCE #9-14/15 - Amending Chapter 27, "Zoning," for a zone map change from CCRT to CS at 10 and 20 Executive Drive and Map 69, Lot 5. Passed first reading 1/21/15. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

Councilor Fox moved to postpone this item to the February 18th Council meeting. Councilor Beecher seconded. Motion to postpone passed 4-0 (Cohen, Smith, Blake absent).

10. ORDINANCE #10-14/15 - Amending Chapter 27, "Zoning," for a zone map change from IL to CCR at 55 Maine Mall Road, Map 47, Lot 1. Passed first reading 1/21/15. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

Councilor Linscott moved to postpone this item to the February 18th Council meeting. Councilor Beecher seconded. Motion to postpone passed 4-0 (Cohen, Smith, Blake absent).

11. ORDER #81-14/15 – Approving the Title VI/Environmental Justice Non-Discrimination Plan for the South Portland Bus Service. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Beecher seconded. The order passed 4-0 (Cohen, Smith, Blake absent).

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

12. ORDER #78-14/15 – Authorizing the Code Enforcement Officer to execute a consent agreement between Linda J. Davidson and the City relating to a rear setback encroachment at 38 Cloyster Road (Map 1, Lot 48). Postponed on 1/21/15. Passage requires majority vote.

There following people addressed this item;

Johann Buisman, Northeast Civil Solutions  
Russ Lunt, Brigham Street

Councilor Fox moved for passage. Councilor Linscott seconded. The order passed 4-0 (Cohen, Smith, Blake absent).

13. ORDER #82-14/15 – Award of Bid #17-15 to Casco Bay Ford, of Yarmouth, ME, for the purchase of three (3) cruisers for the Police Department. Passage requires majority vote.

The following person spoke on this item;

Russ Lunt, Brigham Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 80  
FEBRUARY 2, 2015**

Councilor Fox moved for passage. Councilor Beecher seconded. The order passed 4-0 (Cohen, Smith, Blake absent).

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

The following person spoke;

Patricia Whyte, Orchard Street

**J. Councilor's Round Robin**

Councilor Fox thanked the Public Works crews.

Councilor Beecher visited the west end Hub. She said it was an outgoing and welcoming crew.

**K. Executive Session**

A motion may be made to go into Executive Session pursuant to 1 M.R.S.A. §405 (D), discussion of public employee labor negotiations regarding collective bargaining guidance for the Public Safety Dispatchers Contract, IAFF Local #1476.

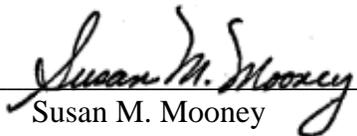
Councilor Beecher moved to go into Executive Session at 8:07 P.M. pursuant to 1 M.R.S.A. §405 (D), discussion of public employee labor negotiations regarding collective bargaining guidance for the Public Safety Dispatchers Contract, IAFF Local #1476. Councilor Linscott seconded. The motion passed 4-0 (Cohen, Smith, Blake absent).

Councilor Fox moved to come out of Executive Session at 8:30 P.M. Councilor Beecher seconded. The motion passed 4-0 (Cohen, Smith, Blake absent).

Councilor Linscott moved to adjourn. Councilor Beecher seconded. The motion passed 4-0 (Cohen, Smith, Blake absent).

A TRUE COPY

ATTEST

  
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Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 81**  
**FEBRUARY 18, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Smith was absent and Councilor Linscott arrived at 7:13 P.M.

**A. Acceptance of Minutes**

Councilor Morgan moved to accept the minutes from the regular meeting of February 2nd. Councilor Beecher seconded. Passed 5-0 (Smith absent, Linscott had not arrived).

**B. Communications from City Manager**

The Manager addressed the following:

- The Community Center will delay opening in the morning until 8:00 A.M. in anticipation of having to plow the parking lot
- Mill Creek Master Plan meeting next Thursday at 6:00 P.M.

**C. Petitions and Communications**

Committee & Department Reports

Mayor Cohen requested to take Item #15, Proclaiming Jonathan Stearns the 2014 Police Officer of the Year. See that Item for details.

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 5-0 (Smith absent, Linscott had not arrived).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 5-0 (Smith absent, Linscott had not arrived).

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 82**  
**FEBRUARY 18, 2015**

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 5-0 (Smith absent, Linscott had not arrived).

4. ORDER #40-14/15 – Conservation Commission, District One (Morgan), appointing **David Schneider** for a term which expires on 3/3/18. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint David Schneider. Councilor Linscott seconded. The order passed 6-0 (Smith absent).

5. ORDER #42-14/15 – Conservation Commission, District Three (Linscott), for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Smith absent).

6. ORDER #43-14/15 – Conservation Commission, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Smith absent).

7. ORDER #73-14/15 – Energy & Recycling Committee, District Three (Linscott), for an unexpired term which expires on 5/5/16. Postponed since 01/21/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Smith absent).

8. ORDER #80-14/15 – Arts & Historic Preservation Committee, District Three (Linscott), appointing **Rob Schreiber** for an unexpired term which expires on 10/20/15. Postponed on 02/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Rob Schreiber. Councilor Blake seconded. The order passed 6-0 (Smith absent).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 83**  
**FEBRUARY 18, 2015**

9. ORDER #83-14/15 – Library Advisory Board, District Five (Fox), for an unexpired term which expires on 12/31/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Smith absent).

10. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), appointing for an unexpired term which expires on 5/5/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Smith absent).

11. ORDER #85-14/15 – Board of Appeals, District One (Morgan), for an unexpired term which expires on 7/23/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Smith absent).

12. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Smith absent).

**E. Consent Calendar**

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

Russ Lunt, Brigham Street

**G. Public Hearings and Action**

13. ORDINANCE #9-14/15 - Amending Chapter 27, "Zoning," for a zone map change from CCRT to CS at 10 and 20 Executive Drive and Map 69, Lot 5. Passed first reading 1/21/15 and postponed on 02/04/15. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 84  
FEBRUARY 18, 2015**

Councilor Blake moved for final passage of Ordinance #9-14/15. Councilor Morgan seconded. The Ordinance passed roll call vote 6-0 (Smith absent).

14. ORDINANCE #10-14/15 - Amending Chapter 27, "Zoning," for a zone map change from IL to CCR at 55 Maine Mall Road, Map 47, Lot 1. Passed first reading 1/21/15 and postponed on 02/04/15. ROLL CALL VOTE. Passage requires five affirmative votes.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Linscott moved for final passage of Ordinance #10-14/15. Councilor Beecher seconded. The Ordinance passed roll call vote 6-0 (Smith absent).

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

15. PROCLAMATION #4-14/15 - Proclaiming the 2014 Police Officer of the Year. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage proclaiming Jonathan Stearns as 2014 Police Office of the Year. Councilor Morgan seconded. The proclamation passed 5-0 (Smith absent, Linscott had not arrived).

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

**J. Councilor's Round Robin**

Councilor Linscott praised the Public Works Department.

Councilor Fox agreed they have done incredible work this winter.

Councilor Blake encouraged folks to reach out to their neighbors.

Councilor Beecher urged residents to attend the Mill Creek Master Plan meeting next week.

Mayor Cohen agreed that this time of year can be very depressing for people. She also thanked Public Works.

Councilor Morgan commented on the high snow banks and encouraged people to be extra careful watching for pedestrians.

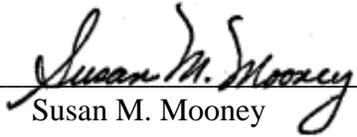
**K. Executive Session**

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 85  
FEBRUARY 18, 2015**

Councilor Fox moved to adjourn at 7:46 P.M. Councilor Linscott seconded. The motion passed 6-0 (Smith absent).

A TRUE COPY

ATTEST

  
\_\_\_\_\_  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 86  
MARCH 2, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Morgan was absent.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of February 18th. Councilor Fox seconded. Passed 6-0 (Morgan absent).

**B. Communications from City Manager**

The Manager addressed the following:

- Portland Jetport Sustainable Master Plan Advisory Committee
- Budget schedule overview

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #124-12/13 – Board of Assessment Review, District Two (Smith), appointing **Randall Scott** for a term which expires on 03/16/16. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Randall Scott. Councilor Fox seconded. The order passed 6-0 (Morgan absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), appointing **James Hendry** to fill a term which expires on 03/01/20. Postponed since 06/02/14. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint James Hendry. Councilor Beecher seconded. The order passed 6-0 (Morgan absent).

3. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 87**  
**MARCH 2, 2015**

4. ORDER #42-14/15 – Conservation Commission, District Three (Linscott), appointing **Chad MacLeod** for a term which expires on 3/3/16. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Chad MacLeod. Councilor Blake seconded. The order passed 6-0 (Morgan absent).

5. ORDER #43-14/15 – Conservation Commission, District Five (Fox), for a term which expires on 3/3/15. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

6. ORDER #73-14/15 – Energy & Recycling Committee, District Three (Linscott), appointing **William Fritzmeier** for an unexpired term which expires on 5/5/16. Postponed since 01/21/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint William Fritzmeier. Councilor Blake seconded. The order passed 6-0 (Morgan absent).

7. ORDER #83-14/15 – Library Advisory Board, District Five (Fox), appointing **Debora Schofield** for an unexpired term which expires on 12/31/15. Postponed on 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Debora Schofield. Councilor Beecher seconded. The order passed 6-0 (Morgan absent).

8. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), for an unexpired term which expires on 5/5/17. Postponed on 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Morgan absent).

9. ORDER #85-14/15 – Board of Appeals, District One (Morgan), for an unexpired term which expires on 7/23/15. Postponed on 02/18/15. Passage requires majority vote.

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There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

10. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed on 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Morgan absent).

11. ORDER #87-14/15 – Board of Assessment Review, District Three (Linscott), appointing **Paul Cloutier** for a term which expires on 03/16/18. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Paul Cloutier. Councilor Blake seconded. The order passed 6-0 (Morgan absent).

12. ORDER #88-14/15 – Board of Assessment Review, District Four (Cohen), for an unexpired term which expires on 03/16/17. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Smith seconded. The postponement passed 6-0 (Morgan absent).

13. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Morgan absent).

14. ORDER #90-14/15 – Economic Development Committee, District Five (Fox), appointing **William Collins** to fill a term which expires on 03/23/18. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint William Collins. Councilor Beecher seconded. The order passed 6-0 (Morgan absent).

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15. ORDER #91-14/15 – South Portland Housing Authority, At Large (Beecher), appointing **Frank Morong** to fill a term which expires on 03/22/20. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Frank Morong. Councilor Smith seconded. The order passed 6-0 (Morgan absent).

16. ORDER #92-14/15 – Arts & Historic Preservation Committee, District Four (Cohen), appointing **Aimee Turner** to fill an unexpired term which expires on 10/20/17. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Aimee Turner. Councilor Linscott seconded. The order passed 6-0 (Morgan absent).

17. ORDER #93-14/15 – Arts & Historic Preservation Committee, District Five (Fox), for an unexpired term which expires on 10/20/16. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Smith seconded. The postponement passed 6-0 (Morgan absent).

18. ORDER #94-14/15 – Conservation Commission, District Five (Fox), for an unexpired term which expires on 11/20/16. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan absent).

**E. Consent Calendar**

19. STREET CLOSURE – The South Portland Parks, Recreation and Waterfront is requesting the closure of Madison Street Ext. at Madison Street for the South Portland Family 4th Celebration on July 4<sup>th</sup>. The closure is from 4:00 P.M. until 11:00 P.M. Rain date is July 5<sup>th</sup>. Passage requires majority vote.

There was no public discussion. Lisa Thompson from the Parks Department was present to answer questions.

Councilor Blake moved for passage. Councilor Linscott seconded. The street closure passed 6-0 (Morgan absent).

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

Martha Gaythwaite, Partner at Verrill Dana LLP  
Russ Lunt, Brigham Street  
Bob Whyte, Orchard Street  
Warner Ogden, South Richland Street

**G. Public Hearings and Action**

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

20. ORDER #95-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage. Councilor Linscott seconded. The order passed 6-0 (Morgan absent).

21. ORDER #96-14/15 – Retaining the law firm of Foley Hoag, LLP of Boston, Massachusetts, for legal services on behalf of the City and its Code Enforcement Director relating to the Portland Pipe Line Corporation, et al. v. City of South Portland, et al. litigation. Passage requires majority vote.

The following people addressed this item;

Martha Gaythwaite, Partner at Verrill Dana LLP  
Russ Lunt, Brigham Street  
Bob Whyte, Orchard Street  
Mary Jane Ferrier, School Street  
Catherine Chapman, Beaufort Street  
Tess Nacelewicz, Robinson Street  
Patricia Whyte, Orchard Street  
Warner Ogden, South Richland Street  
Andy Jones, Falmouth  
Bob Klotz, Whitehall Ave.  
Meg Braley, Beach Street

Councilor Fox moved for passage. Councilor Smith seconded. The order passed 6-0 (Morgan absent).

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

Bob Klotz, Whitehall Ave.

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**MARCH 2, 2015**

**J. Councilor's Round Robin**

Councilor Fox remarked about the three High School students that stood up for the Pledge of Allegiance.

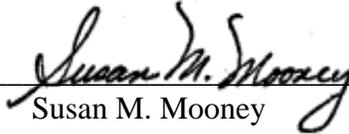
Councilor Linscott talked about Honor Flight Maine, a group that raises funds to fly Maine Military Veterans to Washington, D.C. to visit national memorials honoring their service.

**K. Executive Session**

Councilor Beecher moved to adjourn at 8:40 P.M. Councilor Fox seconded. The motion passed 6-0 (Morgan absent).

A TRUE COPY

ATTEST \_\_\_\_\_

  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 92**  
**MARCH 16, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:03 P.M. Councilor Linscott was absent. Councilor Beecher moved to waive Standing Rule 3E to have Item 6A added to the agenda. Councilor Fox seconded. The motion passed 6-0 (Linscott absent).

**A. Acceptance of Minutes**

Councilor Fox moved to accept the minutes from the regular meeting of March 2nd. Councilor Morgan seconded. Councilor Blake moved to amend the minutes to correct who spoke at Item #21, removing those names which were entered under Item #20 in error. Councilor Morgan seconded. The amendment passed 6-0. The minutes passed as amended 6-0 (Linscott absent).

**B. Communications from City Manager**

The Manager addressed the following:

- 2016 Budget and Capital Improvement Plan Budget presented to the Council
- Web page for the Clear Skies Defense Fund has been added to city website
- New Sustainability Director, Julie Rosenbach introduced
- 2013/2014 has been posted to the website. Copies are also available at City Hall, the Libraries and Community Center

Mayor Cohen presented Caroline Hendry with a Certificate of Appreciation for her service on the Planning Board from April of 2006 to April of 2015. She also remembered Carol Thorne, former Planning Board member and Ann Morong, former Civil Service Commission member and wife of Frank Morong, former Mayor. Both recently passed away.

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Smith seconded. The postponement passed 6-0 (Linscott absent).

2. ORDER #43-14/15 – Conservation Commission, District Five (Fox), appointing **Robert McKeagney** for a term which expires on 3/3/18. Postponed since 11/3/14. Passage requires majority vote.

There was no public discussion.

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Councilor Fox moved to appoint Robert McKeagney. Councilor Beecher seconded. The appointment passed 6-0 (Linscott absent).

3. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), for an unexpired term which expires on 5/5/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Morgan seconded. The postponement passed 6-0 (Linscott absent).

4. ORDER #85-14/15 – Board of Appeals, District One (Morgan), for an unexpired term which expires on 7/23/15. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

5. 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.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

6. ORDER #88-14/15 – Board of Assessment Review, District Four (Cohen), appointing **Timothy Hubbard** for an unexpired term which expires on 03/16/17. Postponed on 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint Timothy Hubbard. Councilor Morgan seconded. The appointment passed 6-0 (Linscott absent).

- 6A. ORDER #107-14/15 – Board of Assessment Review, At Large (Beecher), appointing **Edward Millett** for an unexpired term which expires on 12/31/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Edward Millett. Councilor Morgan seconded. The appointment passed 6-0 (Linscott absent).

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7. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed on 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

8. ORDER #93-14/15 – Arts & Historic Preservation Committee, District Five (Fox), for an unexpired term which expires on 10/20/16. Postponed on 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

9. ORDER #94-14/15 – Conservation Commission, District Five (Fox), for an unexpired term which expires on 11/20/16. Postponed on 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

10. ORDER #97-14/15 – Economic Development Committee, District One (Morgan), for a term which expires on 3/23/18. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Smith seconded. The postponement passed 6-0 (Linscott absent).

11. ORDER #98-14/15 – Economic Development Committee, District Two (Smith), for a term which expires on 3/23/18. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

12. ORDER #99-14/15 – Planning Board, At Large (Blake), appointing **William Laidley** for a term which expires on 4/1/18. Passage requires majority vote.

There was no public discussion.

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Councilor Blake moved to appoint William Laidley. Councilor Beecher seconded. The appointment passed 6-0 (Linscott absent).

13. ORDER #100-14/15 – Economic Development Committee, District Three (Linscott), for an unexpired term which expires on 3/23/16. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

14. ORDER #101-14/15 – Board of Appeals, At Large (Blake), for an unexpired term which expires on 7/23/16. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Smith seconded. The postponement passed 6-0 (Linscott absent).

**E. Consent Calendar**

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

Russ Lunt, Brigham Street  
Diane Lewis, 18 Ocean Street

**G. Public Hearings and Action**

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

15. ORDER #102-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 6-0 (Linscott absent).

16. ORDER #103-14/15 – Award of Bid #19-15 to Guardian Uniform and Supply of Springfield, MA, for the purchase of body armor for the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Blake seconded. The order passed 6-0 (Linscott absent).

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17. ORDER #104-14/15- Authorizing the City Manager to submit the FY 2015/2016 Community Development Block Grant Annual Action Plan to the Cumberland County Community Development Program. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Smith seconded. The order passed 6-0 (Linscott absent).

18. ORDER #105-14/15 – Award of Bid #17-15 to Shaw Brothers, of Gorham, ME, for the Thornton Heights Sewer Separation Phase 2 Project. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Blake moved for passage. Councilor Beecher seconded. The order passed 6-0 (Linscott absent).

19. ORDINANCE #11-14/15 – Amending Chapter 14, “Licenses, Permits and Business Regulations Generally” Regarding Inter-Departmental Reviews and Suspension/Revocation Standards. First reading. Passage requires majority vote.

Councilor Morgan moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0 (Linscott absent). There was no public discussion.

Councilor Morgan moved for passage of first read of Ordinance #11-14/15. Councilor Blake seconded. The ordinance passed first reading 6-0 (Linscott absent).

20. ORDER #106-14/15– Setting April 1, 2015 as the date for Public Hearing in City Council Chambers for the Proposed FY 2016 Municipal Budget. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The order passed 6-0 (Linscott absent).

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

Patricia Whyte, Orchard Street

**J. Councilor’s Round Robin**

Councilor Beecher thanked the Water Resource Department for dealing with a water buildup on Highland Ave.

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Councilor Morgan remarked about emails he has received about the law suit filed against the city by Portland Pipeline Corporation. He wanted people to know that Councilors cannot communicate on that issue.

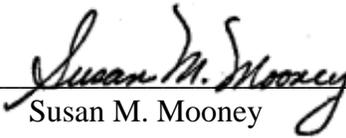
Councilor Fox said he has also received communications and that most are in support of the city's position on that issue.

**K. Executive Session**

Councilor Morgan moved to adjourn at 8:29 P.M. Councilor Blake seconded. The motion passed 6-0 (Linscott absent).

A TRUE COPY

ATTEST \_\_\_\_\_

  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 98**  
**APRIL 6, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. All Councilors were present. Mayor Cohen extended condolences to the families of Patricia Lesneski, former Planning Board member and Ralph Baxter Sr., former Mayor and Principal of South Portland High School.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of March 16th. Councilor Fox seconded.

Mayor Cohen requested a motion to postpone Item #14. See Item #14 for details.

**B. Communications from City Manager**

The Manager addressed the following:

- 4/13 Budget Workshop
- Workshop after the meeting tonight to discuss a zone change for the Armory

**C. Petitions and Communications**

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public comment.

Councilor Fox moved to postpone. Councilor Beecher seconded. The motion passed 7-0.

2. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), for an unexpired term which expires on 5/5/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public comment.

Councilor Blake moved to postpone. Councilor Morgan seconded. The motion passed 7-0.

3. ORDER #85-14/15 – Board of Appeals, District One (Morgan), appointing **Edward Kelleher** for an unexpired term which expires on 7/23/15. Postponed since 02/18/15. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved to appoint Edward Kelleher. Councilor Linscott seconded. The motion passed 7-0.

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4. 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.

There was no public comment.

Councilor Smith moved to postpone. Councilor Fox seconded. The motion passed 7-0.

5. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Councilor Blake seconded. The motion passed 7-0.

6. ORDER #93-14/15 – Arts & Historic Preservation Committee, District Five (Fox), for an unexpired term which expires on 10/20/16. Postponed since 03/02/15. Passage requires majority vote.

There was no public comment.

Councilor Fox moved to postpone. Councilor Beecher seconded. The motion passed 7-0.

7. ORDER #94-14/15 – Conservation Commission, District Five (Fox), appointing **Meg Braley** for an unexpired term which expires on 11/20/16. Postponed since 03/02/15. Passage requires majority vote.

There was no public comment.

Councilor Fox moved to appoint Meg Braley. Councilor Beecher seconded. The motion passed 7-0.

8. ORDER #97-14/15 – Economic Development Committee, District One (Morgan), for a term which expires on 3/23/18. Postponed on 03/16/15. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The motion passed 7-0.

9. ORDER #98-14/15 – Economic Development Committee, District Two (Smith), for a term which expires on 3/23/18. Postponed on 03/16/15. Passage requires majority vote.

There was no public comment.

Councilor Smith moved to postpone. Councilor Fox seconded. The motion passed 7-0.

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10. ORDER #100-14/15 – Economic Development Committee, District Three (Linscott), for an unexpired term which expires on 3/23/16. Postponed on 03/16/15. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Councilor Blake seconded. The motion passed 7-0.

11. ORDER #101-14/15 – Board of Appeals, At Large (Blake), for an unexpired term which expires on 7/23/16. Postponed on 03/16/15. Passage requires majority vote.

There was no public comment.

Councilor Blake moved to postpone. Councilor Smith seconded. The motion passed 7-0.

12. ORDER #108-14/15 – Planning Board, District Three (Linscott), for a term which expires on 04/01/18. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Councilor Beecher seconded. The motion passed 7-0.

**E. Consent Calendar**

13. STREET CLOSURE – The City of South Portland is requesting the closure of Hinckley Drive from Ocean Street to Cottage Road to accommodate Art in the Park from 12:01 A.M. to 9:00 A.M. on August 8, 2015. Passage requires majority vote.

There was no public discussion. Parks & Recreation Director, Rick Towle, was present and answered questions.

Councilor Beecher moved for passage. Councilor Fox seconded. The closure passed 7-0.

14. SIGN PERMIT – South Portland Farmers market Association is requesting to place an informational sign on the corner of Ocean and Broadway. Passage requires majority vote.

There was no public comment.

Councilor Blake moved to postpone. Councilor Linscott seconded. The motion passed 7-0.

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

Russ Lunt, Brigham Street  
Helen Slocum, Smith Street  
Steve Marston, Hillside Ave.

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**G. Public Hearings and Action**

15. ORDINANCE #11-14/15 – Amending Chapter 14, “Licenses, Permits and Business Regulations Generally” Regarding Inter-Departmental Reviews and Suspension/Revocation Standards. Passed first reading on 03/16/14. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion. Councilor Morgan moved to have the ordinance read by title only. Councilor Smith seconded. The motion passed 7-0.

Councilor Beecher moved for final reading and passage of Ordinance #11. Councilor Fox seconded. The ordinance passed roll call vote 7-0.

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

16. ORDER #109-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Linscott seconded. The order passed 7-0.

17. ORDINANCE #12-14/15 – Amending Chapter 27, “Zoning,” regarding a zone change from Residential District A to Conditional Armory Zone CAZ at 682 Broadway. First reading. Passage requires majority vote.

Councilor Morgan moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 7-0. The following people addressed this item;

Russ Lunt, Brigham Street  
David Latulippe, Priority Real Estate Group

Councilor Fox moved for first reading of Ordinance #12. Councilor Beecher seconded. The ordinance passed 7-0.

18. ORDER #110-14/15 – Accepting a 2015 Seatbelt Enforcement Grant for \$3,000 from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Beecher seconded. The order passed 7-0.

19. ORDER #111-14/15 – Award of Bid #20-15 to Eastern Excavation, Inc., of Westbrook, ME, for Phase I of the South Portland Municipal Services Facility project. Passage requires majority vote.

The following people addressed this item;  
Russ Lunt, Brigham Street

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Steve Marston, Hillside Ave.

Councilor Blake moved for passage. Councilor Linscott seconded. The order passed 7-0.

20. ORDER #112-14/15 - Award of Bid #21-15 to Risbara Bros., of Scarborough, ME, for improvements to Mill Creek Park. Passage requires majority vote.

The following person addressed this item;  
Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Linscott seconded. The order passed 7-0.

21. ORDER #113-14/15 – Authorizing the City Manager to sign an agreement with Home Properties WMF I, LLC to lease a portion of its property located at 62 MacArthur Circle East for upgrades adjacent to the Redbank Community Park. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Beecher seconded. The order passed 7-0.

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

**J. Councilor's Round Robin**

Mayor Cohen announced she has moved back to District Four.

Councilor Fox said he had a discussion with Jim Wellehan, from Lamey Wellehan Shoe Store, regarding raising the minimum wage. He commented that Mr. Wellehan encouraged a discussion about the discontinuation of the use of plastic bags.

Councilor Blake invited folks to learn more and participate in the South Portland Land Trust Earth Day event on April 25<sup>th</sup>. He also invited residents to the Ferry Village Neighborhood Conservation Association meeting at the Betsy Ross House at 7:00 P.M. on Thursday.

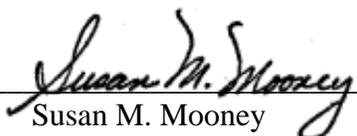
Councilor Beecher said she has received comments about the cost of snow removal. She said it is a necessary expense for safety reasons.

**K. Executive Session**

Councilor Linscott moved to adjourn at 8:45 P.M. Councilor Beecher seconded. The motion passed 7-0.

A TRUE COPY

ATTEST

  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 103**  
**APRIL 22, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. All Councilors were present. Mayor Cohen extended condolences to the families of Birger Johnson, former City Councilor and James Hendry, Civil Service Commission member.

**A. Acceptance of Minutes**

Councilor Morgan moved to accept the minutes from the regular meeting of April 6th. Councilor Linscott seconded. The motion passed 7-0.

**B. Communications from City Manager**

The Manager addressed the following:

- Earth Day – South Portland Land Trust Earth Day Cleanup – Saturday from 8:30 to 11:00

**C. Petitions and Communications**

Committee & Department Reports

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Morgan out of room).

2. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), for an unexpired term which expires on 5/5/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

3. 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.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 104**  
**APRIL 22, 2015**

4. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

5. ORDER #93-14/15 – Arts & Historic Preservation Committee, District Five (Fox), appointing **Adrian Dowling** for an unexpired term which expires on 10/20/16. Postponed since 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Adrian Dowling to the Arts & Historic Preservation Committee. Councilor Beecher seconded. The order passed 7-0.

6. ORDER #97-14/15 – Economic Development Committee, District One (Morgan), appointing **David Schneider** for a term which expires on 3/23/18. Postponed since 03/16/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint David Schneider to the Economic Development Committee. Councilor Linscott seconded. The order passed 7-0.

7. ORDER #98-14/15 – Economic Development Committee, District Two (Smith), appointing **Greg Perry** for a term which expires on 3/23/18. Postponed since 03/16/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Greg Perry to the Economic Development Committee. Councilor Fox seconded. The order passed 7-0.

8. ORDER #100-14/15 – Economic Development Committee, District Three (Linscott), for an unexpired term which expires on 3/23/16. Postponed since 03/16/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 7-0.

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**APRIL 22, 2015**

9. ORDER #101-14/15 – Board of Appeals, At Large (Blake), appointing **David Bourke** for an unexpired term which expires on 7/23/16. Postponed since 03/16/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint David Bourke to the Board of Appeals. Councilor Smith seconded. The order passed 7-0.

10. ORDER #108-14/15 – Planning Board, District Three (Linscott), for a term which expires on 04/01/18. Postponed on 04/01/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 7-0.

11. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

**E. Consent Calendar**

12. SIGN PERMIT – South Portland Farmers Market Association is requesting to place an informational sign on the corner of Ocean and Broadway. Postponed on 04/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

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

Adam Lampton, 47 Heather Road  
Russ Lunt, Brigham Street  
Rob Sellin, Deake Street

**G. Public Hearings and Action**

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

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 106**  
**APRIL 22, 2015**

13. ORDER #115-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage. Councilor Linscott seconded. The order passed 7-0.

14. ORDER #116-14/15 - Authorizing the City Manager to sign a Release Deed to release a sewer easement on property located at 93 Everett Avenue. Passage requires majority vote.

There was no public discussion. Pat Cloutier, Water Resource Director answered questions from the Council.

Councilor Beecher moved for passage. Councilor Fox seconded. The order passed 7-0.

15. ORDER #117-14/15 –Accepting a National Recreation & Parks Association Out-of-School Time Grant to be used by the Parks and Recreation Department. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Smith seconded. The order passed 7-0.

16. ORDER #118-14/15 - Implementing the FY 2016 Capital Improvement Program. Passage requires majority vote.

The following people addressed this item;

Russ Lunt, Brigham Street  
Patricia Whyte, Orchard Street

Councilor Beecher moved for passage. Councilor Fox seconded. The order passed 7-0.

17. ORDER #119-14/15 – Award of Bid #24-15 to Pavement Maintenance Supply Inc., of Chandler, AZ, for the purchase of an asphalt recycler for the Public Works Department. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Beecher moved for passage. Councilor Fox seconded. The order passed 7-0.

18. PROCLAMATION #5-14/15 - Proclaiming April 22, 2015 as Earth Day.

The following people addressed this item;

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Rob Sellin, Deake Street  
Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Linscott seconded. The proclamation passed 7-0.

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

Patricia Whyte, Orchard Street

**J. Councilor's Round Robin**

Councilor Fox remarked about Portland's five cent plastic bag charge and hopes to bring the initiative to South Portland.

Councilor Blake invited folks to the Ferry Village Neighborhood Conservation Meeting the second Thursday each month at the Betsy Ross House at 7:00 P.M.

Mayor Cohen congratulated Jon Jennings, Assistant City Manager/Economic Development Director for running the Boston Marathon.

**K. Executive Session**

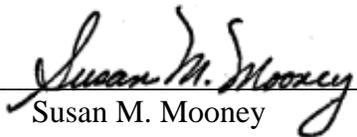
A motion may be made to enter into executive session pursuant to 1 M.R.S.A. Section 405(6)(C) to discuss possible disposition of the City's interest in real property located at 32 Cormorant Place, Unit 9 (Map 50, Lot 9-307).

Councilor Morgan moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(C) to discuss possible disposition of the City's interest in real property located at 32 Cormorant Place, Unit 9 (Map 50, Lot 9-307).at 8:50 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 9:30 P.M. Councilor Fox seconded. The motion passed 7-0.

Councilor Smith moved to adjourn. Councilor Linscott seconded. The motion passed 7-0.

A TRUE COPY

ATTEST   
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 108**  
**MAY 4, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott arrived at 7:10 P.M.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of April 22nd. Councilor Fox seconded. 6-0 (Linscott had not arrived)

**B. Communications from City Manager**

The Manager addressed the following:

- Beech access for dogs changed on May 1<sup>st</sup> 7:00 to 9:00 – A.M. and P.M. only. Dogs should be under restraint on all public parks and walkways.
- International Composting Week 5/3 to 5/9

**C. Petitions and Communications**

Stormwater presentation by Fred Dillon

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

2. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), for an unexpired term which expires on 5/5/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

3. 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.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

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4. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 7-0.

5. ORDER #100-14/15 – Economic Development Committee, District Three (Linscott), appointing **Ross Little** for an unexpired term which expires on 3/23/16. Postponed since 03/16/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Ross Little. Councilor Morgan seconded. The order passed 7-0.

6. ORDER #108-14/15 – Planning Board, District Three (Linscott), for a term which expires on 04/01/18. Postponed since 04/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

7. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed on 4/22/16. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

8. ORDER #120-14/15 – Energy & Recycling Committee, District One (Morgan), appointing **Rita Thompson** for a term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Rita Thompson. Councilor Linscott seconded. The order passed 7-0.

9. ORDER #121-14/15 – Energy & Recycling Committee, District One (Morgan), for a term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

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**MAY 4, 2015**

Councilor Morgan moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

10. ORDER #122-14/15 – Energy & Recycling Committee, District Two (Smith), appointing **Melinda Timpf** for a term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Melinda Timpf. Councilor Fox seconded. The order passed 7-0.

11. ORDER #123-14/15 – Energy & Recycling Committee, District Two (Smith), for a term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Lindscott seconded. The postponement passed 7-0.

12. ORDER #124-14/15 – Energy & Recycling Committee, District Five (Fox), appointing **George Michael Shutts** for a term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint George Shutts. Councilor Beecher seconded. The order passed 7-0.

13. ORDER #125-14/15 – Energy & Recycling Committee, District Five (Fox), appointing **Chris Gorman** for a term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Chris Gorman. Councilor Beecher seconded. The order passed 7-0.

14. ORDER #126-14/15 – Civil Service Commission, District Two (Smith), for an unexpired term which expires on 03/01/20. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

**E. Consent Calendar**

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15. SIGN PERMIT – South Portland Farmers Market Association is requesting to place an informational sign on the corner of Ocean and Broadway. Postponed on 04/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone the sign permit. Councilor Fox seconded. The motion passed 7-0.

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

Russ Lunt, Brigham Street  
Eben Rose, Buchanan Street  
Peter Turner, 126 Boothby Ave.  
Jennifer Morris, Parrott Street  
Catherine Chapman, Beaufort Street  
Albert DiMillo, 64 Colchester Drive

**G. Public Hearings and Action**

16. ORDINANCE #12-14/15 – Amending Chapter 27, “Zoning,” regarding a zone change from Residential District A to Conditional Armory Zone CAZ at 682 Broadway. Passed first reading on 04/06/15. ROLL CALL VOTE. Passage requires five affirmative votes.

Councilor Morgan moved to have the ordinance read by title only. Councilor Fox seconded. The motion passed 7-0. The following people addressed this item;

John Wallace, Scammon Street  
Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Linscott seconded. Ordinance #12-14/15 made final passage by roll call vote 7-0.

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

17. ORDER#127-14/15 – Authorizing the City Manager to offer a reduced payoff amount and to execute a mortgage discharge upon receipt of such payoff amount in full payment and satisfaction of the note and mortgage the City holds on property owned by Marco and Kathleen Gasbarrone located at 32 Cormorant Place, Unit 9 (Map 50, Lot 9-307). Passage requires majority vote.

The following person address this item;

Russ Lunt, Brigham Street

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Councilor Morgan moved for passage of the order. Councilor Beecher seconded.

Councilor Morgan moved to amend the order to add to the end of the first paragraph, “and provided that the seller receives no proceeds from sale, upon examination of the City Manager of the HUD-1 statement; and”. Councilor Beecher seconded. The amendment passed 5-2 (Fox, Cohen).

Councilor Linscott moved to amend the middle section of the first paragraph, “offering to accept ~~\$28,000~~ less than \$61,000”. Councilor Blake seconded. The amendment passed 7-0.

Councilor Blake moved to amend the Fiscal Note to read, “~~\$28,000~~ less than \$61,000 to be credited to the ~~Silent Second~~ Affordable Housing Account”. Councilor Linscott seconded. The amendment passed 7-0. The order passed as amended 7-0.

18. ORDER #128-14/15 – Authorizing the City Manager to sign a collective bargaining agreement with IAFF Local #1476 Public Safety Dispatchers for the period of July 1, 2013 to June 30, 2016. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 7-0.

19. PROCLAMATION #6-14/15 – Regarding Memorial Day, and directing that flags be placed on the graves of veterans. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Beecher moved for passage. Councilor Fox seconded. The proclamation passed 7-0.

20. PROCLAMATION #7-14/15 - Proclaiming the week of May 18, 2015 as Arbor Week in the City of South Portland. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Linscott seconded. The proclamation passed 7-0.

21. ORDER#129-14/15 – Authorizing the purchase of two transit buses from the Gillig Corporation, of Hayward, CA., to be used by South Portland Bus Service. Passage requires majority vote.

The following person addressed this item;

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Russ Lunt, Brigham Street

Councilor Fox moved for passage. Councilor Smith seconded. The order passed 7-0.

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

Patricia Whyte, Orchard Street

**J. Councilor's Round Robin**

Councilor Beecher requested attendance reports from all Boards and Committees

Mayor Cohen said it was Municipal Clerks Week.

**K. Executive Session**

A motion may be made to enter executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss pending and potential litigation matters with the Corporation Counsel.

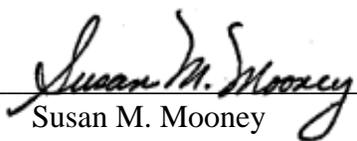
Councilor Morgan moved to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss pending and potential litigation matters with the Corporation Counsel at 9:16 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Morgan moved to come out of executive session at 9:46 P.M. Councilor Beecher seconded. The motion passed 7-0.

Councilor Morgan moved to adjourn. Councilor Linscott seconded. The motion passed 7-0.

A TRUE COPY

ATTEST

  
\_\_\_\_\_  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 114**  
**MAY 18, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Morgan was absent and Councilor Blake arrived at 8:30 P.M.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of May 4<sup>th</sup>. Councilor Fox seconded. The minutes passed 5-0 (Morgan absent, Blake had not arrived)

**B. Communications from City Manager**

The Manager addressed the following items;

- Parks & Recreation has lots of things going on, be sure to check the website for up to date information
- Recognition of Jasper Erickson for the design of the logo that will be adhered to all electric vehicles

**C. Petitions and Communications**

Committee and Department Reports

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

Councilor Fox moved to postpone. Councilor Beecher seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

2. ORDER #84-14/15 – Energy & Recycling Committee, At Large (Blake), appointing **Greg Norton** for an unexpired term which expires on 5/5/17. Postponed since 02/18/15. Passage requires majority vote.

Councilor Smith moved to waive Standing Rule 3(e) to allow the appointment due to the fact that the paperwork was not filed before Thursday at noon. Councilor Beecher seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived. There was no public discussion.

Councilor Fox moved to appoint Greg Norton to the Energy & Recycling Committee. Councilor Linscott seconded. The order passed 5-0 (Morgan absent, Blake had not arrived).

3. 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.

Councilor Smith moved to postpone. Councilor Fox seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

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4. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

Councilor Linscott moved to postpone. Councilor Beecher seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

5. ORDER #108-14/15 – Planning Board, District Three (Linscott), for a term which expires on 04/01/18. Postponed since 04/06/15. Passage requires majority vote.

Councilor Linscott moved to postpone. Councilor Beecher seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

6. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed on 4/22/16. Passage requires majority vote.

Councilor Smith moved to postpone. Councilor Beecher seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

7. ORDER #121-14/15 – Energy & Recycling Committee, District One (Morgan), for a term which expires on 05/05/18. Passage requires majority vote.

Councilor Beecher moved to postpone. Councilor Fox seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

8. ORDER #123-14/15 – Energy & Recycling Committee, District Two (Smith), for a term which expires on 05/05/18. Passage requires majority vote.

Councilor Smith moved to postpone. Councilor Linscott seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

9. ORDER #126-14/15 – Civil Service Commission, District Two (Smith), for an unexpired term which expires on 03/01/20. Passage requires majority vote.

Councilor Smith moved to postpone. Councilor Linscott seconded. The motion passed 5-0 (Morgan absent, Blake had not arrived).

**E. Consent Calendar**

10. SIGN PERMIT – South Portland Farmers Market Association is requesting to place an informational sign on the corner of Ocean and Broadway. Postponed on 04/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Fox seconded. The sign permit passed 5-0 (Morgan absent, Blake had not arrived).

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MAY 18, 2015**

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

Steve Hasson, 148 Breakwater  
Russ Lunt, Brigham Street  
Susan Chase, 63 Parrott Street  
Deidre Sileo, 51 Fessenden Ave.  
Adam Lampton, Heather Road  
Peter Turner, 126 Boothby Ave.  
Greg Lewis, 153 Mussey Street  
Rosemarie DeAngelis, Pleasantdale  
Ann Helfrich, 822 Sawyer Street  
John Gosselin, 894 Sawyer Street

The Manager responded to questions raised about the LNG Propane facility, development at 156 Mussey Street and the Martin's Point development proposal at Hamlin School.

**G. Public Hearings and Action**

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

11. ORDER #130-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Fox seconded. The order passed 5-0 (Morgan absent, Blake had not arrived).

12. ORDER #131-14/15 - Setting the time for opening the polls for the June 9, 2015 School budget Election. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 5-0 (Morgan absent, Blake had not arrived).

13. ORDER #132-14/15 – Authorizing the City Manager to sign an amended lease agreement with Impala, LLC to lease a portion of its property located at 586 Westbrook Street for use as a community resource center. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Fox seconded. The order passed 5-0 (Morgan absent, Blake had not arrived).

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14. ORDER #133-14/15 – Award of Bid #26-15 to South Portland Sailing, of South Portland, ME, for the ability to run its sailing school at the Municipal Pier and Floats in Thomas Knight Park. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 5-0 (Morgan absent, Blake had not arrived).

The Mayor requested to have the City Clerk read all of the School Budget Resolves at once, and then open the floor for public comment. Items #15 to #25 would be moved with one vote, Items #26, #27, #28 and #29 would be voted on separately and Items #30 to #32 would be moved with one vote. There was no objection.

Superintendent Godin and School Board Chair, Richard Matthews provided information about the School budget.

The only person that spoke from the public was Russ Lunt, Brigham Street.

15. RESOLVE #5-14/15 – That \$17,710,943 be authorized to be expended for Regular Instruction. Passage requires majority vote.

Councilor Beecher moved for passage of Resolve #5 through Resolve #25. Councilor Fox seconded. The motion passed 6-0 (Morgan absent).

16. RESOLVE #6-14/15 - That \$8,493,047 be authorized to be expended for Special Education. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

17. RESOLVE #7-14/15 - That \$319,217 be authorized to be expended for Career and Technical Education. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

18. RESOLVE #8-14/15 - That \$806,112 be authorized to be expended for Other Instruction. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

19. RESOLVE #9 -14/15 - That \$3,687,869 be authorized to be expended for Student and Staff Support. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

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20. RESOLVE #10-14/15 - That \$1,344,265 be authorized to be expended for System Administration. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

21. RESOLVE #11-14/15 - That \$2,387,484 be authorized to be expended for School Administration. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

22. RESOLVE #12-14/15 - That \$1,859,452 be authorized to be expended for Transportation and Buses. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

23. RESOLVE #13 -14/15 - That \$4,143,326 be authorized to be expended for Facilities Maintenance. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

24. RESOLVE #14 -14/15 - That \$4,918,980 authorized to be expended for Debt Service and Other Commitments. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

25. RESOLVE #15-14/15 - That \$423,109 be authorized to be expended for All Other Expenditures. Passage requires majority vote.

See Item #15 for the motion for passage and vote.

26. RESOLVE #16 -14/15 - That \$35,174,906.70 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 \$29,992,205.34 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.

Councilor Beecher moved for passage of Resolve #16. Councilor Fox seconded. The resolve passed 6-0 (Morgan absent).

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27. RESOLVE #17-14/15 - That \$4,190,900 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.*  
*South Portland High School Addition and Renovation, approved by voters on November 2, 2010.*

Councilor Smith moved for passage of Resolve #17. Councilor Beecher seconded. The resolve passed 6-0 (Morgan absent).

28. RESOLVE #18-14/15 - That \$5,120,085.66 be raised and appropriated in additional local funds, which exceed the State's Essential Programs and Services Allocation model by \$4,339,799.49 as required to fund the budget recommended by the Board of Education. Passage requires majority vote.

The Board of Education recommends \$5,120,085.66 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$4,339,799.49.

*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.

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Councilor Smith moved for passage of Resolve #18. Councilor Beecher seconded. The resolve passed 6-0 (Morgan absent).

29. RESOLVE #19-14/15 - That the Board of Education be authorized to expend \$46,093,804 for the fiscal year beginning July 1, 2015 and ending June 30, 2016 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.

Councilor Smith moved for passage of Resolve #19. Councilor Fox seconded. The resolve passed 6-0 (Morgan absent).

30. RESOLVE #20-14/15 - 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.

Councilor Beecher moved for passage of Resolve #20 through Resolve #22. Councilor Smith seconded. The motion passed 6-0 (Morgan absent).

31. RESOLVE #21-14/15 - That the City of South Portland will raise and appropriate \$415,000 in additional local dollars in support of the food service program. Passage requires majority vote.

See Item #30 for the motion for passage and vote.

32. RESOLVE #22-14/15 - That the Board of Education be authorized to expend such other sums as may be received from 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.

See Item #30 for the motion for passage and vote.

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

**J. Councilor's Round Robin**

Councilor Fox expressed concerns about parents not vaccinating their children.

Councilor Blake apologized for being late. He commented about the Land Trust Plant Sale, the big turnout for the South Portland Historical Society kite festival and the "Walk a Bus to School" initiative.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 121**  
**MAY 18, 2015**

Councilor Beecher asked if the City Manager could look into the issue of the poor condition of Willard Beach at SMCC.

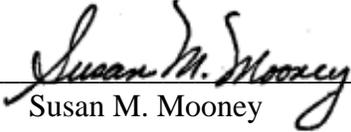
Councilor Smith spoke about Commute Another Way week and commented on the great job the Land Trust did with the plant sale.

Councilor Linscott responded to remarks made about the development at 156 Mussey Street earlier in the evening and said her involvement with that property was a private transaction.

**K. Executive Session**

Councilor Fox moved to adjourn at 9:19 P.M. Councilor Smith seconded. The motion passed 6-0 (Morgan absent).

A TRUE COPY

ATTEST  \_\_\_\_\_  
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 122**  
**JUNE 1, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott arrived shortly after roll call.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of May 18<sup>th</sup>. Councilor Fox seconded. The minutes passed 7-0

**B. Communications from City Manager**

The Manager addressed the following items;

- Workshop agenda items; Pesticides, Budget discussion, zone change

**C. Petitions and Communications**

Presentation by the Greater Portland Landmarks

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

Motion to postpone was made by Councilor Fox and seconded by Councilor Smith. The Order was postponed by a vote of 7-0.

2. 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.

Motion to postpone was made by Councilor Smith and seconded by Councilor Beecher. The Order was postponed by a vote of 7-0.

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

Motion to postpone was made by Councilor Linscott and seconded by Councilor Morgan. The Order was postponed by a vote of 7-0.

4. ORDER #108-14/15 – Planning Board, District Three (Linscott), for a term which expires on 04/01/18. Postponed since 04/06/15. Passage requires majority vote.

Motion to postpone was made by Councilor Linscott and seconded by Councilor Blake. The Order was postponed by a vote of 7-0.

5. 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.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 123**  
**JUNE 1, 2015**

Motion to postpone was made by Councilor Morgan and seconded by Councilor Linscott. The Order was postponed by a vote of 7-0.

6. ORDER #121-14/15 – Energy & Recycling Committee, District One (Morgan), for a term which expires on 05/05/18. Postponed since 5/4/15. Passage requires majority vote.

Motion to postpone was made by Councilor Morgan and seconded by Councilor Linscott. The Order was postponed by a vote of 7-0.

7. ORDER #123-14/15 – Energy & Recycling Committee, District Two (Smith), for a term which expires on 05/05/18. Postponed since 5/4/15. Passage requires majority vote.

Motion to postpone was made by Councilor Smith and seconded by Councilor Beecher. The Order was postponed by a vote of 7-0.

8. ORDER #126-14/15 – Civil Service Commission, District Two (Smith), for an unexpired term which expires on 03/01/20. Postponed since 5/4/15. Passage requires majority vote.

Motion to postpone was made by Councilor Smith and seconded by Councilor Fox. The Order was postponed by a vote of 7-0.

9. ORDER #134-14/15 – Board of Appeals, District Three (Linscott), for an unexpired term which expires on 7/23/17. Passage requires majority vote.

Motion to postpone was made by Councilor Linscott and seconded by Councilor Morgan. The Order was postponed by a vote of 7-0.

10. ORDER #135-14/15 – Harbor Commission, Mayoral appointment, appointing William Van Voorhis for a term which expires on 06/30/18. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint William Van Voorhis to fill another three year term on the Harbor Commission. Councilor Beecher seconded. The order passed 7-0.

11. ORDER #136-14/15 – Energy & Recycling Committee, District Four (Cohen), for an unexpired term which expires on 05/05/16. Passage requires majority vote.

Motion to postpone was made by Councilor Morgan and seconded by Councilor Linscott. The Order was postponed by a vote of 7-0.

12. ORDER #137-14/15 – Civil Service Commission, District Five (Fox), for an unexpired term which expires on 03/01/16. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 124**  
**JUNE 1, 2015**

Motion to postpone was made by Councilor Fox and seconded by Councilor Beecher. The Order was postponed by a vote of 7-0.

**E. Consent Calendar**

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

Russ Lunt, Brigham Street  
Greg Lewis, Mussey Street

**G. Public Hearings and Action**

13. BUSINESS LICENSE – Verbena Eat Right Now, 103 Ocean Street, for a Use of Public Sidewalk for outdoor seating license. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the seating license. Councilor Blake seconded. The license passed 7-0.

14. BUSINESS LICENSE – Cia’s Café Ocean Street, for the renewal of a Use of Public sidewalk for outdoor seating license. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Morgan moved for passage of the seating license. Councilor Linscott seconded. The license passed 7-0.

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

15. ORDER #138-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

The following person addressed this item;  
Russ Lunt, Brigham Street

Councilor Beecher moved for passage of the order. Councilor Linscott seconded. The order passed 7-0.

16. ORDER #139-14/15 – Award of Bid #30-15 to Presidio, of Woburn, MA for the purchase of Cisco Products. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 125**  
**JUNE 1, 2015**

Councilor Smith moved for passage of the order. Councilor Fox seconded. The order passed 6-0 (Fox out of the room).

17. ORDER #140-14/15 – Authorizing the City’s participation in submitting an application and accepting a 2015 Edward Byrne Memorial Justice Assistance Grant in the amount of \$18,426 to be used by the Police Department. Passage requires majority vote.

The following person addressed this item;  
Russ Lunt, Brigham Street

Councilor Beecher moved for passage of the order. Councilor Morgan seconded. The order passed 7-0.

18. ORDER #141-14/15 – Accepting a Federal Transit Administration (FTA) grant in the amount of \$571,566 to be used for the Municipal Services Facility. Passage requires majority vote.

The following person addressed this item;  
Russ Lunt, Brigham Street

Councilor Smith moved for passage of the order. Councilor Linscott seconded. The order passed 7-0.

19. ORDER #142-14/15 – Award of bid to Turf Products, of Enfield, CT, for the purchase of grounds equipment to be used by the Parks, Recreation and Waterfront Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the order. Councilor Fox seconded. The order passed 7-0.

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

Patricia Whyte, Orchard Street

**J. Councilor’s Round Robin**

Councilor Blake talked about GPCOG. They will be discussing minimum wage, plastic shopping bags and Styrofoam on a regional level. The Council is invited to their annual meeting. He said the Bike/Ped Committee will be hosting a walk on Thursday evening from Redbank Community Center to Memorial Middle School.

Councilor Beecher thanked Councilor Linscott for bringing the Airport Noise Committee meeting to Council Chambers for a meeting.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 126**  
**JUNE 1, 2015**

Mayor Cohen and the City Manager were invited to the Boy's and Girl's Club Annual meeting where they judged photos taken by the kids. She congratulated the Class of 2015.

Councilor Morgan mentioned that he and Councilor Beecher attended the Mill Creek Master Plan Committee meeting. Their document has been approved and will be presented to the Planning Board.

Councilor Smith followed up on the Bike/Ped event and mentioned that some will bike the route.

Councilor Linscott recognized Jennifer Dunphy at the airport and her work coordinating the Airport Noise Committee meetings. She also congratulated the Community College and High School graduates.

Councilor Fox mentioned the diversity at Brick Hill. He suggested a workshop to get the residents in that area more involved.

**K. Executive Session**

A motion may be made to go into executive session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty; and pursuant to 1 M.R.S.A. §405 (6)(d) regarding labor negotiations with the Fire Command Officers Association and the South Portland Firefighters, IAFF Local #1476.

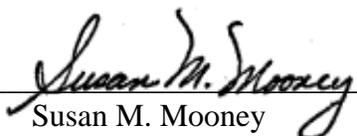
Councilor Morgan moved to go into executive session at 8:54 P.M., pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty; and pursuant to 1 M.R.S.A. §405 (6)(d) regarding labor negotiations with the Fire Command Officers Association and the South Portland Firefighters, IAFF Local #1476. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 9:33 P.M. Councilor Smith seconded. The motion passed 7-0.

Councilor Morgan moved to approve Hardship Abatement #2015-4 for fiscal year 2015 in the amount of \$676.57 plus interest and fees. Councilor Fox seconded. The abatement passed 7-0.

Councilor Morgan moved to adjourn at 9:33 P.M. Councilor Beecher seconded. The motion passed 7-0.

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ATTEST   
Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 127**  
**JUNE 15, 2015**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott was absent.

**A. Acceptance of Minutes**

Councilor Beecher moved to accept the minutes from the regular meeting of June 1st. Councilor Fox seconded. The minutes passed 6-0

**B. Communications from City Manager**

The Manager addressed the following items;

- Relay for Life 06/20/15
- The Color Run 06/28/15
- Concerts in the Park start 7/8/15 – The Mallet Brothers
- Movies at Bug Light – 7/9/15 – Big Hero 6
- Councilors received a stainless steel water bottle. All employees will receive one to discourage the use of single use water bottles at work.

**C. Petitions and Communications**

Department and Committee Reports

A certificate of appreciation was presented to Erick Giles for his service on the Planning Board

**D. Appointment Calendar**

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

Motion to postpone was made by Councilor Fox and seconded by Councilor Beecher. The Order was postponed by a vote of 6-0.

2. 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.

Motion to postpone was made by Councilor Smith and seconded by Councilor Morgan. The Order was postponed by a vote of 6-0.

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

Motion to postpone was made by Councilor Beecher and seconded by Councilor Smith. The Order was postponed by a vote of 6-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 128**  
**JUNE 15, 2015**

4. ORDER #108-14/15 – Planning Board, District Three (Linscott), appointing Isaac J. Misiuk for a term which expires on 04/01/18. Postponed since 04/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Isaac Misiuk to the Planning Board. Councilor Blake seconded. The order passed 6-0.

5. 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.

Motion to postpone was made by Councilor Morgan and seconded by Councilor Blake. The Order was postponed by a vote of 6-0.

6. ORDER #121-14/15 – Energy & Recycling Committee, District One (Morgan), for a term which expires on 05/05/18. Postponed since 5/4/15. Passage requires majority vote.

Motion to postpone was made by Councilor Morgan and seconded by Councilor Blake. The Order was postponed by a vote of 6-0.

7. ORDER #123-14/15 – Energy & Recycling Committee, District Two (Smith), appointing Todd Erickson for a term which expires on 05/05/18. Postponed since 5/4/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Todd Erickson to the Energy & Recycling Committee. Councilor Fox seconded. The order passed 6-0.

8. ORDER #126-14/15 – Civil Service Commission, District Two (Smith), appointing Caroline Hendry for an unexpired term which expires on 03/01/20. Postponed since 5/4/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Caroline Hendry to the Civil Service Commission. Councilor Beecher seconded. The order passed 6-0.

9. ORDER #134-14/15 – Board of Appeals, District Three (Linscott), appointing Ryan Cyr for an unexpired term which expires on 7/23/17. Postponed on 6/1/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Ryan Cyr to the Board of Appeals. Councilor Beecher seconded. The order passed 6-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 129**  
**JUNE 15, 2015**

10. ORDER #136-14/15 – Energy & Recycling Committee, District Four (Cohen), appointing Patrick Cyr for an unexpired term which expires on 05/05/16. Postponed on 6/1/15. Passage requires majority vote.

There was no public discussion.

Mayor Cohen moved to appoint Patrick Cyr to the Energy & Recycling Committee. Councilor Beecher seconded. The order passed 6-0.

11. ORDER #137-14/15 – Civil Service Commission, District Five (Fox), appointing Phillip LaRou for an unexpired term which expires on 03/01/16. Postponed on 6/1/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Phillip LaRou to the Civil Service Commission. Councilor Beecher seconded. The order passed 6-0.

12. ORDER #143-14/15 – Planning Board, District Four (Cohen), appointing Kevin Carr for a term which expires on 04/01/17. Passage requires majority vote.

There was no public discussion.

Mayor Cohen moved to appoint Kevin Carr to the Planning Board. Councilor Smith seconded. The order passed 6-0.

**E. Consent Calendar**

13. STREET CLOSURE – Philip Moss of 7 Bay View Avenue is requesting the closure of Bay View Avenue from 33 Bay View Ave. to Bellevue Ave. for a neighborhood block party. The block party is scheduled for September 12, 2015 from 4:00 P.M. to 8:00 P.M. with a rain date of September 13, 2015.

The following person addressed this item;  
Russ Lunt, Brigham Street

Councilor Beecher moved for passage of the street closure. Councilor Smith seconded. The item passed 6-0.

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

Russ Lunt, Brigham Street  
Albert DiMillo, 64 Colchester Drive  
Greg Lewis, Mussey Street  
Patricia Whyte, 7 Orchard Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 130**  
**JUNE 15, 2015**

Suzanne Godin, Superintendent of Schools

**G. Public Hearings and Action**

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

14. ORDER #144-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the order. Councilor Blake seconded. The order passed 6-0.

15. ORDER#145-14/15 – Award of Bid 31-15 to Yankee Ford, of South Portland, ME, for the purchase of a one ton truck for the Parks, Recreation and Waterfront Department. Passage requires majority vote.

The following person addressed this item;  
Albert DiMillo, 64 Colchester Drive

Councilor Smith moved for passage of the order. Councilor Fox seconded. The order passed 6-0.

16. ORDER #146-14/15 - Authorizing the City Manager to sign a collective bargaining agreement with the South Portland Fire Command Officers for the period of July 1, 2015 to June 30, 2018. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage of the order. Councilor Beecher seconded. The order passed 6-0.

17. RESOLVE #23-14/15 – Approving the FY 2016 Appropriation Resolve. Passage requires majority vote.

The following person addressed this item;  
Albert DiMillo, 64 Colchester Drive

Councilor Morgan moved for passage of the resolve. Councilor Beecher seconded. The resolve passed 6-0.

18. ORDER #147-14/15 – Authorizing a 2% percent cost of living adjustment for non-union municipal employees. Passage requires majority vote.

The following people addressed this item;  
Russ Lunt, Brigham Street

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 131**  
**JUNE 15, 2015**

Greg Lewis, Mussey Street

Councilor Beecher moved for passage of the order. Councilor Smith seconded. The order passed 6-0.

19. ORDER #148-14/15- Authorizing the Finance Director to accept prepayment of FY 2016 property taxes. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the order. Councilor Beecher seconded. The order passed 6-0.

20. ORDER #149-14/15 - Authorizing the Finance Director to release city interest in any real estate in the City of South Portland by quitclaim deed. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the street closure. Councilor Smith seconded. The item passed 6-0.

21. ORDER #150-14/15– Setting the street opening fees for FY 2016. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the order. Councilor Fox seconded. The order passed 6-0.

22. ORDER #151-14/15 – Setting the sewer user fees for Fiscal Year 2016. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the order. Councilor Fox seconded. The order passed 6-0.

23. RESOLVE #24-14/15 – Transferring \$200,000 from unassigned fund balance to the “Clear Skies Ordinance Legal Defense Fund” within the Litigation-Legal Reserve Fund and appropriating said amount as well as donations received to date for litigation defense costs. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the resolve. Councilor Fox seconded. The resolve passed 6-0.

**IN COUNCIL REGULAR MEETING VOL. 76 PAGE 132**  
**JUNE 15, 2015**

24. RESOLVE #25-14/15 – Approving an Appropriation Transfer Resolve for FY 2015 Police Contracts and Bus Service wage adjustments. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the resolve. Councilor Fox seconded. The resolve passed 6-0.

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

Bob Whyte, Orchard Street

**J. Councilor's Round Robin**

Councilor Blake remarked about the 5% County tax increase and wished Suzanne Godin and Jon Jennings good luck. He thanked the Trail Day participants and commended on a dedication plaque on the Greenbelt.

Councilor Beecher also wished Jon Jennings luck on his new position in Portland and congratulated Suzanne Godin on her retirement.

Mayor Cohen chimed in on the well wishes and spoke a little on the difficulty of keeping the County budget lower.

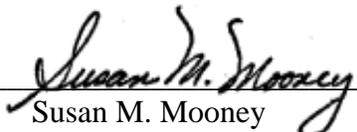
Councilor Morgan spoke about all the responsibilities that the County government covers. He supported the City Manager, talking about his integrity, grit and ability to think outside the box. He said the Manager sits in the hot seat all day and it's a tough job.

Councilor Smith commented on the stainless steel water bottles being made in China and said we would be hard pressed to find an affordable stainless steel water bottle made in the US. She said not all cities have free music and movies and she is glad to be here.

**K. Executive Session**

Councilor Morgan moved to adjourn at 9:36 P.M. Councilor Beecher seconded. The motion passed 6-0.

A TRUE COPY

ATTEST   
Susan M. Mooney