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IN COUNCIL REGULAR MEETING VOL. 75 PAGE 1
JULY 1, 2013

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Councilor Livingston arrived at 7:10 P.M.

A. Acceptance of Minutes

Motion to accept the minutes from the June 17th meeting was made by Councilor Smith. Councilor Jalbert seconded. Passed 6-0 (Livingston had not arrived yet).

B. Communications from City Manager

The Manager addressed the following items;

- The City has a new website
- Parks installed a new fountain at Mill Creek Park – thanks to Biddeford Saco Savings for their generous donation
- A bond referendum will be placed on the ballot in November for a Public Works Facility. Brochures about the project are available in all city departments.
- Special presentation by Planning and Development Director, Tex Haeuser recognizing former Mayor and Councilor Maxine Beecher. Mrs. Beecher received the Citizen Planner of the Year Award.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

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

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

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

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

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 2
JULY 1, 2013

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

4. ORDER #1-13/14 – Planning Board, District Four (Cohen), Appointing **Erick Giles** for an unexpired term which expires on 04/1/14. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Erick Giles, 62 Old Farm Road. Councilor Livingston seconded. The appointment passed 7-0. Mr. Giles was introduced and sworn in.

E. Consent Calendar

5. Street Closure

The Willardfest Committee is requesting the closure of Preble Street at Willow Street, Pillsbury Street up to 444 Preble Street for Willardfest on July 13th with a rain date of July 14th. Passage requires majority vote.

The following person addressed this item;

Laurel Labauve, 330 Preble Street

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

F. Citizen Discussion (First Part)

G. Public Hearings and Action

6. Business License

Southside Productions LLC, d/b/a The Bar Association and The Bread and Butter Company, 73 Main Street, for a Food Establishment Class A Catering License. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the license. Councilor Jalbert seconded. The license passed 7-0.

7. Business License

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 3
JULY 1, 2013

Applications of David's 388, Sweet Marguerties and Elsmere BBQ & Woodgrill are seeking a variance to allow them to operate an FE/Temporary License at 12 Pillsbury Street, which is within 500' of other City licensed food establishments. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage of the license. Councilor Livingston seconded. The license passed 7-0.

H. Action on Old and New Business

8. ORDER #2-13/14 - Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

9. ORDER #3-13/14 – Accepting the *Report of the Blue Ribbon Commission, South Portland City Council, School Board and City Committee Compensation* dated June 18, 2013 and remanding it to a City Council Workshop and School Board. Passage requires majority vote.

There was no public discussion.

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

10. CITIZEN INITIATED ORDINANCE #1-13/14 – Initial reading of the citizen initiated proposed waterfront protection 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;

Jeff Leary, 124 Mitchell Road
Rob Sellin, 5 Deake Street
Natalie West, 5 Deake Street
Tom Hardison, Resident of Scarborough

Councilor Jalbert moved for passage. Councilor Smith seconded. The ordinance passed first reading and set August 5, 2013 for the public hearing date by a vote of 7-0.

11. ORDER #4-13/14 - Waiving the bid process and authorizing the sale of a portion of City-owned property located at 482 Broadway. Passage of waiver requires five (5) affirmative votes.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 4
JULY 1, 2013

Councilor Linscott moved for passage. Councilor Cohen seconded. Councilor Cohen moved to amend the order to change “sale proceeds” to “net sale proceeds”. Mayor Blake seconded the amendment. The amendment passed 7-0. The order passed as amended 7-0.

12. RESOLVE #1-13/14 - Pursuant to Section 612 of the City Charter determining details of issue of \$41,500,000 principal amount of bonds authorized by bond ordinance finally passed and enacted September 8, 2010. Passage requires majority vote.

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

Councilor Jalbert moved for passage. Councilor Livingston seconded. The resolve passed 7-0.

13. ORDER #5-13/14 – Authorizing the School Department to purchase and re-purpose existing Mac laptops and complete 6th Grade iPad deployment. Passage requires majority vote.

There was no public discussion.

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

14. ORDER #6-13/14 – Accepting a Safety Enhancement Grant from the Maine Municipal Association for \$2,000 to be used for the purchase of a stretcher for the South Portland Fire Department. Passage requires majority vote.

There was no public discussion.

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

15. ORDER #7-13/14 – Accepting a Safety Enhancement Grant from the Maine Municipal Association for \$1,666.93 to be used for Emergency Vehicle Operators Course (EVOC) training equipment for the South Portland Police Department. Passage requires majority vote.

There was no public discussion.

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

16. ORDER #8-13/14 – Authorizing the City’s participation in submitting an application and accepting a 2013 Edward Byrne Memorial Justice Assistance Grant in the amount of \$20,954 to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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JULY 1, 2013

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

17. ORDER #9-13/14 – Accepting a 2007 VW Jetta 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 Jalbert moved for passage. Councilor Pock seconded. The order passed 7-0.

18. ORDER #10-13/14 - Award of Bid #48-13 to Dimatteo Construction, of South Portland, ME, for City Hall exterior siding and trim. Passage requires majority vote.

There was no public discussion.

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

19. PROCLAMATION #1-13/14 – Proclaiming July as Parks and Recreation Month in the City of South Portland. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Livingston seconded. The proclamation passed 7-0.

20. ORDER #11-13/14 - Award of Bid #46-13 to Clarke Painting, Inc., of Portland ME, for Hutchins School Exterior Painting. Passage requires majority vote.

There was no public discussion.

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

21. ORDER #12-13/14 - Award of Bid #49-13 to Clarke Painting, Inc., of Portland ME, for recoating the Main Library. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

Dave Cyr, Secretary/Treasurer for Portland Pipeline – Mr. Cyr remarked about the great relationship that co-exists with residents and businesses in South Portland. He said Exxon Mobile will not be building smoke stacks in Bug Light Park. He encouraged folks to get educated on the issue.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 6
JULY 1, 2013

J. Councilor's Round Robin

Councilor Cohen remarked about the amount of usage the Parks are getting. The Chamber is very excited about movies in Bug Light Park.

Councilor Livingston reminded folks about the 7/11 Long Creek Memorial event. The starting time is 4:45 P.M.

Mayor Blake also commented on the free events in the city, concerts, movies, Long Creek Memorial and Ben Franklin reading the Declaration of Independence in Bug Light Park on the Fourth.

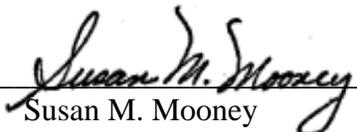
Councilor Pock passed along a reminder about Willardfest on July 13th and fireworks viewing on the Fourth at Bug Light Park.

Councilor Smith wished the City Manager good luck in the Color Run which takes place on Sunday morning.

K. Executive Session

Councilor Cohen moved to adjourn at 9:37 P.M. Mayor Blake seconded. The motion passed 7-0.

A TRUE COPY

ATTEST 
Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 7
JULY 15, 2013

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

A. Acceptance of Minutes

Motion to accept the minutes from the July 1st meeting was made by Councilor Jalbert. Councilor Smith seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager did not have any communications to pass along.

C. Petitions and Communications

Department reports for the month of June, 2013.
Attendance reports for the month of June, 2013.

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone and Councilor Jalbert seconded the motion. The order was postponed by a vote of 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone and Mayor Blake seconded the motion. The order was postponed by a vote of 7-0.

3. 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 and Councilor Pock seconded the motion. The order was postponed by a vote of 7-0.

4. ORDER #13-13/14 – Board of Appeals, At Large (Blake), appointing **Claude Morgan** for a term which expires on 07/23/16. Passage requires majority vote.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 8
JULY 15, 2013

There was no public discussion.

Mayor Blake moved to appoint Claude Morgan of 75 School Street. Councilor Smith seconded the motion. The order passed by a vote of 7-0.

5. ORDER #14-13/14 – Board of Appeals, At Large (Livingston), for a term which expires on 07/23/16. Passage requires majority vote.

There was no public discussion.

Councilor Livingston moved to postpone and Mayor Blake seconded the motion. The order was postponed by a vote of 7-0.

6. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to postpone and Councilor Jalbert seconded the motion. The order was postponed by a vote of 7-0.

7. ORDER #16-13/14 – Nomination of **Claude Morgan** to the Governor for an appointment to the Greater Portland Public Development Commission for a term which expires 08/08/18. Passage requires majority vote. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved the nomination of Claude Morgan of 75 School Street. Councilor Livingston seconded the motion. The order passed by a vote of 7-0.

8. ORDER #17-13/14 – South Portland Housing Authority, Tenant’s Appointment, appointing **Michael Russell** to fill an unexpired term to expire on 10/10/2013 and to reappoint Mr. Russell for a term to expire on 10/10/2018. Passage requires majority vote.

There was no public discussion. Michael Russell introduced himself and said he looked forward to serving.

Councilor Linscott moved to appoint Michael Russell of 45 Landry Circle. Councilor Livingston seconded the motion. The order passed by a vote of 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 9
JULY 15, 2013

Steve Hasson, 148 Breakwater Drive – Mr. Hasson voiced concerns about seaweed on the beach and that it made the area unattractive.

G. Public Hearings and Action

H. Action on Old and New Business

9. ORDER #18-13/14 – Amending Resolve #24-12/13, the FY 2014 Appropriation Resolve, to increase estimated revenues by \$300,000. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Councilor Smith seconded the motion. The order passed by a vote of 7-0.

10. ORDER #19-13/14 – Adopting Appendices A-H, General Assistance Overall Maximums as mandated by the Maine Municipal Association. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage of the appendices as provided. Mayor Blake seconded the motion. The order passed by a vote of 7-0.

11. ORDER #20-13/14 – Award of Bid #45-13 to Star Homes, Inc., of South Portland, ME, for the purchase of City-owned property at 25 Colonial Avenue. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Smith seconded the motion. The order passed by a vote of 7-0.

12. ORDER #21-13/14 – Authorizing the Code Enforcement Officer to execute a consent agreement between Bank of America, N.A. and the City relating to a garage setback encroachment at 16 Calais Street. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Jalbert seconded the motion. The order passed by a vote of 7-0.

13. ORDER #22-13/14. Authorizing the method of sale of tax acquired properties located on Noyes Street (a portion of Tax Map 63, Lots 85A and 87A) to be conveyed by release deed to four abutting property owners pursuant to Sec. 2-171(2)(a)(4) of the Code of Ordinances. Passage requires majority vote.

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JULY 15, 2013

The following person addressed this item;

Meg Michaud, Noyes Street – Ms. Michaud said she is happy the Council is resolving this issue.

Councilor Cohen moved for passage. Councilor Linscott seconded the motion. Councilor Cohen moved to delete the middle paragraph directing the proceeds to be credited to the Community Services Facility Reserve Account, which was inadvertently placed in the order. Councilor Linscott seconded. The amendment passed 7-0. The order passed as amended by a vote of 7-0.

14. ORDER #23-13/14 - Amending RESOLVE #22-12/13, that the City of South Portland appropriate \$300,000 to the Secondary Facilities Reserve to be funded by \$300,000 in additional State Education Subsidy. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Jalbert seconded the motion. The order passed by a vote of 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Mayor Blake invited folks to attend a park bench dedication for Mike Murphy on July 28th at the Firefighters Memorial Park.

Councilor Smith congratulated the City Manager in his Color Run race and wished best of luck to those in the Tri for a Cure on Sunday.

Councilor Linscott congratulated the organizers of Willardfest. It was a great success.

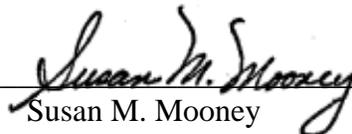
Councilor Cohen reminded residents about the movie in the park on Thursday.

K. Executive Session

Councilor Jalbert moved to adjourn at 7:59 P.M. Councilor Pock seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

IN COUNCIL SPECIAL MEETING VOL. 75 PAGE 11
JULY 22, 2013

K. Executive Session

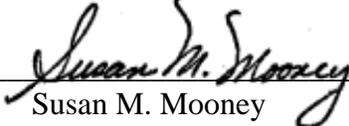
A motion may be made to go into Executive session pursuant to 1 M.R.S.A. Section 405(6)(C) to discuss the potential sale of a parcel of City-owned property.

Councilor Jalbert moved to go into Executive Session as noted above at 7:29 P.M. Councilor Linscott seconded the motion. The motion passed 7-0.

Councilor Cohen moved to come out of Executive Session at 8:47 P.M. Councilor Jalbert seconded. Councilor Jalbert moved to adjourn. Councilor Cohen seconded. The motion passed 7-0.

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 12
AUGUST 5, 2013

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Councilors Linscott, Jalbert and Livingston were absent.

A. Acceptance of Minutes

Motion to accept the minutes from the July 15th Council meeting and the July 22nd Special meeting was made by Councilor Smith. Mayor Blake seconded. The motion passed 4-0.

B. Communications from City Manager

The Manager addressed the following items;

- Art In the Park – August 10th
- Congratulations to the South Portland Employee Track Team for winning the State Track and Field Competition for the 4th year in a row.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postponed. Councilor Pock seconded. The item was postponed by a vote of 4-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to postponed. Councilor Cohen seconded. The item was postponed by a vote of 4-0.

3. 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 postponed. Councilor Pock seconded. The item was postponed by a vote of 4-0.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 13
AUGUST 5, 2013

4. ORDER #14-13/14 – Board of Appeals, At Large (Livingston), for a term which expires on 07/23/16. Postponed on 07/15/13. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to postponed. Councilor Smith seconded. The item was postponed by a vote of 4-0.

5. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Postponed on 07/15/13. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to postponed. Councilor Cohen seconded. The item was postponed by a vote of 4-0.

6. ORDER #24-13/14 – Energy & Recycling Associate, District Two (Smith), to appoint **Michael Howe**, for a term which expires on 05/05/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Michael Howe, 586 Sawyer Street. Mayor Blake seconded. The item passed by a vote of 4-0.

E. Consent Calendar

7. STREET CLOSURE – The South Portland Buy Local Group is requesting the closure of Madison Street at Breakwater Drive for the South Portland Buy Local Bug Light Festival on August 17th. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Smith seconded. The item passed by a vote of 4-0.

8. 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 am to 9:00 a.m. on August 10, 2013. (Rain date: 12:01 am to 9:00 a.m. on August 11, 2013). Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded. The item passed by a vote of 4-0.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 14
AUGUST 5, 2013

F. Citizen Discussion (First Part)

James Nolan and Marguerite Rubino, 20 Goudy Street – Presented Council with a handout of Portland Pipe Line’s Business Corporation filing with the State of Maine and noted most of the Board of Directors are not local.

Steven Hasson, 148 Breakwater Drive – Mr. Hasson has continued concerns about debris on Willard Beach.

Dave Cyr, Portland Pipe Line – Mr. Cyr said the proposed Waterfront Protection Ordinance sends a message that South Portland is not a business friendly place. He hopes the City rises above this.

Linden Thigpen Pavloff, Karynel Drive – Ms. Pavloff voiced concerns about breathing and air toxins should tar sands come into the city at some point.

Eve Raimon, 88 Angel Ave. – Provided a handout from Commondreams.org and read through most of it.

Frederick Lancaster, 41 Hillside Ave. – Mr. Lancaster encouraged the Council to vote in favor of the ordinance.

Carol Thorne, 96 Sandy Hill Road – Ms. Thorne feels the language in the Waterfront Protection Ordinance would have a horrible impact on our community and could wipe out our waterfront.

Leslie Gatcombe-Hynes, Elmwood Ave. – Ms. Gatcombe-Hynes said we have to ensure that we are taking into consideration impacts to our environment as we consider this ordinance.

Debra Lumbert, 58 Clemons Street – Ms. Lumbert said it would be good to have the ordinance discussed to understand it better.

Chris Gillies, Portland Pipe Line – Mr. Gillies said the intent of the ordinance would have a negative impact and would inhibit safety upgrades.

Bob Whyte, resident of South Portland – Mr. Whyte said it is a mistake to say we are unfriendly to business when a proposed change may impact a small segment.

Jamie Py, Chair of the Ballot Question Committee, Maine Energy Marketers Association – Mr. Py said the comma did make a big difference in the language of the ordinance.

Rob Sellin, Deake Street – Mr. Sellin said the ordinance provides tools for the Council to regulate. He encouraged the Council to support the language as submitted then work with the proponents to make it better.

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AUGUST 5, 2013

Catherine Chapman, Beaufort Street – Ms. Chapman said to send this ordinance out to the people who want the change.

Jim Katsiaficas, Perkins and Thompson, representing Irving Oil – Mr. Katsiaficas impressed that this ordinance does impact more the Portland Pipeline. He encouraged the Council to enact a version of the ordinance that does not include section four.

Karen Sanford, 19 Preble Street – Ms. Sanford said this ordinance can't shut down any businesses and hopes the Council can see through the rhetoric.

Burt Russell, Vice President of Sprague Energy – Mr. Russell said the ordinance would have a severe impact on Sprague and he extended an invitation to tour the facility.

Christine Marshall, 159 Sawyer Street – Ms. Marshall questioned why changes that “could” or “might” impact certain businesses would be such a bad thing. Remember how close we were to losing much more of our waterfront a few years ago when Irving Oil wanted to build a tank farm.

G. Public Hearings and Action

9. CITIZEN INITIATED ORDINANCE #1-13/14 – Second reading and public hearing on the citizen initiated proposed waterfront protection ordinance. Passed first reading on 7/01/13. ROLL CALL VOTE. Passage requires at least five affirmative votes.

Councilor Cohen moved to have the item read by title only. Councilor Pock seconded. The motion passed 4-0. Mayor Blake announced earlier in the meeting that public discussion would not be taken during this item. Numerous individuals spoke about this item at Citizen Discussion, Part 1.

Councilor Cohen moved to consider Ordinance #1-13/14. Councilor Smith seconded. Councilor Cohen moved to correct the ordinance by deleting the comma after the term “other facility” in Section 4(c). Councilor Smith seconded. The correction passed 4-0. Councilor Cohen moved to recess the public hearing to August 19th. Councilor Smith seconded. The motion passed 4-0.

H. Action on Old and New Business

10. ORDER #25-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved for passage. Mayor Blake seconded. The order passed 4-0.

11. ORDER #26-13/14 – Appropriating \$171,000 from the Fairchild TIF Account to the FY 2013 CIP CSO West High #019 Mussey Street Account and award of Bid #42-13 to R. J.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 16
AUGUST 5, 2013

Grondin & Sons Inc., of Gorham, ME, for the Mussey Street/Sprague Street Sewer Separation Project. Passage requires majority vote.

The following person addressed this item;

Gary Higginbottom, Clemons Street – Mr. Higginbottom said he welcomes the improvement.

Councilor Smith moved for passage. Mayor Blake seconded. The order passed 4-0.

12. ORDER #27-13/14 – Amending the Lease Agreement with Mad Horse Theater for the lease of 24 Mosher Street. Passage requires majority vote.

The following person addressed this item;

Christine Marshall, Sawyer Street – Ms. Marshall thanked the Council for their support. She said it's a great building and they have enjoyed the last five years.

Mayor Blake moved for passage. Councilor Cohen seconded. Councilor Cohen moved to amend the lease in section six by striking out “not-for-profit” in the following sentence, “In addition, other not-for-profit theatre groups may be allowed to use the Leased Premises temporarily for theatre arts purposes with TENANT’s permission. Mayor Blake seconded. The amendment to the lease passed 4-0. The order passed 4-0.

13. ORDER #28-13/14 – Award of a sole source bid to Physio-Control Inc., of Redmond, WA, for the purchase of a Lifepak monitor for the Fire Department. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Smith seconded. The order passed 4-0.

14. ORDER #29-13/14 – Award of Bid #02-14 to LaCorte Equipment Company, of Calverton, NY, for the purchase of a turf utility vehicle for the Parks Department. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved for passage. Mayor Blake seconded. The order passed 4-0.

15. ORDER #30-13/14 – Setting the date of the public hearing on a proposed amendment to the City Charter, Article IX, Section 906 regarding School Board member compensation. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 17
AUGUST 5, 2013

Councilor Pock moved for passage. Councilor Smith seconded. The order failed 0-4 (Pock, Smith, Cohen, Blake).

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Pock reminded folks to stop by the Historical Society when they visit the Buy Local Festival on August 17th.

Councilor Cohen said the City and the Chamber made a valiant effort to show a movie in Bug Light Park. Thursday evening inclement weather kept postponing the event, however a movie was finally shown last Friday evening. She was impressed with the dedication of city employees.

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 (D) discussion of contract negotiations with the South Portland Firefighters IAFF Local #1476 and Fire Command Officers.

Councilor Cohen moved to go into Executive Session as noted above at 9:13 P.M. Councilor Pock seconded the motion. The motion passed 4-0.

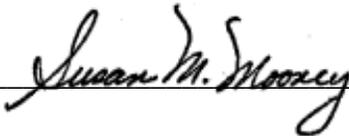
Councilor Smith moved to come out of Executive Session at 9:44 P.M. Councilor Cohen seconded.

Councilor Smith moved to approve abatement of case #2013/2014-01 in the amount of \$2,461.93 for the fiscal year 2013 real estate taxes. Councilor Cohen seconded. The abatement was passed by a vote of 4-0.

Councilor Cohen motioned to adjourn at 9:46 P.M. Mayor Blake seconded. The motion to adjourn passed 4-0.

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IN COUNCIL REGULAR MEETING VOL. 75 PAGE 18
AUGUST 19, 2013

Roll Call: Mayor Blake called the meeting to order at 6:00 P.M. at Mahoney Jr. High School. Councilor Pock was absent.

A. Acceptance of Minutes

Motion to accept the minutes from the August 5th Council meeting was made by Councilor Jalbert. Councilor Livingston seconded. The motion passed 6-0.

B. Communications from City Manager

C. Petitions and Communications

Department & Attendance reports for the month of July, 2013

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone items #1, #2, #3 and #5. Councilor Linscott seconded the motion. The postponement passed 6-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

4. ORDER #14-13/14 – Board of Appeals, At Large (Livingston), to appoint **Daniel Fortin** for a term which expires on 07/23/16. Postponed since 07/15/13. Passage requires majority vote.

There was no public discussion.

Councilor Livingston moved to appoint Daniel Fortin, 65 Thadeus Street to fill this seat. Councilor Linscott seconded the motion. The order passed 6-0.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 19
AUGUST 19, 2013

5. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Postponed since 07/15/13. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

6. STREET CLOSURE – John Maloney is requesting the closure of 30 – 39 Arbutus Ave block party on 09/14/13 from 2:00 P.M. to 8:00 P.M. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage of the street closure. Councilor Smith seconded the motion. The street closure passed 6-0.

F. Citizen Discussion (First Part)

G. Public Hearings and Action

7. CITIZEN INITIATED ORDINANCE #1-13/14 – Second reading and public hearing on the citizen initiated proposed waterfront protection ordinance. Passed first reading on 7/1/13 and given second reading on 8/5/13. ROLL CALL VOTE. Passage requires at least five affirmative votes.

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

Rob Sellin, 5 Deake Street
Sarah Kasprzak Lachance, Vice President of Kasprzak Homes
Debra Lumbert, 58 Clemons Street
Max Saffer-Meng, 32 Pond Road
Janice Doctor, Betsy Ross House
Doctor Priscilla Skerry, Naturopathic Medicine
Nancy Field, Keller Williams Realty
George Pavloff, 13 Karynel Drive
Terry Morrisson, State Representative, District 122
Linden Thigpen, 13 Karynel Drive
Eve Raimon, 88 Angell Ave.
Paul Leddy, 18 Beach Street
Ellen Fraser, 148 Breakwater Drive
Peter Herrick, 35 Ocean View Ave.
Sharon Herrick, 35 Ocean View Ave.
Robert Foster, 102 Simmons Road
Bill VanVoorhis, 52 Tamarack Dr.
Bill Duffy, 31 Ocean View Ave.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 20
AUGUST 19, 2013**

Clifford Ashley, 17 Kahill Ct.
Kathy Latendresse, 199 High Street
David Orbeton, 37 Lowell Street
Dave Cyr, Portland Pipe Line
Max Wibby, 37 Cash Street
April Caricchio, 37 Cash Street
Jessica Yandell, 194 Front Street
Sydney Damian Loring, 33 Clemons Street
John Howard, 94 Loveitts Field Road
Marc Gup, 86 Loveitt's Field Road
Roberta Zuckerman, 372 Preble Street
Ashley Daniels, 14 Randall Street
Martin Steingesser, Munjoy Hill, Portland
Lee Chisholm, Portland Teacher
Jim Katsiaficas, Perkins and Thompson, representing Irving Oil
Jay Leduc, Director of Environmental Health & Safety for Irving Oil
Paul Trusiani, Ocean Street
Steven Wynn, Assistant Operations Manager, South Portland Terminal LLC Buckeye Partners
Chris Gillies, Portland Pipe Line
Jamie Py, President and CEO of the Maine Energy Marketers Association
Catherine Chapman, 27 Beaufort Street
Natalie West, Deake Street
Mark St. Germaine, St. Germaine & Associates
Jessica Brown, Portland
David Louire, Attorney, Portland
Philip McGouldrick, Concord Street, Former Fire Chief of South Portland
Larry Wilson, President & CEO of Portland Pipe Line
Mark Usinger, President of A.L. Griffin Ship Chandlery
Ken Brown, Engineering Manager for Portland Pipe Line
Andy Jones, 296 High Street
Brian Leonard, Broadway
Carol Masterson, 14 Coolidge Ave.
Sean Mahoney, Conservation Law Foundation
Jackie Morrow, Portland
John Chandler, American Lung Association Maine Leadership Board
Lois Stailing, 18 Roosevelt Street
George Eaton, 18 Roosevelt Street
Peter Stanton, 20 Deake Street
Jeff Leary, 124 Mitchell Road
Jinger Duryea, C.N. Brown Co.
Richard Stenberg, 72 Ocean Street
Heidi Johanna Vierthaler, Freeport
Doug Bowen, Porter
Burt Russell, Vice President of Operations for Sprague
Matt Manahan, Attorney representing Portland Pipe Line
Patricia Sheldon, 7 Orchard Street

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Gary Higginbottom, Clemons Street
Matthew Marks, 60 Gary L. Maietta Parkway
Alan Mills, Preble Street
Bonny Vera Tyler, Bookstore owner on Munjoy Hill
Charles Baldwin, 163 Preble Street
Beth Harvey, 425 Broadway
Willow Femmechild, Munjoy Hill
Dale Cunningham, 261 Preble Street

Councilor Jalbert moved to adopt Citizen Initiated Ordinance #1-13/14. Councilor Smith seconded. The ordinance failed roll call vote 1-5 (Blake, Linscott, Cohen, Jalbert, Livingston).

Councilor Jalbert moved to set November 5, 2013 as the date for a referendum vote for the citizen initiated "Waterfront Protection Ordinance #1-13/14". Councilor Cohen seconded. The motion passed 6-0.

H. Action on Old and New Business

8. ORDER #31-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Mayor Blake seconded the motion. The order passed 6-0.

9. ORDER #32-13/14 – Appropriating \$28,145 from undesignated fund balance and award of Bid #5-14 to Bill Dodge Auto Group, of Westbrook, ME, for the purchase of a pickup truck for the Public Works Department. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded the motion. Councilor Cohen moved to amend the order by removing the first paragraph appropriating twenty-eight thousand one hundred forty-five dollars from undesignated fund balance to the Public Works Motor Vehicles Account. Councilor Linscott seconded the amendment. The amendment passed 6-0. The order passed as amended 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Linscott expressed appreciation for the civility of the meeting.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 22
AUGUST 19, 2013

Council Cohen reminded folks that Monsters Inc. would be shown at Bug Light Park on Thursday evening and the Sandlot was rescheduled to be shown a week from Thursday.

Councilor Jalbert said it was a long meeting on an important item.

Mayor Blake said he appreciated all the comments and emails and remarked this is one of the most important issues in a very long time.

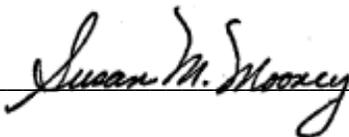
Councilor Smith said she appreciates all the comments and could not be prouder.

K. Executive Session

Councilor Jalbert moved to adjourn at 11:11 P.M. Councilor Linscott seconded. The motion to adjourn passed 6-0.

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_____
The signature is a cursive script that reads "Susan M. Mooney".

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 23
SEPTEMBER 4, 2013

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Councilor Livingston was absent.

A. Acceptance of Minutes

Motion to accept the minutes from the August 19th Council meeting was made by Councilor Smith. Councilor Jalbert seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following items;

- Public Works open house – September 14, 2013 from 9:00 to 12:00
- Update of Broadway work
- Thanks to the South Portland/Cape Elizabeth Chamber for movie night at Bug Light Park

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Mayor Blake seconded. The postponement passed 6-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Cohen seconded. The postponement passed 6-0.

3. 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 Pock seconded. The postponement passed 6-0.

4. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Postponed since 07/15/13. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 24
SEPTEMBER 4, 2013**

There was no public discussion.

Mayor Blake moved to postpone. Councilor Cohen seconded. The postponement passed 6-0.

E. Consent Calendar

5. Sign Permit

The Iris Network is requesting to place informational signs on the Casco Bay Bridge entryway from September 15 – October 20, 2013 to advertise the White Cane Walk for Independence on October 19th, 2013. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded. The permit passed 6-0.

F. Citizen Discussion (First Part)

G. Public Hearings and Action

H. Action on Old and New Business

6. ORDER #33-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Councilor Smith seconded. The order passed 6-0.

7. ORDER #34-13/14 – Award of bid to MRC Game Time Inc., of Spring Lake, NJ, for the renovations to the municipal pool deck. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded. The order passed 6-0.

8. ORDER #35-13/14 – Authorizing the City Manager to sign a Structure Lease Agreement with New Cingular Wireless PCS, LLC, for placement of a communication facility tower on city-owned property located at 34 Crossing Drive. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Pock seconded. The order passed 6-0.

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SEPTEMBER 4, 2013

9. ORDER #36-13/14 – Award of Bid #07-14 to ProAv Systems, of Portland, ME, for the purchase of technology for South Portland High School. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded. The order passed 6-0.

10. ORDER #37-13/14 – Award of Bid #09-14 to WB Mason, of Portland, ME; Creative Office Pavilion, of Portland, ME; School Specialty, of Mansfield, OH; and School Furnishings Inc., of Nashua, NH, for the purchase of furniture for South Portland High School. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Councilor Pock seconded. The order passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Cohen remarked about how helpful city staff was with Bug Light movie night. She said it was a great partnership between the City and Chamber.

Councilor Jalbert talked about the Thornton Heights neighborhood meeting where there was discussion about upgrades to sidewalks and crosswalks and better management of storm water in the watershed.

Mayor Blake thanked Ollie LaChapelle and Linky Erskine for pulling together the antique car show in Bug Light Park. He also extended thanks to Councilors, staff and residents for the civil Council Meeting on the Waterfront Protection Ordinance.

Councilor Pock said it was great to see all the old cars and good to see Bug Light Park getting used.

Councilor Smith plugged the Bug Light 5K saying that it benefits the Land Trust and the Historical Society. It will be held October 13th at 9:00 A.M.

K. Executive Session

A motion may be made to go into Executive session pursuant to 1 M.R.S.A. Section 405(6)(C) to discuss the potential sale of a parcel of City-owned property.

Councilor Jalbert moved to go into Executive Session at 8:31 P.M. Councilor Pock seconded. The motion passed 6-0.

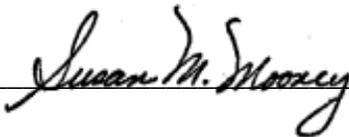
**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 26
SEPTEMBER 4, 2013**

Councilor Jalbert moved to come out of Executive Session at 8:09 P.M. Councilor Smith seconded. The motion passed 6-0.

Councilor Jalbert moved to adjourn at 8:32 P.M. Councilor Cohen seconded. The motion passed 6-0.

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IN COUNCIL REGULAR MEETING VOL. 75 PAGE 27
SEPTEMBER 16, 2013

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Councilor Livingston was absent.

A. Acceptance of Minutes

Motion to accept the minutes from the September 4th Council meeting was made by Councilor Cohen. Mayor Blake seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following items;

- Noise Abatement Program on September 19th at Redbank – 6:30 pm
- NNCAPA 2013 Citizen Planner of the year – Maxine Beecher
- SPCTV Director, Tony Vigue, received the Chuck Sherwood Leadership Award given by the Alliance for Community Media-Northeast
- City of South Portland awarded the Certificate of Excellence for the Comprehensive Annual Financial Report (CAFR)

C. Petitions and Communications

Department and Attendance reports for the month of August, 2013.

Jacob George Griffin was presented with a Proclamation for receiving his Eagle Scout Award

Mahoney Jr. High Students asking that September 21st be recognized as Peace One Day

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Pock seconded. The postponement passed 6-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Mayor Blake seconded. The postponement passed 6-0.

3. 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.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 28
SEPTEMBER 16, 2013

There was no public discussion.

Councilor Smith moved to postpone. Councilor Linscott seconded. The postponement passed 6-0.

4. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Postponed since 07/15/13. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to postpone. Councilor Smith seconded. The postponement passed 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Dan Glover – Archangel Committee – Mr. Glover came to invite the Council and citizens of South Portland to an event on November 18th at Westbrook Middle School, celebrating 25 years of Friendship with our Russian Sister City, Archangel.

Karen Westerberg, Fairlawn Avenue – Ms. Westerberg said the city should not spend any more money appealing a decision from the Maine Courts which supported the right for an employee to run for the School Board.

Tim Leberge, Pitt Street – Mr. Leberge voiced concern about the proposed citizen initiated Waterfront Protection Ordinance and said if it passes there could be the potential of an expensive legal battle.

Karen Callaghan, 241 Alfred Street – Ms. Callaghan said the city personnel policy went too far in restricting employees from circulating petitions. She urged that the older, less restrictive wording be restored.

Rob Sellin, Deake Street – Mr. Sellin said the Waterfront Protection Ordinance will not impede any business on the waterfront and only effects businesses importing oil.

G. Public Hearings and Action

H. Action on Old and New Business

5. ORDER #39-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Mayor Blake seconded. The order passed 6-0.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 29
SEPTEMBER 16, 2013

6. ORDER #40-13/14 – Authorizing the City Manager to sign a collective bargaining agreement with Fire Command Officers in accordance with wage re-opening negotiations and extending the contract for one year to expire on June 30, 2015. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded. The order passed 6-0.

7. ORDER #41-13/14 - Authorizing the City Manager to sign an agreement with South Portland Firefighters IAFF Local 1476 in accordance with wage re-opening negotiations. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Mayor Blake seconded. The order passed 6-0.

8. ORDER #42-13/14 – Award of a portion of Bid #9-14 to W. B. Mason, of Portland, ME for the purchase of lockers for South Portland High School. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Councilor Pock seconded. The order passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Jalbert remarked about the Thorton Heights project and to expect to see some zoning changes, like standardizing the width of sidewalks.

Mayor Blake and Councilor Pock spent the previous Saturday evening with the Sea Cadets. The Sea Cadets spend one weekend a month doing a community project.

Councilor Cohen talked about “Trucking for Kids”. The annual event will be held Sunday at 8:00 a.m. at Scarborough Downs. The project raises about \$10,000.

K. Executive Session

Executive session pursuant to 1 M.R.S.A. § 405(6)(A) and (E), discussion or consideration of the assignment/duties/evaluation of a City Council appointee, the Corporation Counsel; discussion of a pending litigation matter, *Callaghan, et al. v. City of South Portland*; and discussion of the legal rights and duties of the City Council regarding a defective product.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 30
SEPTEMBER 16, 2013**

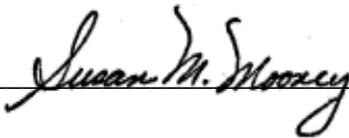
Councilor Jalbert moved to go into Executive Session at 8:14 P.M. Councilor Cohen seconded. The motion passed 6-0.

Councilor Smith moved to come out of Executive Session at 10:36 P.M. Councilor Jalbert seconded. The motion passed 6-0.

Councilor Linscott moved to adjourn at 10:37 P.M. Councilor Jalbert seconded. The motion passed 6-0.

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IN COUNCIL SPECIAL MEETING VOL. 75 PAGE 31
SEPTEMBER 30, 2013

Roll Call: Mayor Blake called the special meeting to order at 6:30 P.M. Councilor Livingston and Councilor Smith were absent.

H. Action on Old and New Business

1. ORDER #43-13/14 – Award of a portion of Bid #9-14 to School Specialty, of Mansfield, OH, for the purchase of cafeteria tables for South Portland High School. Passage requires majority vote.

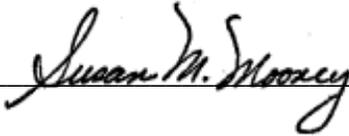
There was no public discussion.

Councilor Jalbert moved for passage. Councilor Cohen seconded. The order passed 5-0.

Councilor Jalbert moved to adjourn at 6:31 P.M. Councilor Cohen seconded. The motion passed 5-0.

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IN COUNCIL REGULAR MEETING VOL. 75 PAGE 32
OCTOBER 7, 2013

Roll Call: Councilor Cohen called the meeting to order at 7:00 P.M. Mayor Blake was present but asked Councilor Cohen to chair the meeting as he had little voice left due to a cold.

A. Acceptance of Minutes

Motion to accept the minutes from the September 16th Council meeting and the September 30th Special meeting was made by Councilor Jalbert. Councilor Smith seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;

- Bug Light 5K – Sunday October 13th at 9:00 a.m.
- Household Hazardous Waste Day – Saturday October 12th from 9:00 a.m. to 1:00 p.m.
- Presentation on the proposed Municipal Services Facility

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Jalbert seconded. The motion passed 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Livingston seconded. The motion passed 7-0.

3. 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 Jalbert seconded. The motion passed 7-0.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 33
OCTOBER 7, 2013

4. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Postponed since 07/15/13. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to postpone. Councilor Livingston seconded. The motion passed 7-0.

5. ORDER #44-13/14 – Planning Board, District Five (Jalbert), appointing **Kathleen Phillips LaBombard** for an unexpired term which expires on 04/01/14. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to appoint Kathleen Phillips LaBombard of 51 Scott Road. Councilor Pock seconded. The appointment passed 7-0.

6. ORDER #45-13/14 – Voter Registration Appeals Board, Republican appointment, to fill a term which expires 09/29/16. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to postpone. Councilor Jalbert seconded. The motion passed 7-0.

7. ORDER #46-13/14 – Voter Registration Appeals Board, Democratic appointment, to fill a term which expires 09/29/16. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Linscott seconded. The motion passed 7-0.

8. ORDER #47-13/14 – Energy & Recycling Associate, District Three (Linscott) appointing **Julie Silverman** for a term which expires 05/05/16. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Julie Silverman of 10 Derby Road. Councilor Smith seconded. The appointment passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russell Lunt, 133 Brigham Street – Mr. Lunt spoke in support of the Municipal Service Facility.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 34
OCTOBER 7, 2013

Margaret (Meg) Johnson, 54 Pennsylvania Ave. – Ms. Johnson provided a statement to the Council against the Waterfront Protection Ordinance and spoke on most of its content.

Catherine Chapman, 27 Beaufort Street – Ms. Chapman spoke in favor of the Waterfront Protection Ordinance and said it would not change any business in any way.

John Howard, Loveitt's Field Road – Mr. Howard against the Waterfront Protection Ordinance and said it is the duty of Councilors to let the voters know where they stand on the issue.

G. Public Hearings and Action

H. Action on Old and New Business

9. ORDER #48-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

10. ORDER #49-13/14 - Award of bid to Autotronics, of Madawaska, ME, for the purchase of an ambulance for the South Portland Fire Department through the cooperative bid process with the City of Portland. Passage requires majority vote.

There was no public discussion.

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

11. ORDER #50-13/14 - Accepting an Office of Substance Abuse Underage Drinking Enforcement Grant of \$4,500 to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #51-13/14 – Amending the Traffic Schedule regarding no parking on the westerly and easterly side of South Kelsey Monday through Friday from 7:30 a.m. to 4:00 p.m. Passage requires majority vote.

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 35
OCTOBER 7, 2013

13. ORDER #52-13/14 - Accepting \$315.00, 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 Smith moved for passage. Councilor Pock seconded. The order passed 6-0 (Blake out of the room).

14. ORDER #53-13/14 – Authorizing the sale of service handguns to current South Portland Police Officers. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Livingston said an update from Paul Bradbury regarding Jetport Noise was recently taped and will be aired on SPCTV.

Councilor Smith said October is Breast Cancer Awareness month. She also reminded folks of the South Portland Land Trust 5K next Sunday at Bug Light Park at 9:00 a.m.

Councilor Cohen spoke about the 100th anniversary ceremony at Forest City Cemetery that commemorates firefighters who died in the line of duty over a span of more than 100 years. She also gave notice that the South Portland/Cape Elizabeth Chamber will host a candidates night on October 24th at 7:00 p.m. for the City Council At Large race.

Councilor Jalbert said the Thornton Heights project will be coming up in a workshop soon.

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 Jalbert moved to go into Executive Session at 8:25 P.M. Councilor Pock seconded. The motion passed 7-0.

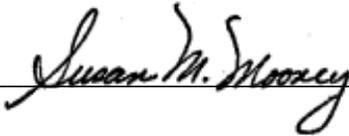
Councilor Jalbert moved to come out of Executive Session at 10:16 P.M. Councilor Livingston seconded. The motion passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 36
OCTOBER 7, 2013**

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

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ATTEST



**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 37
OCTOBER 21, 2013**

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

A. Acceptance of Minutes

Motion to accept the minutes from the October 7th Council meeting was made by Councilor Jalbert. Councilor Cohen seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;

- Annual Drug Dropoff – October 26th
- Overnight parking ban begins November 1, 2013
- Curbside leaf collection – 11/4 to 11/29
- Transfer Station will be open from 8:00 am to 3:30 pm the four Sundays in November
- Municipal Services Article reported median fiscal impact at \$55.00. This is incorrect. The actual median fiscal impact is \$22.26

The Mayor announced that the city has received an electric car from Greater Portland Council of Governments. It will be shared across city departments.

C. Petitions and Communications

Monthly Attendance & Committee Reports for September.

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone items #1 through #6. Councilor Jalbert seconded. The postponement passed 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 38
OCTOBER 21, 2013**

4. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), for an unexpired term which expires on 12/31/14. Postponed since 07/15/13. Passage requires majority vote.

Postponed. See Item #1 for details.

5. ORDER #45-13/14 – Voter Registration Appeals Board, Republican appointment, to fill a term which expires 09/29/16. Passage requires majority vote.

Postponed. See Item #1 for details.

6. ORDER #46-13/14 – Voter Registration Appeals Board, Democratic appointment, to fill a term which expires 09/29/16. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

7. STREET CLOSURE – The Waterfront Market Association and the South Portland/Cape Elizabeth Chamber are requesting the closure of Hinckley Drive for the annual Holiday Fest event scheduled for December 6, 2013 from 4:00 P.M. to 8:00 P.M. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Councilor Pock seconded. The street closure passed 7-0.

8. SIGN PERMIT – The Maine Lung Association is requesting to place approximately 20 directional signs from November 8th to November 9th for a “Free Me From Lung Cancer” run/walk. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Councilor Lincostt seconded. The sign permit passed 7-0.

F. Citizen Discussion (First Part)

The following people spoke about the Waterfront Protection Ordinance;

Matt Manahan, legal representative to Portland Pipeland
Natalie West, Deake Street
Rob Schreiber, Stanford Street
Steven Hasson, 148 Breakwater Drive

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Mike Williams, 124 New York Avenue
Greg Lewis, Mussey Street
Todd Erickson, 95 Parrott Street
Phil McGouldrick, Concord Street
Kathy DiPhilippo, Highland Ave.
Sarah Lachance, Kennebunkport, Me.
Rosemarie De Angelis, Pleasantdale
Trich Critchfield, 23 Bay Road
Dara Saffer, 32 Pond Road
Andy Jones, 296 High Street
Eben Rose, Buchanan Street
Margaret Donahue, 593 Preble Street
Carol Masterson, Coolidge Ave.
Peter Stanton, 20 Deake Street
Jeff Flaherty, Mitchell Road
Nathan Rose, Buchanan Street
Dave Cyr, Portland Pipeline
Wynne Wirth, 29 Vincent Street

The following people spoke about the Municipal Services Facility;

Russ Lunt, 133 Brigham Street
Steve Marston, Hillside Ave.
Maxine Beecher, Highland Ave.

G. Public Hearings and Action

H. Action on Old and New Business

9. ORDER #54-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

10. ORDER #55-13/14 – Award of Bid #11-14 to CB Kenworth, of Portland, ME, for the purchase of a dump truck with plow for the Public Works Department. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, 133 Brigham Street – Mr. Lunt said we need a new facility to protect these types of investments.

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

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 40
OCTOBER 21, 2013**

11. ORDER #56-13/14 – Award of Bid #12-14 to Pro AV Systems, of Portland, ME, for the purchase and installation of an audio system for the School Department. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #57-13/14 - Adopting Appendices B and D, General Assistance Food and Electric Utility Maximums as mandated by the Maine Municipal Association. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #58-13/14 - Setting the time for opening the polls for the November 5, 2013 General Election. Passage requires majority vote.

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

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

I. Citizen Discussion (Second Part)

Joe Capelluti, High Street – Mr. Capelluti questioned whether Councilor Jalbert had authority to contact the City Attorney.

Patty Smith, Parrott Street – Ms. Smith talked about the Waterfront Protection Ordinance.

J. Councilor's Round Robin

Mayor Blake said the Bug Light 5K was successful once again. He said there would be a Council debate on Thursday evening at 7:00 P.M. coordinated by the South Portland Cape Elizabeth Chamber of Commerce.

Councilor Pock mentioned that he would be representing the Council in the Veteran's Day Parade.

Councilor Smith said Item #5 on the State ballot is very important to our Community Colleges.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 41
OCTOBER 21, 2013**

Councilor Cohen talked about the Council vote on the WPO at the August 19th meeting and her reasons for signing the letter that was endorsed by five Councilors opposing the WPO.

Councilor Jalbert spoke about his views on the WPO.

Councilor Livingston agreed with Councilor Cohen and Councilor Jalberts comments.

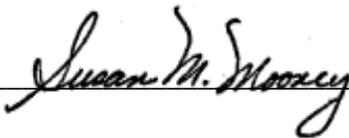
K. Executive Session

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

Councilor Pock moved to adjourn at 9:34 P.M. Councilor Livingston seconded. The motion passed 6-1 (Linscott).

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**IN COUNCIL WORKSHOP MEETING VOL. 75 PAGE 42
OCTOBER 28, 2013**

K. Executive Session

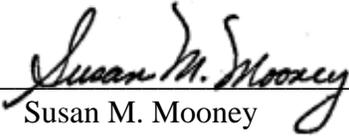
A motion may be made to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Clerk.

Councilor Jalbert motioned to go into Executive Session at 9:26 P.M. and Councilor Cohen seconded. Passed 7-0.

Councilor Jalbert motioned to adjourn from Executive Session at 9:55 P.M. and Councilor Pock seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 43
NOVEMBER 4, 2013

Roll Call: Mayor Blake called the meeting to order at 6:00 P.M. Councilor Livingston was absent.

A. Acceptance of Minutes

Motion to accept the minutes from the October 21st regular meeting and the October 28th Executive Session was made by Councilor Cohen. Councilor Linscott seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following;

- Transfer Station will be open on the four Sundays in November
- An overnight parking ban started on November 1st. No on street parking is allowed from midnight to 6:00 a.m.
- Municipal Services facility will be voted on tomorrow. There is information on the city website.

C. Petitions and Communications

Mayor Blake requested to take Items #11 and #12 out of order. There was unanimous consent to the request.

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone items #1, #2, #3 and #7. Councilor Pock seconded. The motion passed 6-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 44
NOVEMBER 4, 2013

4. ORDER #15-13/14 – Library Advisory Board, At Large (Blake), appointing **Jessica Walker** for an unexpired term which expires on 12/31/14. Postponed since 07/15/13. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to appoint Jessica Walker, 48 Ardsley Ave. to the Library Advisory Board. Councilor Linscott seconded. The appointment passed 6-0.

5. ORDER #45-13/14 – Voter Registration Appeals Board, Republican appointment, appointing **Kandi-Lee Hoy** and **James Hoy**, Alternate to fill a term which expires 09/29/16. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Kandi-Lee Hoy, 77 Hill St. to the Voter Registration Appeals Board and James Hoy, 77 Hill Street as the Alternate Republican representative. Mayor Blake seconded. The appointment passed 6-0.

6. ORDER #46-13/14 – Voter Registration Appeals Board, Democratic appointment, appointing **Alan Mills** and **Gloria Dinsmore**, Alternate to fill a term which expires 09/29/16. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to appoint Alan Mills, 317 Preble Street to the Voter Registration Appeals Board and Gloria Dinsmore, 63 Cloyster Road as the Alternate Democratic representative. Councilor Pock seconded. The appointment passed 6-0.

7. ORDER #59-13/14 – Energy & Recycling Committee, District Five (Jalbert) to fill an unexpired term which expires 05/05/15. Passage requires majority vote.

Postponed. See Item #1 for details.

8. ORDER #60-13/14 – Board of Appeals, District Four (Cohen) appointing **Dan Fortin** to fill an unexpired term which expires 07/23/14. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Daniel Fortin, 65 Thadeus Street, to the Board of Appeals. Councilor Linscott seconded. The appointment passed 6-0.

9. ORDER #61-13/14 – Board of Appeals, At Large (Livingston) appointing **Alex Anastasoff** to fill an unexpired term which expires 07/23/15. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 45
NOVEMBER 4, 2013**

Councilor Cohen moved to appoint Alex Anastasoff, 115 New York Ave., to the Board of Appeals. Mayor Blake seconded. The appointment passed 6-0.

10. ORDER #62-13/14 –Ward Clerk, District 2 Pro-Tempore appointing **Bob Swan** for November 5th General Election. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Robert Swan, 68 Mitchell Road, as Ward Clerk Pro-Tempore for District Two for the November 5th Election. Mayor Blake seconded. The appointment passed 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, 133 Brigham Street
Carol Thorne, 96 Sandy Hill Road
Steve Marston, Hillside Ave.
Linda Boudreau, 293 Sawyer Street
Henrietta LaRou, 51 Simmons Road
Rob Sellin, Deake Street
Patricia Whyte, Orchard Street
Jeff Leary, 124 Mitchell Road
Sarah Rodriguez, 592 Main Street
Bob Klotz, Whitehall Ave.
Bill Vanvoorhis, 52 Tamarack Drive
Steve Hasson, 148 Breakwater Drive
Greg Lewis, Mussey Street
Miranda Rodriguez, 54 Burwell Ave.
Chris Gillies, Portland Pipe Line
Anthony Barrasso, Riverplace Drive
Dave Mason, 96 Boothby Ave.
Gary Chisholm, 972 Highland Ave.
Bill Simpson, 14 Coolidge Ave.
Dr. Jeffrey Saffer, Cape Elizabeth
Michele Danois, Richland Ave.
Eben Rose, Buchanan Street
Ann Dimella, Arrowwood Ct.
Linden Thigpen Pavloff, Karynel Drive
Don Russell, 143 Hillside Ave.
Peter Stanton, 20 Deake Street
Bill Duffy, 31 Ocean View Ave.
Randy Hughs, Portland Pipeline

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Brian Foyer, 39 Smith Street
Laura Rendell, Sterling Ave.
Rosemarie De Angelis, Pleasantdale
Maxine Beecher, Highland Ave.

G. Public Hearings and Action

H. Action on Old and New Business

11. ORDER #63-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

The following person addressed this item;

April Tracy, 103 South Richland Street – Ms. Tracy thanked the Council for their support of the Buy Local event.

Councilor Cohen moved for passage. Mayor Blake seconded. The order passed 6-0.

12. ORDER #64-13/14 – Award of bid to Creative Office Pavilion, of Portland, ME, for the purchase of furnishings for South Portland High School. Passage requires majority vote.

The following person addressed this item;

Steve Marston, Hillside Ave. – Mr. Marston inquired whether this expense was included in the bond project.

Councilor Jalbert moved for passage. Councilor Pock seconded. The order passed 6-0.

13. ORDER #65-13/14 – Authorizing the Code Enforcement Officer to execute a consent agreement between Robert G. Pratt and the City relating to a building setback encroachment at 24 Stone Drive. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Mayor Blake seconded. Councilor Jalbert moved to amend the order to set the fine and the fee at \$.00. Councilor Pock seconded. The amendment passed 6-0. The order passed as amended 6-0.

14. RESOLVE #2-13/14 - Asking that bells be rung at 11:00 a.m. on Veterans Day. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Cohen seconded. The resolve passed 6-0.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 47
NOVEMBER 4, 2013**

I. Citizen Discussion (Second Part)

George Hackett, Stanford Street
Willow Femmechild, Portland

J. Councilor's Round Robin

Councilor Pock said he is looking forward to the Veteran's Day Parade.

Councilor Smith said she has heard interesting arguments on both sides of the WPO issue but hasn't changed her position in how she will vote.

Councilor Linscott said there would be little impact on the tax rate if the public works facility passes because of retiring debt. She said the Council had intentions of working on an ordinance to deal with tar sands but citizens put together an initiative without collaborative input. She hopes this can be resolved.

Councilor Cohen encouraged folks to show their support to Veterans by attending the parade. She remarked about proponents of the WPO being on the bridge and said this is how democracy works. She said if the ordinance does not pass she looks forward to putting good efforts into working through this issue.

Councilor Jalbert said he does not support tar sands and does not support the Waterfront Protection Ordinance with all due respect to the folks who wrote the ordinance. He said Veteran's Day is important.

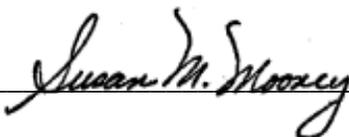
Mayor Blake thanked everyone who came tonight and those who watched on TV. He targeted three major issues in the city as the WPO, taxes and street lights. He apologized for not leading the issue better and said he still feels the WPO is what is best for the city.

K. Executive Session

Councilor Smith moved to adjourn at 9:44 P.M. Councilor Jalbert seconded. The motion passed 6-0.

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ATTEST



**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 48
NOVEMBER 18, 2013**

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

A. Acceptance of Minutes

The minutes from the November 4th meeting were not completed.

B. Communications from City Manager

The Manager addressed the following;

- The Public Service Facility passed and the next step will be an environmental report which will take 3 to 4 months.
- This is Councilor Livingston's last official meeting.

The Mayor addressed the following;

- The Council will Caucus for Mayor at the end of this meeting
- There will be a joint meeting with the School Department on Wednesday night to provide an update on the financial horizon.
- There will not be a workshop on Monday night
- Recognition to Molly Butler Bailey for her service on the Planning Board

C. Petitions and Communications

Monthly Attendance & Committee Reports for October

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone items #1 through #4. Councilor Jalbert seconded. The postponement passed 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 49
NOVEMBER 18, 2013**

4. ORDER #59-13/14 – Energy & Recycling Committee, District Five (Jalbert) to fill an unexpired term which expires 05/05/15. Passage requires majority vote.

Postponed. See Item #1 for details.

5. ORDER #66-13/14 –Appointment to the Long Creek Watershed Management District Board of Directors. Passage requires majority vote.

Councilor Jalbert moved to appoint Michael Vail to fill this vacancy. Mayor Blake seconded. The order passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, 133 Brigham Street
David Orbeton, 37 Lowell Street
Barry Zuckerman, 372 Preble Street
Debra Dean, 408 Preble Street
Burt Russell, Portsmouth, NH
Patricia Whyte, 7 Orchard Street
Tess Nacelewicz, 25 Robinson Street
Brian Leonard, Broadway
Greg Griffin, Cape Elizabeth
Margaret Dilley, Casco
Melinda Timpf, 163 Fort Road
Don Russell, 143 Hillside Ave.
Eben Rose, Buchanan Street
Nancy Guignard, 148 Breakwater Drive
Rosemarie De Angelis, Pleasantdale

G. Public Hearings and Action

6. Business License

MBS, LLC, DBA Wild Willy's, 449 Westbrook Street for a Food Establishment Restaurant with Malt and Vinous License. New owners of an existing business. Passage requires majority vote.

There was no public discussion.

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

H. Action on Old and New Business

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 50
NOVEMBER 18, 2013**

7. ORDER #67-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

8. ORDER #68-13/14 - Accepting \$1,060 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 Smith moved for passage. Councilor Jalbert seconded. The order passed 7-0.

9. ORDER #69-13/14 - Amending the Traffic Schedule regarding bus stops on Brick Hill Avenue. Passage requires majority vote.

There was no public discussion.

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

10. ORDER #70-13/14 - Award of Bid #15-14 for the purchase of video technology for the lecture hall related to the South Portland High School Addition and Renovation project. Passage requires majority vote.

There was no public discussion.

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

11. ORDINANCE #2-13/14 - Amending Chapter 27, “Zoning Ordinance,” regarding moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland. First reading. Passage requires majority vote.

Councilor Jalbert moved to have the Ordinance read by title only. Mayor Blake seconded. The motion passed 6-1 (Pock). The following people addressed this item;

Chris Gillies, Portland Pipeline
Ted Reiner, Ballard Street
Andrew Jones, High Street
Russ Lunt, Brigham Street
Charlie Higgins, Ledge Road
Fred Roncile, Portland
Lundquist, Brian, Pine Street
Tess Nacelewicz, 25 Robinson Street
Peg Dilley, Casco

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 51
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Karen Sanford, Preble Street
Bill Duffy, 31 Ocean View Ave.
Fraser, Ellen, 148 Breakwater Drive
Doug Mullen, Fryeburg
David LaGraffe, 357 Cottage Road
Bob Klotz, Whitehall Ave.
Bob Whyte, Orchard Street
Maria Reuillard, 31 Ocean View Ave.
Debra Dean, Preble Street
Dave Cyr, Portland Pipeline
Patricia Whyte, 7 Orchard Street
Richard Hale
Bill Simpson, Coolidge Ave.
P.J. Cragin, Smith Street
Willow Femmechild, Portland

Councilor Cohen moved for passage of first reading of the ordinance and to set December 16th for the second reading and final passage. Councilor Linscott seconded. After some question about whether Councilor Pock may have had a conflict, Councilor Cohen moved to allow Councilor Pock to participate. Councilor Livingston seconded. The motion passed 6-0 with Pock abstaining. The ordinance passed first reading 6-1 (Pock).

12. ORDER #71-13/14 – Appropriating \$12,500 from undesignated fund balance and authorizing the City Manager to sign a contract with ReVision Energy, of Portland, ME, to conduct a feasibility study to install a solar PV array at the landfill property. Passage requires majority vote.
There was no public discussion.

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

I. Citizen Discussion (Second Part)

Brian Frost, Thirlmere Ave.
Larry Wilson, Portland Montreal Pipeline

J. Councilor's Round Robin

Councilor Cohen thanked Councilor Livingston for his service to the community.

Councilor Jalbert also recognized Councilor Livingston's service to the School Board and his contribution as a teacher.

Councilor Livingston said it has been a pleasure. He thanked the Manager for his care for the city and the employees. He cautioned about being mindful of the tax rate and keeping the elderly in mind.

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Mayor Blake also thanked Councilor Livingston and gave kudos to the election staff.

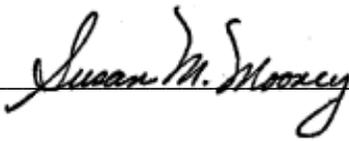
Councilor Pock apologized for a remark he made earlier in the evening. He talked about a Willard Point cleanup project where he worked with Patrick McArdle, Natalie West and Rob Sellin.

K. Executive Session

Councilor Jalbert moved to adjourn at 10:26 P.M. Councilor Livingston seconded. The motion passed 7-0.

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**IN COUNCIL INAUGURAL MEETING VOL. 75 PAGE 53
DECEMBER 2, 2013**

Mayor Blake called the meeting to order at 4:00 P.M.

Mayor Blake invited Reverent Thomas Frye, to offer the invocation.

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

City Clerk Mooney administered the Oath of office to Councilors-elect Blake and Beecher.

City Clerk Mooney declared Councilors Blake and Beecher duly qualified Councilors.

Councilor Cohen nominated Councilor Jalbert for Mayor for year 2013/2014. Councilor Linscott seconded the motion.

Councilor Pock moved that nominations cease. Councilor Beecher seconded the motion. Passage 7-0.

City Clerk Mooney called for the vote announced Councilor Jalbert as Mayor for 2013/2014 with seven votes.

Mayor Jalbert presented Councilor Blake with an engraved letter opener and thanked him for his leadership over the last year.

Mayor Jalbert then presented the Inaugural Address.

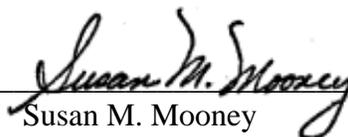
Councilor Blake moved that the Inaugural Address be spread on the records. Councilor Pock seconded the motion. Mayor Jalbert took the vote and ordered the Inaugural Address be spread on the records.

City Clerk Mooney read RESOLUTION #2-13/14 establishing time and place of meetings. Councilor Linscott moved for passage. Councilor Smith seconded the motion. Mayor Jalbert took the vote and declared the Resolution duly passed.

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

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Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 54
DECEMBER 4, 2013**

Roll Call: Mayor Jalbert called the meeting to order at 7:00 P.M. The meeting was held at the Community Center because the Board of Appeals was holding a meeting in Council Chambers. Councilor Linscott was absent.

A. Acceptance of Minutes

Motion to accept the minutes from the November 4th Council meeting and the November 18th Council meeting was made by Councilor Blake. Councilor Pock seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following;

- Holidayfest will occur on Friday starting at 4:00 P.M. The trees will be lit at 6:00 P.M.
- FEMA flood maps are now available

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone the orders #1 through #5. Councilor Pock seconded. The postponement passed 6-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

4. ORDER #59-13/14 – Energy & Recycling Committee, District Five (Jalbert) to fill an unexpired term which expires 05/05/15. Postponed since 11/04/13. Passage requires majority vote.

Postponed. See Item #1 for details.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 55
DECEMBER 4, 2013**

5. ORDER #72-13/14 – Conservation Commission, At Large (Beecher) to fill a term which expires 11/20/16. Passage requires majority vote.

Postponed. See Item #1 for details.

6. ORDER #73-13/14 – Planning Board, District One (Pock) to fill an unexpired term which expires 04/01/16. Passage requires majority vote.

There was no public discussion. This item occurred on the agenda due to a resignation letter from Mr. Schreiber. Mr. Schreiber rescinded his decision to resign.

Councilor Pock moved to postpone this item indefinitely. Councilor Cohen seconded. The postponement passed 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, 133 Brigham Street
District 122 Representative Terry Morrison

G. Public Hearings and Action

7. Business License - Benjamin Building Wrecking Co., 41 Jackson Street, renewal for an Automobile Graveyard/Automobile Recycling Business and/or Junkyard License. Passage requires majority vote.

Councilor Cohen moved for passage. Councilor Beecher seconded. The license passed 6-0.

H. Action on Old and New Business

8. ORDER #74-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Pock seconded. The order passed 6-0.

9. ORDER #75-13/14 – Authorizing the City Manager to sign a Purchase and Sale Agreement with Anew Real Property Development, LLC, of Portland, ME, for the purchase of the former Roosevelt School. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, 133 Brigham Street – Mr. Lunt said this is a good decision.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 56
DECEMBER 4, 2013**

Councilor Blake moved for passage. Councilor Smith seconded. The order passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Blake said he is looking for a person to fill the Conservation Commission Associate seat.

Councilor Beecher said she is pleased to be back on the Council and thanked the voters for supporting the Municipal Service Facility.

Mayor Jalbert indicated that the agendas in December are usually light, but not so this year.

Councilor Smith said she is looking for someone to fill a seat on the Board of Assessment Review and on the Conservation Commission.

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. Section 405(6)(C) to discuss the use of and possible acquisition of real property where premature disclosure of the information would prejudice the competitive bargaining position of the City.

Councilor Beecher moved to go into executive session as noted above at 7:41 P.M. Councilor Blake seconded. The motion passed 6-0.

Councilor Pock moved to adjourn for executive session at 8:56 P.M. Councilor Blake seconded. The motion passed 6-0.

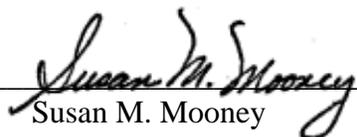
Councilor Blake moved to approve hardship abatement #2013/2014-02 in the amount of \$1,000.00 for the 2011/2012 tax year. Councilor Cohen seconded. The motion passed 6-0.

Councilor Beecher moved to approve hardship abatement #2013/2014-03 in the amount of \$3,177.62 plus interest and fees for the 2011/2012 tax year. Councilor Smith seconded. The motion passed 6-0.

Councilor Smith moved to adjourn at 8:58 P.M. Councilor Cohen seconded. The motion passed 6-0.

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ATTEST _____


Susan M. Mooney

**IN COUNCIL SPECIAL MEETING VOL. 75 PAGE 57
DECEMBER 9, 2013**

South Portland Community Center following the City Council Workshop

K. Executive Session

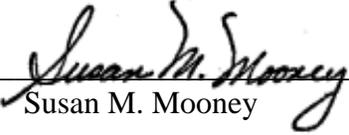
A motion may be made to go into executive session pursuant to 1 M.R.S.A. Section 405(6)(E) to discuss the status of pending litigation matters against the City with the Corporation Counsel.

Councilor Beecher moved to go into executive session as noted above at 8:45 P.M. Councilor Blake seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 9:48 P.M. Councilor Cohen seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 58
DECEMBER 16, 2013**

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

A. Acceptance of Minutes

Motion to accept the minutes from the December 2nd Inauguration and the December 4th Council meeting was made by Councilor Beecher. Councilor Blake seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following;

- Parks Department has started grooming cross country ski trails at Wainwright Field and will also be doing the same at the golf course.
- An outdoor ice rink is being constructed at Wainwright Field from a donation of \$15,000 from the Soucy family.
- Representative Scott Hamann presented Tony Vigue with a Legislative Sentiment recognizing Tony's receipt of the Chuck Sherwood Leadership Award given by the Alliance for Community Media-Northeast.

C. Petitions and Communications

Monthly Attendance & Committee Reports for November

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public comment.

Councilor Smith moved to postpone. Councilor Blake seconded. The motion passed 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Mayor Jalbert seconded. The motion passed 7-0.

3. 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 comment.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 59
DECEMBER 16, 2013**

Councilor Smith moved to postpone. Councilor Beecher seconded. The motion passed 7-0.

4. ORDER #59-13/14 – Energy & Recycling Committee, District Five (Jalbert) appointing **George Michael Shutts** to fill an unexpired term which expires 05/05/15. Passage requires majority vote.

The following person addressed this item;

Bob Foster, Front Street – Mr. Foster said Mr. Shutts has attended a few meetings to learn about what the committee was working on.

Mayor Jalbert moved to appoint George Michael Shutts of 14 Wythburn Road. Councilor Pock seconded. The motion passed 7-0.

5. ORDER #72-13/14 – Conservation Commission, At Large (Beecher) to fill a term which expires 11/20/16. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved to postpone. Councilor Blake seconded. The motion passed 7-0.

6. ORDER #76-13/14 – Conservation Commission, District Five (Jalbert) appointing **Nathan Marles** to fill a term which expires 11/20/16. Passage requires majority vote.

There was no public comment.

Mayor Jalbert moved to appoint Nathan Marles, 137 Settler Road. Councilor Cohen seconded. The motion passed 7-0.

7. ORDER #77-13/14 – Conservation Commission, At Large (Blake) appointing **Robert Klotz** to fill a term which expires 11/20/16. Passage requires majority vote.

There was no public comment.

Councilor Blake moved to appoint Robert Klotz, 10 Whitehall Avenue. Councilor Smith seconded. The motion passed 7-0.

E. Consent Calendar

8. STREET CLOSING - The Color Run is requesting the closure of various streets for a 5K race on June 22, 2014 (raindate June 29, 2014) from 8:00 A.M. to 11:00 A.M. Passage requires majority vote.

The following people addressed this item;

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 60
DECEMBER 16, 2013**

David Orbeton, 37 Lowell Street
Attila Delisle, Bellaire Road

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

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
Andrew Jones, 296 High Street
David Orbeton, 37 Lowell Street
Dan Wood, Alder Street
Greg Lewis, 153 Mussey Street
Bob Klotz, 10 Whitehall Avenue
John Carpenter, Portland
Roberta Zuckerman, Preble Street
Steve Hasson, 148 Breakwater Drive
Chris Gillies, Portland Pipeline
Crystal Goodrich, 17 Highland Ave.
Catherine Chapman, Beaufort Street

G. Public Hearings and Action

9. BUSINESS LICENSE – Village Park Variety, 586 Westbrook Street, for a Food Establishment Restaurant with malt and vinous license. Upgrade of an existing business. Passage requires majority vote.

There was no public comment.

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

Councilor Cohen moved to table Item #10 after Item #14. Councilor Pock seconded the motion. The motion passed 7-0.

H. Action on Old and New Business

11. ORDER #78-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

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

12. ORDER #79-13/14 – Authorizing the temporary closure of Mountain View Road from January 1, 2014 to December 31, 2104. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 61
DECEMBER 16, 2013**

There was no public comment.

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

13. ORDER #80-13/14 – Accepting a 2014 DriveSober, Maine Impaired Driving Grant from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

There was no public comment.

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

14. ORDER #81-13/14 – Award of Bid #17-14 to Yankee Ford, of South Portland for the purchase of three (3) cruisers to be used by the Police Department. Passage requires majority vote.

There was no public comment.

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

Councilor Cohen moved to take Item #10 off the table. Councilor Blake seconded. The motion passed 7-0.

10. ORDINANCE #2-13/14 – Amending Chapter 27, “Zoning Ordinance,” regarding moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland. Passed first reading on 11/18/13. ROLL CALL VOTE. Passage requires five affirmative votes.

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

Steve McLaughlin, Portland
Charles Higgins, 12 Ledge Road
Fred Monkido, Munjoy Hill, Portland
Sandy Shapire, Cape Elizabeth
Russ Lunt, Brigham Street
Attila Delisle, Bellaire Road
Susan Tomkins, Sylvan Road
Patricia Whyte, Orchard Street
Greg Raymond, Willow Street
Christine Marshall, 159 Sawyer Street
Mark Johnson, Romano Road
Tess Nacelewicz, 25 Robinson Street
Bob Whyte, 7 Orchard Street
Taryn Hallweaver, Environment Maine
Ellen Fraser, 148 Breakwater Drive

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Melinda Timpf, 163 Fort Road
Eve Raimon, 88 Angel Ave.
Heidi Johanna Vierthaler, Freeport
Eben Rose, Buchanan Street
Dan Wood, Alder Street
Peter Herrick, Ocean View Ave.
Bob Klotz, 10 Whitehall Avenue
P.J. Cragin, Smith Street
Karen Sanford, Preble Street

Councilor Cohen moved for passage of Ordinance #2-13/14. Councilor Linscott seconded. The Ordinance passed roll call vote 6-1 (Pock).

15. ORDINANCE #3-13/14 – Amending Chapter 5, “Buildings,” regarding demolition permit fees. First reading. Passage requires majority vote.

There was no public comment.

Councilor Cohen moved for first reading and set January 3rd for final action of Ordinance #3. Councilor Pock seconded. The Ordinance passed first reading 7-0.

16. ORDER #82-13/14 – Authorizing the City Manager to accept delivery on behalf of the City of (i) a drainage easement deed from Old Bog Road Condominium Association, and (ii) a bill of sale from Normand Berube Builders, Inc. transferring ownership of certain storm drain, sewer and street light infrastructure located in the Old Bog Road right-of-way. Passage requires majority vote.

There was no public comment. Mayor Jalbert had to leave the room for a few minutes. Councilor Cohen sat in for him.

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

17. ORDER #83-13/14 – Authorizing the City Manager to accept delivery on behalf of the City of easement deeds from CAR SUM ME SPORT L.L.C. and GGP-Maine Mall L.L.C. granting the City a twenty-foot (20') wide sewer easement on the westerly side of Maine Mall Road. Passage requires majority vote.

There was no public comment.

Councilor Smith moved for passage. Councilor Pock seconded. The order passed 6-0 (Jalbert out of room).

I. Citizen Discussion (Second Part)

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 63
DECEMBER 16, 2013**

J. Councilor's Round Robin

All Councilors extended best wishes for the holidays.

Councilor Smith thanked Mary Lou Fathke for the Poinsettias on the dais.

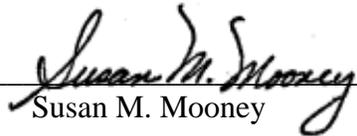
Councilor Blake expressed his appreciation to the public for re-electing him.

K. Executive Session

Councilor Smith moved to adjourn at 10:33 P.M. Councilor Beecher seconded. The motion passed 7-0.

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ATTEST _____


Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 64
JANUARY 6, 2014**

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

A. Acceptance of Minutes

Motion to accept the minutes from the December 16th Council meeting was made by Councilor Smith. Councilor Cohen seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following;

- Public Works will be collecting Christmas trees left curb side

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public comment.

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

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

3. 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 comment.

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

4. ORDER #72-13/14 – Conservation Commission, At Large (Beecher) appointing **Sara Zografos** to fill a term which expires 11/20/16. Postponed since 12/04/13. Passage requires majority vote.

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There was no public discussion.

Councilor Beecher moved to appoint Sara Zografos, 168 Walnut Street. Councilor Blake seconded. The order passed 7-0.

5. ORDER #84-13/14 – Library Advisory Board, District Two (Smith) appointing **Colleen Jones-Turner** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Colleen Jones-Turner, 126 Boothby Avenue. Councilor Beecher seconded. The order passed 7-0.

6. ORDER #85-13/14 – Library Advisory Board, District Four (Cohen) to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public comment.

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

7. ORDER #86-13/14 – Board of Assessment Review, District One (Pock) appointing **Nancy Field** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to appoint Nancy Field, 7 Willard Street. Councilor Linscott seconded. The order passed 7-0.

8. ORDER #87-13/14 – Board of Assessment Review, District Five (Jalbert) to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public comment.

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

9. ORDER #88-13/14 – Board of Assessment Review, At Large (Beecher) appointing **Russell Barrows** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Russell Barrows, 6 Blueberry Drive. Councilor Pock seconded. The order passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 66
JANUARY 6, 2014**

10. ORDER #89-13/14 – Board of Assessment Review, At Large (Blake) appointing **Margaret Johnson** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint Margaret Johnson, 54 Pennsylvania Avenue. Councilor Beecher seconded. The order passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
Brian Leonard, 374 Broadway
Eben Rose, Buchanan Street
William Duffy, Ocean View Ave.
Heidi Vierthaler, Freeport

G. Public Hearings and Action

11. ORDINANCE #3-13/14 – Amending Chapter 5, “Buildings,” regarding demolition permit fees. Passed first reading on 12/16/2013. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for final passage of Ordinance #3-13/14. Councilor Pock seconded the motion. Councilor Blake moved to postpone. Councilor Smith seconded. The motion failed 3-4 (Jalbert, Cohen, Beecher, Pock). The Ordinance passed roll call vote 4-3 (Blake, Smith, Linscott).

12. BUSINESS LICENSE - The Portland Players, 420 Cottage Road for a Food Establishment Restaurant with vinous license. Upgrade of an existing business. Passage requires majority vote.

The following people addressed this item;

Jeff Campbell, representing Portland Players
Melissa Denick, 442 Cottage Road
Pam Jordan, 97 Elsmere Ave.
Joseph Mokry, 457 Cottage Road

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

H. Action on Old and New Business

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13. ORDER #90-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

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

14. ORDER #91-13/14 – Accepting a 2014 Speed Enforcement Grant for \$10,000 from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

There was no public comment.

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

15. ORDINANCE #4-13/14 – Amending Chapter 27, “Zoning,” for a zone map change from IL to PO – 324, 332 and 336 Cummings Road and 324 Gannett Drive.

There was no public discussion.

Councilor Cohen moved for first reading of Ordinance #4-13/14 and to set January 22nd as second reading and final passage. Councilor Beecher seconded. The Ordinance passed first reading 7-0.

I. Citizen Discussion (Second Part)

Bob Klotz, 10 Whitehall Ave.

J. Councilor’s Round Robin

Mayor Jalbert noted that the School Board will no longer be holding meetings in Council Chambers. School Board meetings will now be held at the new lecture hall at the high school. About 300 people showed up for the ribbon cutting of the first phase of the high school renovation.

Councilor Pock commended the Public Works crews. He advised folks to be careful driving tonight.

Councilor Smith said cross country skiing at Wainwright is excellent. She reminded residents to license their dogs.

Councilor Linscott commented that the ice skating rink at Wainwright is a great addition.

Councilor Cohen thanked the road crews and Police and Fire employees who are busy shoveling out fire hydrants and responding to accidents. She encouraged folks to “adopt” a

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fire hydrant and keep it shoveled out for the Fire Department. She also asked people to try and keep the road side drains cleared out by their homes.

Councilor Blake offered up the use of the new lecture hall at the high school to the public. He said he is please to learn that there are five applications on file for the Draft Ordinance Committee.

Councilor Beecher praised city staff saying she knows what is involved with plowing. She expressed good fortune at being able to attend the high school ribbon cutting. She said the library doesn't really look like a library anymore. She also said the tour guides were wonderful.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property.

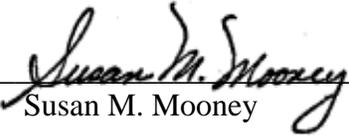
Councilor Blake moved to go into Executive Session at 8:46 P.M. pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property. Councilor Pock seconded. The motion passed 7-0.

Councilor Beecher moved to come out of Executive Session at 9:18 P.M. Councilor Smith seconded.

Councilor Pock moved to adjourn at 9:19 P.M. Councilor Cohen seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 69
JANUARY 22, 2014**

Roll Call: Mayor Jalbert called the meeting to order at 7:00 P.M. The meeting was held at the High School Lecture Hall because of an asbestos issue in the Information Technology Dept. which caused their offices to be temporarily moved to Council Chambers.

A. Acceptance of Minutes

Motion to accept the minutes from the January 6th Council meeting was made by Councilor Cohen. Councilor Linscott seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following;

- Monday Workshop will be at the Community Center due to the asbestos issue
- ecomaine's annual eco-Excellence Award – currently looking for nominations
- Winterfest – January 31st and February 1st
- The Annual Report for 2012/2013 is now available

C. Petitions and Communications

Monthly Attendance & Committee Reports

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public comment.

Councilor Smith moved to postpone. Councilor Beecher seconded. The motion passed 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Councilor Pock seconded. The motion passed 7-0.

3. 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 comment.

Councilor Smith moved to postpone. Councilor Blake seconded. The motion passed 7-0.

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JANUARY 22, 2014

4. ORDER #85-13/14 – Library Advisory Board, District Four (Cohen) appointing **Bradley Rau** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public comment.

Councilor Cohen moved to appoint Bradley Rau of 114 Bonnybriar Road. Councilor Linscott seconded. The motion passed 7-0.

5. ORDER #87-13/14 – Board of Assessment Review, District Five (Jalbert) appointing **Chris Kovacs** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public comment.

Mayor Jalbert moved to appoint Chris Kovacs of 64 Sandy Hill Road Road. Councilor Beecher seconded. The motion passed 7-0.

6. ORDER #92-13/14 – Community Development Advisory Committee, At Large (Beecher), appointing **Don Legere** for a term which expires on 01/15/17. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved to appoint Don Legere of 58 Candlebrook Lane. Councilor Blake seconded. The motion passed 7-0.

7. ORDER #93-13/14 – Community Development Advisory Committee, At Large (Blake), Appointing **Matthew Gilbert** for a term which expires on 01/15/17. Passage requires majority vote.

There was no public comment.

Councilor Blake moved to appoint Matthew Gilbert of 26 Checkerberry Circle. Councilor Beecher seconded. The motion passed 7-0.

8. ORDER #94-13/14 – South Portland Housing Authority, Tenant’s Appointment, appointing **Lolita Ball** to fill a term to expire on 10/10/2018. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved to appoint Lolita Ball of 1700 Broadway. Councilor Blake seconded. The motion passed 7-0.

9. ORDER #95-13/14 – Appointing a Draft Ordinance Committee to address development proposals involving oil sands/tar sands products. Passage requires majority vote.

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JANUARY 22, 2014**

The following people addressed this item;

Chris Owen, Steep Falls
Priscilla Skerry, Portland
Elliot Stanley, Portland
Catherine Chapman, Beaufort Street
Bob Whyte, Orchard Street
Brian Lundquist, Pine Street
Michael Anthony, Portland

Councilor Cohen moved for passage. Councilor Beecher seconded. The motion passed 7-0.
Councilor Cohen moved to amend the order to read;

“**ORDERED**, that the Draft Ordinance Committee is hereby established to advise the City Council on an *ad hoc* basis on development proposals involving oil sands/tar sands products and that the following three people be and hereby are appointed to the Draft Ordinance Committee:

Name	Residence
Michael J. Conathan	South Portland
Russell B. Pierce Jr.	Portland
David Critchfield	South Portland”

Councilor Beecher seconded. The amendment passed 7-0. The order passed as amended 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Patricia Whyte, Orchard Street
Russ Lunt, Brigham Street
Eben Rose, Buchanan Street
Greg Lewis, Mussey Street

G. Public Hearings and Action

10. ORDINANCE #4-13/14 – Amending Chapter 27, “Zoning,” for a zone map change from IL to PO – 324, 332 and 336 Cummings Road and 324 Gannett Drive. Passed first reading on 01/06/14. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

There was no public discussion.

Councilor Beecher moved for final passage of Ordinance #4-13/14. Councilor Pock seconded. The ordinance passed roll call vote 7-0.

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JANUARY 22, 2014

11. BUSINESS LICENSE - Thatchers, 35 Foden Road for a Food Establishment Restaurant with liquor license. New owners of an existing business. Passage requires majority vote.

There was no public discussion.

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

H. Action on Old and New Business

12. ORDER #96-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #97-13/14 – Award of RFQ #20-14 to Edelstein Associates, East Waterboro, ME, for facilitation services for the Draft Committee. Passage requires majority vote.

The following people addressed this item;

Russ Lunt, Brigham Street
Bob Whyte, Orchard Street

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

14. ORDER #98-13/14 – Authorizing the Code Enforcement Officer to execute a consent agreement between Thelma P. DiPierro and the City relating to a rear yard setback encroachment at 63 Carignan Avenue (Map 63, Lot 1C). Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded.

Councilor Blake offered that there could be a perceived conflict of interest because of his personal relationship with the DiPierro family and the fact that he had given Thelma DiPierro a gift a year ago. He said he felt he could be fair in this matter. Councilor Cohen moved to allow Councilor Blake to vote on this item. Councilor Linscott seconded. The motion passed 6-0 (Blake recused). Councilor Linscott moved for passage. Councilor Pock seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 73
JANUARY 22, 2014

Councilor Smith extended an invitation to the public to attend a forum on tar sands at USM on January 31st and to Winterfest on January 31st and February 1st. She also mentioned a lottery on February 2nd for Tri for a Cure.

Councilor Linscott remarked about one of the biggest challenges on her first year as a Councilor was learning all the various acronyms.

Councilor Cohen thanked the School Department for hosting the meeting and also the city crews for their care of the roads. She also encouraged participation in Winterfest.

Councilor Blake asked for public feedback on things we could be doing better. He said he had received complaints about snow removal.

Councilor Beecher expressed similar thanks to the School Department and encouraged attendance at Winterfest.

Mayor Jalbert also weighed in with thanks to the School. He mentioned being quoted in the Portland Press Herald on his stand that it would be irresponsible to our youth to advocate to legalize marijuana.

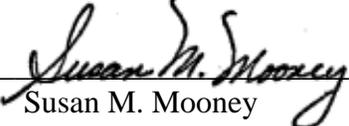
Councilor Pock said he is looking forward to the chili and chowder fest.

K. Executive Session

Councilor Blake moved to adjourn at 9:00 P.M. Councilor Pock seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 74
FEBURARY 3, 2014**

Roll Call: Mayor Jalbert called the meeting to order at 7:38 P.M. There was a workshop before the Council Meeting that ran over into the posted start time.

A. Acceptance of Minutes

Motion to accept the minutes from the January 22nd Council meeting was made by Councilor Blake. Councilor Cohen seconded. The motion passed 7-0.

The Council unanimously agreed to take Item #8, "Proclamation #2-13/14 - Proclaiming John Bostwick Officer of the Year" out of order. See that item for details.

B. Communications from City Manager

C. Petitions and Communications

Quarterly Investment Report

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Blake seconded the motion. The item was postponed by a vote of 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Pock seconded the motion. The item was postponed by a vote of 7-0.

3. 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 Beecher seconded the motion. The item was postponed by a vote of 7-0.

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FEBURARY 3, 2014

4. ORDER #99-13/14 – Energy & Recycling Committee Associate, District Five (Jalbert), appointing **Alisia Ives** for a term which expires on 05/05/15. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert moved to appoint Alisia Ives of 41 Eliot Street to fill the vacancy on the Energy and Recycling Committee Associate seat. Councilor Cohen seconded. The order passed 7-0.

E. Consent Calendar

5. 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. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded the motion. The street closure passed by a vote of 7-0.

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street

G. Public Hearings and Action

6. BUSINESS LICENSE – GT Bowling Inc. DBA Easy Day for a Food Establishment - Restaurant with liquor license and a Special Amusement with dancing license. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded the motion. The license passed by a vote of 7-0.

H. Action on Old and New Business

7. ORDER #100-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded the motion. The order passed by a vote of 7-0.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 76
FEBURARY 3, 2014**

8. PROCLAMATION #2-13/14 - Proclaiming the 2013 Police Officer of the Year. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Smith seconded the motion. The proclamation passed by a vote of 7-0.

9. ORDER #101-13/14 – Establishing time, place and particulars for the Farmers’ Market to be located in City Hall parking lot at 25 Cottage Road and the Planning and Development property at 496 Ocean Street. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Cohen seconded the motion. The order passed by a vote of 7-0.

10. ORDINANCE #5-13/14 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding wreckers and vehicle towing. First reading. Passage requires majority vote.

The following people addressed this item;

Vincent Maietta, Maietta Towing
Alex Anastasoff, New York Avenue
Louis Maietta, Elderberry Drive
Robbie Maietta, Pleasant Hill Auto

Councilor Beecher moved for passage of first reading and to set February 19th as the date for the public hearing and final passage. Councilor Blake seconded the motion. Councilor Blake motioned to amend section 15-273B to change the recovery charge and the hourly rate for recovery that takes more than one hour from \$70.00 to \$80.00. Councilor Smith seconded. The amendment passed 7-0. The ordinance passed as amended by a vote of 7-0.

11. ORDER #102-13/14 – Authorizing notice of and setting February 19, 2014 for a public hearing regarding the proposed condemnation of a portion of the Spring Street and Boylston Street paper streets shown on the 1898 plan entitled “Plan of Grand-View” in Thornton Heights. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Pock seconded the motion. Councilor Cohen requested that abutters on both sides of Sunset Ave. be notified of the public hearing. The order passed by a vote of 7-0.

I. Citizen Discussion (Second Part)

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FEBURARY 3, 2014

J. Councilor's Round Robin

Councilor Cohen congratulated the Parks and Recreation Department and the South Portland / Cape Elizabeth Rotary Club on a successful Winterfest. She said a lot of people attended.

Councilor Beecher agreed and said it was a fabulous weekend.

Mayor Jalbert thanked Holy Cross School for their appreciation of City Hall, Police and Fire Departments. The students provided all employees with a decorated bag containing a Valentine card and candy.

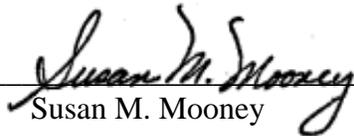
Councilor Smith commented on the Tar Sands presentation hosted by USM the Friday before. She encouraged people to look up the picture presentation at http://socialdocumentary.net/exhibit/Garth_Lenz/1147.

K. Executive Session

Councilor Smith moved to adjourn at 9:27 P.M. Councilor Cohen seconded. The motion passed 7-0.

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ATTEST _____


Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 78
FEBURARY 19, 2014

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

A. Acceptance of Minutes

Motion to accept the minutes from the February 3rd Council meeting was made by Councilor Beecher. Councilor Cohen seconded. The motion passed 6-0.

B. Communications from City Manager

- The Manager talked about the stress on the snow removal budget and asked folks to be patient.

C. Petitions and Communications

Department and Committee Reports for the month of January, 2014.

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), appointing **William Fritzmeier** for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint William Fritzmeier of 307 Pine Street. Councilor Blake seconded the motion. The order passed by a vote of 6-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), appointing **Richard Rottkov** for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert moved to appoint Richard Rottkov of 17 Adelbert Street. Councilor Cohen seconded the motion. The order passed by a vote of 6-0.

3. 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 this item. Councilor Pock seconded. The postponement passed 6-0.

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E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
Richard Rottkov, Adelbert Street

G. Public Hearings and Action

4. ORDINANCE #5-13/14 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding wreckers and vehicle towing. Passed first reading 02/03/2014. ROLL CALL VOTE. Passage requires majority vote.

Councilor Blake moved to have only the changes read. Councilor Beecher seconded. The motion passed 6-0. The following person addressed this item;

Robert Maietta, Maietta Towing Company

Councilor Blake moved for second reading and final passage of Ordinance #5-13/14. Councilor Beecher seconded. The ordinance passed roll call vote 6-0.

H. Action on Old and New Business

5. ORDINANCE #6-13/14 - Amending Chapter 6, “Elections” regarding redistricting for voting purposes. Passage requires majority vote.

Councilor Cohen moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0. There was no public discussion.

Councilor Cohen moved for first reading of Ordinance #6-13/14. Councilor Smith seconded. The ordinance passed first reading 6-0.

6. ORDINANCE #7-13/14 – Amending Chapter 27, “Zoning,” regarding a zone text and zone map change from Residential District A to Conditional Residential Use District G-4 at 317 Pine Street. First reading. Passage requires majority vote.

Councilor Blake moved to have the ordinance read by title only. Councilor Pock seconded. The motion passed 6-0. There was no public discussion.

Councilor Cohen moved for first reading of Ordinance #7-13/14. Councilor Smith seconded. Councilor Cohen moved to have the corrected copy, which added the word “assessment” to Sec. 27-1058 and struck out ~~“(c) Traffic projected to be generated by any new development must not cause and intersection to fall below a Level of Service (LOS) “D” during the peak hours. This shall not apply if an intersection is already below LOS~~

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FEBURARY 19, 2014

to Sec. 27-1059. Councilor Pock seconded. The amendment passed 6-0. The ordinance passed first reading as amended 6-0.

7. ORDER #103-13/14 –Public hearing and action regarding the proposed condemnation of a portion of the Spring Street and Boylston Street paper streets shown on the 1898 plan entitled “Plan of Grand-View” in Thornton Heights. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Blake seconded. The order passed 6-0.

8. ORDER #104-13/14 – Accepting Boysenberry Drive and a portion of Elderberry Drive in the Highland Meadows Phase VI subdivision and a portion of Elderberry Drive in the Elderberry Circle subdivision as City streets. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Pock seconded. The order passed 6-0.

9. ORDER #105-13/14 - Award of Bid #21-14 to W. C. Cressey & Son, Inc., of Kennebunk, ME, for a Type A School Bus for the South Portland School Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 6-0.

10. ORDER #106-13/14 - Accepting \$1,820.00, 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 Cohen moved for passage. Councilor Pock seconded. The order passed 6-0.

11. RESOLVE # 3-13/14 - Pursuant to Section 612 of the City Charter determining details of issue of \$41,500,000 principal amount of bonds authorized by bond ordinance finally passed and enacted September 8, 2010. Passage requires majority vote.

Councilor Smith moved to have the resolve read by title only. Councilor Beecher seconded. The motion passed 5-1 (Cohen). There was no public discussion.

Councilor Beecher moved for passage. Councilor Cohen seconded. The order passed 6-0.

12. ORDINANCE # 8-13/14 – Authorizing refunding bonds in an amount not to exceed \$1,890,000. First reading. Passage requires majority vote.

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Councilor Blake moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0. There was no public discussion.

Councilor Cohen moved for passage. Councilor Beecher seconded. The order passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Blake explained about the dredging of the Fore River. There have been numerous blasts that have occurred. He raised issues about traffic concerns in regard to the consideration of a concert venue at the east end of the City and encouraged folks to attend the Planning Board meeting.

Councilor Beecher praised public works staff for their continued efforts during this taxing winter.

Mayor Jalbert talked about a pleasant experience he had judging photography at the Boys and Girls Club.

Councilor Smith thanked neighbors who shoveled out fire hydrants.

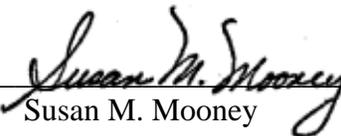
Councilor Cohen talked about the 3rd graders from Kaler School and their introduction to municipal government through a mock Council Meeting. She asked residents to consider clearing storm drains near their home.

K. Executive Session

Councilor Pock moved to adjourn at 8:40 P.M. Councilor Beecher seconded. The motion passed 6-0.

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ATTEST _____


Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 82
MARCH 3, 2014

Roll Call: Mayor Jalbert called the meeting to order at 7:00 P.M. Councilor Pock was absent due to illness.

A. Acceptance of Minutes

Motion to accept the minutes from the February 19th Council meeting was made by Councilor Blake. Councilor Smith seconded. The motion passed 6-0.

B. Communications from City Manager

- Dredging in the harbor was supposed to be complete but March 25th; however a 10 day extension will extend the dredging a little longer.

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. Councilor Blake seconded the motion. The postponement passed 6-0.

2. ORDER #107-13/14 – South Portland Housing Authority, District Five (Jalbert), appointing **Kevin Glynn** for a term which expires on 03/25/19. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert moved to appoint Kevin Glynn, 109 Huntress Avenue. Councilor Beecher seconded the motion. The order passed 6-0.

3. ORDER #108-13/14 – Energy & Recycling Associate, District One (Pock), appointing **Melinda Timpf** for a term which expires on 05/05/15. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Melinda Timpf, 163 Fort Road. Councilor Smith seconded the motion. The order passed 6-0.

4. ORDER #109-13/14 – Appointing **Steve Fox** as Health Officer for a 3 year term which will expire on 01/23/17. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 83
MARCH 3, 2014**

There was no public discussion.

Councilor Cohen moved to appoint Stephen Fox. Councilor Linscott seconded the motion. Councilor Cohen moved to amend the wording of the order to read “commencing January 23, 2014”. The amendment passed 6-0. The order passed as amended 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Patricia Whyte, Orchard Street
Russ Lunt, Brigham Street
Eben Rose, Buchanan Street
Bill Duffy, Oceanview Ave.
Crystal Goodrich, 17 Highland Ave.
Cliff Marchant, 4 Hamilton Street

G. Public Hearings and Action

5. ORDINANCE #6-13/14 - Amending Chapter 6, “Elections” regarding redistricting for voting purposes. Passed first reading 02/19/14. ROLL CALL VOTE. Passage requires majority vote.

Councilor Cohen moved to the have the ordinance read by title only. Councilor Linscott seconded. The motion passed 6-0. There was no public discussion.

Councilor Cohen moved for final passage of Ordinance #6-13/14. Councilor Linscott seconded. The ordinance passed roll call vote 6-0.

6. ORDINANCE #7-13/14 – Amending Chapter 27, “Zoning,” regarding a zone text and zone map change from Residential District A to Conditional Residential Use District G-4 at 317 Pine Street. Passed first reading 02/19/14. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

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

Councilor Beecher moved for final passage of Ordinance #7-13/14. Councilor Smith seconded. The ordinance passed roll call vote 6-0.

7. ORDINANCE #8-13/14 – Authorizing refunding bonds in an amount not to exceed \$1,890,000. Passed first reading on 02/19/14. ROLL CALL VOTE. Passage requires affirmative vote of at least 4 members of the City Council.

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MARCH 3, 2014

Councilor Smith moved to have the ordinance read by title only. Councilor Blake seconded. The motion passed 6-0. There was no public discussion.

Councilor Linscott moved for final passage of Ordinance #8-13/14. Councilor Cohen seconded. The ordinance passed roll call vote 6-0.

H. Action on Old and New Business

8. ORDER #110-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage. Councilor Beecher seconded the motion. The order passed 6-0.

9. ORDINANCE #9-13/14 - Amending Chapter 10, Article VIII, “Property Tax Assistance Ordinance”. 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. The following person addressed this item;

Russ Lunt, Brigham Street

Councilor Beecher moved for first reading of Ordinance #9-13/14. Councilor Blake seconded. The ordinance passed first reading and set March 17 for final passage of ordinance #9-13/14 by a vote of 6-0.

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Linscott attended her first Jetport Noise Committee meeting. She talked about new technology that allows tracking of each flight for time, path, elevation and noise complaints.

Councilor Blake, as a member of GPCOG Steering Committee, sat in on a conference call with the Federal Department of Transportation. They are pleased with what is going on in Maine. He also remarked about our various neighborhood associations in the city and invited folks to attend the Ferry Village Neighborhood Association meeting at the Betsy Ross House on March 13.

Councilor Beecher mentioned that ecomaine would be holding their sustainability awards tomorrow at 10:00 A.M.

Mayor Jalbert welcomed the new media member in the audience.

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MARCH 3, 2014

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. § 405(6)(D) to discuss contract negotiations with AFSCME Local 481, Council 93 Public Works and Parks; pursuant to 1 M.R.S.A. § 405(6)(E) to discuss the status of pending litigation matters with the Corporation Counsel and the rights and duties of the City Council relating to the Corporation Counsel; and pursuant to 1 M.R.S.A. § 405(6)(C) and (E) to discuss the disposition of City-owned property.

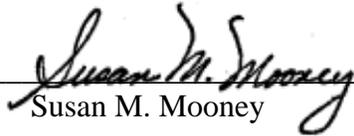
Councilor Cohen moved to go into executive session at 8:25 P.M. Councilor Linscott seconded. The motion passed 6-0.

Councilor Beecher moved to come out of executive session at 10:37 P.M. Councilor Smith seconded. The motion passed 6-0.

Councilor Cohen moved to adjourn at 10:38 P.M. Councilor Linscott seconded. The motion passed 6-0.

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ATTEST _____


Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 86
MARCH 17, 2014**

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

A. Acceptance of Minutes

Motion to accept the minutes from the March 3rd Council meeting was made by Councilor Cohen. Councilor Beecher seconded. The motion passed 7-0.

B. Communications from City Manager

- The Manager presented three proposed budgets for 2014/2015;
The Municipal Budget
The School Department Budget
Capital Improvement Projects
- The proposed budget review schedule is;
03/26 at 5:30 P.M. at the Community Center
03/31 in Council Chambers
04/02 in Council Chambers
04/09 7:00 P.M. Public Hearing on the Budget in Council Chambers

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. Councilor Blake seconded the motion. The postponement passed -0.

E. Consent Calendar

2. Street Closure - The SOPO Buy Local Group is requesting the closure of Madison Street at Breakwater Drive for the South Portland Buy Local Bug Light Festival on August 16th with a rain date of August 17th. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. Councilor Blake moved to amend the hours from 9:00 A.M. to 3:00 P.M. Councilor Smith seconded. The amendment passed 7-0. The street closure passed 7-0 as amended.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 87
MARCH 17, 2014**

F. Citizen Discussion (First Part)

Albert DiMillo, 64 Colchester Drive
Robert Sellin, Deake Street
Patricia Whyte, 7 Orchard Street
Rachel Burger, 17 Churchill Road

G. Public Hearings and Action

3. Business License – Los Tapatios II LLC, DBA Los Tapatios II, 671 Main Street for a Food Establishment Restaurant with Liquor License. Passage requires majority vote.

There was no public discussion.

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

4. ORDINANCE #9-13/14 - Amending Chapter 10, Article VIII, "Property Tax Assistance Ordinance". Passed first reading 03/03/14. ROLL CALL VOTE. Passage requires majority vote.

The following people addressed this item;

Albert DiMillo, 64 Colchester Drive
Patricia Whyte, 7 Orchard Street

Councilor Linscott moved for final passage of Ordinance #9-13/14. Councilor Beecher seconded. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

5. ORDER #111-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

6. ORDER #112-13/14 – Authorizing the Code Enforcement Officer to execute a consent agreement between Stanley and Catherine Scribner and the City relating to a side yard setback encroachment at 38 Appletree Drive (Map 56, Lot 56-17). Passage requires majority vote.

Councilor Cohen moved to waive Standing Rule 3(e) to have this item added to the agenda because it was added after the agenda submission timeline. Councilor Linscott seconded. The motion passed 7-0. The following person addressed this item;

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 88
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Jim Fisher, Northeast Civil Solutions, Inc.

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

7. ORDINANCE #10-13/14 - Amending Chapter 27, "Zoning Ordinance," regarding extension of moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland for an additional 180-day period. First reading. Passage requires majority vote.

The following people addressed this item;

Jeff Edelstein, Facilitator for the Draft Ordinance Committee
Natalie West, Deake Street
Bob Klotz, 10 Whitehall Ave.

Councilor Cohen moved for passage. Councilor Smith seconded. The ordinance passed first reading and will be postponed until the April 23rd Council meeting by a vote of 6-1 (Pock).

8. ORDINANCE #11-13/14 - Amending Chapter 2, "Purchasing," Regarding the Sale of City-owned Property. First reading. Passage requires majority vote.

The following person addressed this item;

Bob Whyte, 7 Orchard Street

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

9. ORDER #113-13/14 – Authorizing the City Manager to sign a collective bargaining agreement with AFSCME Local 481, Council 93 Public Works and Parks from July 1, 2012 to June 30, 2015. Passage requires majority vote.

There following person addressed this item;

Russ Lunt, Brigham Street

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

10. ORDER #114-13/14 – Award of Bid #23-14 to Gorham Sand & Gravel, of Buxton, ME, for the Thornton Heights Sewer Separation Phase I Project. Passage requires majority vote.

There was no public discussion.

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

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MARCH 17, 2014

11. ORDER #115-13/14 – Award of Bid #22-14 to Keenan Excavating Co., Inc, of South Portland, ME, for manhole castings adjustments. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #116-13/14 – Setting April 9, 2014 as the date for Public Hearing in City Council Chambers for the Proposed FY 2015 Municipal Budget. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #117-13/14 – Amending RESOLVE #3-13/14 regarding school bonds to be issued. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

Bob Whyte, 7 Orchard Street
Russ Lunt, Brigham Street

J. Councilor's Round Robin

Councilor Cohen wished everyone a Happy St. Patrick's Day.

Councilor Blake sent out a request for groups that might be interested in helping with larger projects for the Land Trust Earth Day Cleanup on April 19th.

Mayor Jalbert recognized Brad Miles on his achievement of Eagle Scout. The Mayor attended his award ceremony and presented him with a Mayoral Proclamation.

Councilor Pock remarked about the Ferry Village Neighborhood Conservation Meeting that he and Councilor Blake attended.

Councilor Smith invited folks to attend the budget meetings.

Councilor Linscott also wished everyone a Happy St. Patrick's Day.

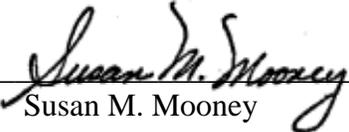
The City Manager said he would be presenting the Capital Improvement Budget at the workshop on Monday night.

**IN COUNCIL REGULAR MEETING VOL. 75 PAGE 90
MARCH 17, 2014**

K. Executive Session

Councilor Pock moved to adjourn at 9:22 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST 
Susan M. Mooney

**IN COUNCIL SPECIAL MEETING VOL. 75 PAGE 91
MARCH 31, 2014**

Roll Call: Mayor Jalbert called the meeting to order at 5:25 P.M. Councilor Linscott was absent.

H. Action on Old and New Business

1. PROCLAMATION #3-13/14 – Proclaiming April 1, 2014, as National Service Recognition Day. Passage requires majority vote.

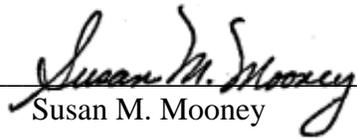
There was no public discussion.

Councilor Cohen moved for passage. Councilor Beecher seconded. The proclamation passed 6-0.

Councilor Cohen moved to adjourn at 5:35 P.M. Councilor Smith seconded. The motion passed 6-0.

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ATTEST _____


Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 92
APRIL 7, 2014

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

A. Acceptance of Minutes

Motion to accept the minutes from the March 17th Council meeting was made by Councilor Cohen. Councilor Pock seconded. The motion passed 7-0.

B. Communications from City Manager

- The City Manager announced there was one week left to apply for the City's tax relief program for seniors.
- There will be a Budget Public Hearing on the 9th in Council Chambers.

C. Petitions and Communications

Harbor Commission rule changes.

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 made the motion to postpone and it was seconded by Councilor Blake. Postponed 7-0.

2. ORDER #118-13/14 – Board of Assessment Review, District Four (Cohen), appointing **Paul Cloutier** for a term which expires on 03/16/17. Passage requires majority vote.

There was no public discussion.

Councilor Cohen made the motion to appoint Paul Cloutier. Councilor Linscott seconded. The order passed 7-0.

3. ORDER #119-13/14 – Civil Service Commission, District Three (Linscott), appointing **James Hendry** for a term which expires on 03/01/19.

There was no public discussion.

Councilor Linscott made the motion to appoint James Hendry and it was seconded by Councilor Pock. The order passed 7-0.

4. ORDER #120-13/14 – Planning Board, District Four (Cohen), appointing **Erick Giles** for a term which expires on 04/01/17. Passage requires majority vote.

There was no public discussion.

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Councilor Cohen made the motion to appoint Erick Giles and it was seconded by Councilor Linscott. The order passed 7-0.

5. ORDER #121-13/14 – Planning Board, District Five (Jalbert), appointing **Kathleen Phillips** for a term which expires on 04/01/17. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert made the motion to appoint Kathleen Phillips and it was seconded by Councilor Cohen. The order passed 7-0.

6. ORDER #122-13/14 – Economic Development Committee, At Large (Beecher), appointing **Steven Bushey** for a term which expires on 03/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Beecher made the motion to appoint Steven Bushey and it was seconded by Councilor Blake. The order passed 7-0.

7. ORDER #123-13/14 – Economic Development Committee, At Large (Blake), appointing **John Schwartzman** for a term which expires on 03/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake made the motion to appoint John Schwartzman and it was seconded by Councilor Cohen. The order passed 7-0.

E. Consent Calendar

Item #16 was taken out of order.

16. STREET CLOSING - The City of South Portland is requesting the closure of Carignan Avenue, McLean Street, Gerry Avenue, Wilson Street, Tremont Street, Union Street, Grandview Avenue and Sunset Avenue as needed as part of the Thornton Heights Sewer Separation Phase I Project. Passage requires majority vote.

There was no Public discussion.

Councilor Blake made the motion to approve the Street closing and it was seconded by Councilor Beecher. The street closing passed 7-0.

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street

Meg Braley, 33 Beach Street of Protect South Portland had local children distribute “Please pass the Ordinance” thank you cards to the Council.

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Al DiMillo, Colchester Drive addressed the school fund balance accounting and passed out a spreadsheet with the information.

G. Public Hearings and Action

8. BUSINESS LICENSE - LB Maine Mall LLC., DBA Linda Beans Maine Lobster Boat Café, 364 Maine Mall Road, for a Food Establishment Restaurant with Malt & Vinous License. Passage requires majority vote.

There was no Public Discussion.

Councilor Cohen made the motion for passage and it was seconded by Councilor Linscott. The license passed 7-0.

9. ORDINANCE #11-13/14 - Amending Chapter 2, "Purchasing," Regarding the Sale of City-owned Property. Passed first reading 03/17/14. ROLL CALL VOTE. Passage requires majority vote.

The following person addressed this item;

Al DiMillo, Colchester Drive

Councilor Cohen motioned for passage and it was seconded by Councilor Linscott. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

10. ORDER #124-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no Public Discussion.

Councilor Beecher motioned for passage and it was seconded by Councilor Blake. The order passed 7-0.

11. ORDER #125-13/14 - Authorizing the City Manager to submit the FY 2014/2015 Community Development Block Grant Annual Action Plan to the Cumberland County Community Development Program. Passage requires majority vote.

There was no Public Discussion.

Councilor Beecher motioned for passage and it was seconded by Councilor Pock. The order passed 6-1 (Blake opposed).

12. ORDER #126-13/14 – Accepting a 2013 Homeland Security Grant of \$164,090.79 from the Maine Emergency Management Agency. Passage requires majority vote.

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There was no Public discussion.

Councilor Beecher motioned for passage and it was seconded by Councilor Linscott. The order passed 6-0 (Jalbert out)

13. ORDER #127-13/14 – Award of Bid #24-14 to Combat Support Products, Inc. Fuquay Varina, NC, for the purchase of a foam/water monitor for the Fire Department. Passage requires majority vote.

There was no Public discussion.

Councilor Blake motioned for passage and it was seconded by Councilor Pock. The order passed 7-0.

14. ORDER #128-13/14 – Implementing the FY2015 Capital Improvement Program. Passage requires majority vote.

There following person addressed this item;

Al DiMillo, Colchester Drive

Councilor Smith motioned for passage and it was seconded by Councilor Beecher. Mayor Jalbert motioned to amend the order to take \$9401.00 from CDBG and add it to the Transportation Capital Reserve Fund. The amendment passed 7-0. The main motion passed as amended 7-0

15. ORDER #129-13/14 - Authorizing night time work in the section of Broadway from Cash Corner to Wescott Road to replace a drain pipe in conjunction with the Thornton Heights Sewer Separation Phase I project. Passage requires majority vote.

There was no public discussion.

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

17. PROCLAMATION #4-13/14 – Proclaiming June 3, 2014, as SS Harriet Tubman Liberty Ship Day. Passage requires majority vote.

There was no Public discussion.

Councilor Beecher motioned for passage. Councilor Smith seconded. The proclamation passed 7-0.

18. ORDER #130-13/14 – Establishing the South Portland Growth Area Development Tax Increment Financing District. Passage requires majority vote.

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Councilor Cohen motioned to have the order read by title only and was seconded by Councilor Pock. Passed 7-0

Shana Cook Mueller of Bernstein Shur explained the tax shift benefits.

There was no Public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Blake asked the City Manager to get a legal opinion concerning Mr. DiMillo's earlier statement regarding State funding. He also invited the Public to attend the Ferry Village Conservation Association meeting at the Betsy Ross House on Thursday, 04/10/14. He then invited the Public to attend the Land Trust's Earth Day clean up at Mill Creek Park on Saturday April 19th at 8:30 A.M. He also led a moment of silence for Bob Williams, a Firefighter who passed away the previous week.

Councilor Beecher recognized the talent of the SPSHS Marching Band, the Jazz Ensemble, The Color Guard, the Robotics Team and the Shrek performance. All were enjoyed by a great many residents.

Mayor Jalbert announced that the Long Creek Watershed plan was passed by the EPA and is working well.

Councilor Pock invited the Public to attend the Ferry Village Neighborhood Association meeting.

Councilor Smith thanked Protect South Portland for the cards.

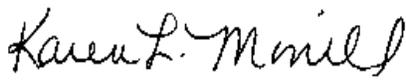
Councilor Linscott acknowledged the thank you cards from Protect South Portland.

Councilor Cohen gave her condolences to the family of Bob Williams.

K. Executive Session

Councilor Pock moved to adjourn at 10:05 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST 

Karen Morrill

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APRIL 14, 2014

Roll Call: Mayor Jalbert called the special meeting to order at 6:15 P.M. Councilor Linscott arrived at 6:18 P.M.

H. Action on Old and New Business

1. ORDER #131-13/14 – Appropriating funds from the Legal Reserve Fund Contractual Services Account to pay an award of attorney’s fees in the Callaghan litigation. Passage requires majority vote.

The following people addressed this item;

Al DiMillo, Colchester Drive
Rosemarie DeAngelis, Pleasantdale

Councilor Beecher moved for passage. Councilor Cohen seconded. The order passed by a vote of 6-1 (Smith)

Councilor Blake motioned to adjourn at 6:38 P.M. Councilor Beecher seconded. The motion passed 7-0.

K. Executive Session

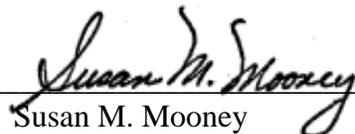
A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property.

At the conclusion of the workshop Councilor Cohen moved to go into executive session at 9:09 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 9:27 P.M. Councilor Cohen seconded. The motion passed 7-0.

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ATTEST _____


Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 98
APRIL 23, 2014

Roll Call: Mayor Jalbert called the meeting to order at 7:00 P.M. The City Manager was on vacation. Assistant City Manager, Jon Jennings filled in for the City Manager.

A. Acceptance of Minutes

Motion to accept the minutes from the Special Meetings from March 31st and April 14th and also the April 7th Council meeting was made by Councilor Beecher. Councilor Cohen seconded. The motion passed 7-0.

B. Communications from City Manager

- Parenting in the Age of Legalization – a public forum schedule for April 30th from 7:00 to 8:30
- May 10th and 11th the Ultimate Frisbee Championship will be held on Wainwright Fields

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. Councilor Blake seconded. The motion passed 7-0.

2. ORDER #132-13/14 – South Portland Housing Authority, Tenant’s Appointment, appointing **Jane Croston** to fill a term to expire on 10/10/2018. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Jane Croston. Councilor Blake seconded. The order passed 7-0. Ms. Croston was then sworn in.

3. ORDER #133-13/14 – Appointing Election Clerks. Passage requires majority vote.

There was no public discussion.

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

E. Consent Calendar

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4. SIGN PERMIT - South Portland Farmers Market is requesting to place signs in various locations to inform of the new day and location for the 2014 season at City Hall parking lot on Sundays - May through November. Passage requires majority vote.

There was no public discussion.

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

5. STREET CLOSURE – The South Portland Parks, Recreation and Waterfront is requesting the closure of Madison Street for the South Portland Family 4th on July 4th. The closure is from 3:00 P.M. until 10:30 P.M. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. Councilor Beecher moved to amend the street closure to set a rain date of July 5th. Councilor Blake seconded and the motion passed 7-0. The street closure passed as amended 7-0.

F. Citizen Discussion (First Part)

Albert DiMillo, 64 Colchester Drive

Russ Lunt, Brigham Street

Greg L'Heureux, Finance Direct responded to comments made by Mr. DiMillo

G. Public Hearings and Action

6. ORDINANCE #10-13/14 - Amending Chapter 27, "Zoning Ordinance," regarding extension of moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland for an additional 180-day period. Passed first reading on 03/17/14. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

Councilor Cohen moved for final passage of the extension of the moratorium. Councilor Linscott seconded. The ordinance passed roll call vote 6-1 (Pock).

H. Action on Old and New Business

7. ORDER #134-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

The following person addressed this item;

Tess Nacelewicz, 25 Robinson Street

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

8. ORDER #135-13/14 – Authorizing a Business Revolving Loan in the amount of \$10,000 to Heirloom Consignment, LLC. Passage requires majority vote.

There was no public discussion.

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

9. ORDINANCE #11A-13/14 – Amending Chapter 14, “Licenses, Permits, and Business Regulations Generally,” regarding public sidewalk use. First reading. Passage requires majority vote.

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

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

10. RESOLVE #4-13/14 – Approving an Appropriation Transfer Resolve for FY 2014 Union Contracts. Passage requires majority vote.

There was no public discussion.

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

11. RESOLVE #5-13/14 – Approving an Appropriation Transfer Resolve for the Property Tax Assistance Program. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. Mayor Jalbert moved to amend the resolve to increase the appropriation from \$15,000 to \$25,000. Councilor Linscott seconded. The amendment failed 1-6 (Smith, Cohen, Beecher, Blake, Pock, Linscott). The resolve passed as read 6-1 (Jalbert).

12. ORDER #136-13/14 – Award of Bid to Shaw Brothers Construction, Inc., of Gorham, ME, for the Maine Mall Road sanitary sewer replacement. Passage requires majority vote

Brad Weeks presented background material on this item. The following person addressed this item;

Russ Lunt, Brigham Street

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

13. ORDER #137-13/14 - Accepting \$2,845, 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 Cohen moved for passage. Councilor Linscott seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Mayor Jalbert announced that he would be adding an item to the Workshop agenda to discuss procedures after coming out of executive session.

Councilor Pock said he had two words for Mr. DiMillo, "Common Core".

Councilor Smith thanked the folks who turned out for Earth Day cleanup last Saturday. She talked about the reasons for reserves being the imperfect practice of budgeting based on assumptions.

Councilor Linscott sent a reminder that the budget has not been approved yet.

Councilor Cohen remarked about how few houses that there are on the market and that it is an indicator that South Portland is a desirable community to live in.

Councilor Blake followed up on Councilor Cohen's statement with the low statistical ratings for available rentals. He also congratulated the Robotics Team and thanked the folks that showed up for Earth Day cleanup. He noted that there are several projects that did not get completed and anyone interested in helping with those could follow up with him or the Land Trust to get more information.

Councilor Beecher noted that a medication collection day would be held at the Police Department on Saturday from 10:00 A.M. to 2:00 P.M. She thanked Jon Jennings and Greg L'Heureux for their assistance with this meeting.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property.

Councilor Cohen moved to go into executive session at 8:45 P.M. Councilor Linscott seconded. The motion passed 7-0.

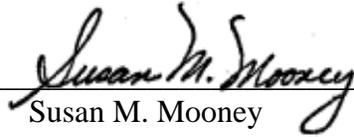
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Councilor Pock moved to come out of executive session at 10:07 P.M. Councilor Smith seconded. The motion passed 7-0.

Councilor Beecher moved to adjourn at 10:08 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 103
MAY 5, 2014

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

A. Acceptance of Minutes

Motion to accept the minutes from the April 23rd City Council Meeting was made by Councilor Beecher. Councilor Pock seconded. The motion passed 7-0.

B. Communications from City Manager

City Manager Gailey informed the Public about the South Portland Police Department 2014 Strategic Planning Process. The survey is located online on the City Web Page and on Facebook.

There will be a month long construction on Broadway that started in 5/4/2014. This is a paving project.

There is a City Project also on Broadway between Wescott Road and Cash Corner. This is installing curbing and sidewalks and a splitter island.

Jack Roberts of the Rotary Club of South Portland-Cape Elizabeth gave a presentation on the Bug Light Informational sign. This should be installed next week.

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. Councilor Blake seconded the motion. The item was postponed by a vote of 7-0.

2. ORDER #138-13/14 – Planning Board, At Large (Beecher), to fill an unexpired term to expire on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone. Councilor Smith seconded the motion. The item was postponed by a vote of 7-0.

3. ORDER #139-13/14 – Energy & Recycling Committee – Associate, At Large (Beecher), appointing Robert Foster to fill a term to expire on 05/05/17. Passage requires majority vote.

There was no public discussion.

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Councilor Beecher moved to postpone. Councilor Blake seconded the motion. The item was postponed by a vote of 7-0.

4. ORDER #140-13/14 – Energy & Recycling Committee – Associate, At Large (Blake), appointing Jessica Williams to fill a term to expire on 05/05/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Beecher seconded the motion. The item was postponed by a vote of 7-0.

5. ORDER #141-13/14 – Energy & Recycling Committee, At Large (Beecher), to fill a term to expire on 05/05/17. Passage requires majority vote.

There was no public discussion.

Councilor Cohen made a motion to amend the order to appoint Robert Foster. Councilor Pock seconded the motion. The amendment passed by a vote of 7-0.

Councilor Cohen moved for passage. Councilor Pock seconded the motion. The order passed by a vote of 7-0.

Robert Foster was introduced and sworn in.

6. ORDER #142-13/14 – Energy & Recycling Committee, At Large (Blake), to fill a term to expire on 05/05/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Smith seconded the motion. The item was postponed by a vote of 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russell Lunt, 133 Brigham Street thinks it is great that they are paving Broadway and installing a turning divider.

Rob Schreiber, 209 Stanford Street supports the new Zones; the Thorton Heights Commercial Zone and the Main Street Community Commercial Zone. He is concerned about the volume of police calls. He also questions what we can do for deed restrictions.

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Rosemarie De Angelis, 30 Buttonwood Street questions why we are leasing the land in Thornton Heights as opposed to selling it. She is opposed to a 24 hour drive thru and would prefer to make the space into community gardens.

G. Public Hearings and Action

7. ORDINANCE #11A-13/14 – Amending Chapter 14, “Licenses, Permits, and Business Regulations Generally,” regarding public sidewalk use. Passed first reading on 04/23/14. ROLL CALL VOTE. Passage requires majority vote.

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

Jim Gailey, City Manager explained the ordinance.
Sally Daggett, Corporation Counsel spoke on the ordinance.

The following people addressed the item:

Donna Allen-72 Ocean Street
Councilor Linscott read an email from Margie Stenberg-72 Ocean Street

Councilor Beecher moved for passage. Councilor Cohen seconded the motion. Councilor Beecher moved to amend the ordinance by adding the following language to section 14-24 d: “The City Clerk or her designee shall, at the applicant’s expense, give written notice to the applicant by first class mail, of the date, time, and place of the meeting at which the application will be considered, and to all abutting property owners. Failure of any property owner to receive the notice sent as required under this subsection shall not necessitate another public meeting or invalidate any action taken by the City Council.” Councilor Beecher moved to amend the amendment to change the section to e which in turn would change e to f. Councilor Cohen seconded the amendment. The amendment to the amendment passed 7-0. The amendment passed 7-0. The Ordinance passed final reading as amended by roll call vote 7-0.

8. BUSINESS LICENSE – Portland Arcade, DBA Portland Arcade, 22 Cottage Road for a coin-operated games machine license. Passage requires majority vote.

Jessica Hanscombe, Licensing Administrator explained the license.

David Demers, the owner of the business, introduced himself.

Councilor Linscott asked to be recused due to a conflict as she owns the business and will collect rent from the business owner. Councilor Jalbert made a motion to recuse Councilor Linscott. Councilor Cohen seconded the motion. The motion passed by a vote of 7-0.

Councilor Blake moved for passage of the license. Councilor Beecher seconded. The license passed by a vote of 6-0 (Linscott recused).

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H. Action on Old and New Business

9. ORDER #143-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

10. ORDINANCE #12-13/14 - Amending Chapter 21, "Police," Establishing a Sex Offender Residency Restriction Ordinance. First reading. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.
Ed Googins, Police Chief spoke on this item.

The following person addressed this item;
Russell Lunt-133 Brigham Street

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

11. ORDER #144-13/14 – Accepting a 2014 Click It or Ticket Grant from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.
Ed Googins, Police Chief spoke on this item.

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

12. ORDER #145-13/14 – Authorizing the City's participation in submitting an application and accepting a 2014 Edward Byrne Memorial Justice Assistance Grant in the amount of \$20,106 to be used by the Police Department. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.
Ed Googins, Police Chief spoke on this item.

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

13. ORDER #146-13/14 – Award of Bid #25-14 to D & C Construction Co., Inc., of Rockland, MA, for interior renovations at the Wastewater Treatment Plant. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.
Brad Weeks, Engineer spoke on this item.

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

14. ORDINANCE #13-13/14 – Amending Chapter 27, “Zoning,” creating a Thornton Heights Commercial (THC) zoning district. 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.

Jim Gailey, City Manager spoke on this item.
Tex Haeuser, Planning Director spoke on this item.
Sally Daggett, Corporation Counsel spoke on the ordinance.

The following citizens spoke during the public hearing:

Joseph Nalbach-50 Thornton Avenue
Richard Lee-20 Chestnut Street
Dawn Thomas-58 Froswick Avenue
Joan Caldwell-32 Osborne Avenue
Lisa Munderback-23 Coach Road
Taylor Hamlin-15 Thirlmere Avenue
Francis Lorello-58 Froswick Avenue
Eric Hamlin-15 Thirlmere Avenue
Joyce Mendoza-13 Thirlmere Avenue
Jeremy Mosher-40 Bowdoin Street
Sharon Newman-130 Fort Road
Victoria Morales-98 Thirlmere Avenue
Russell Lunt-133 Brigham Street
Timothy Boulette-133 High Street
Jim Hodler-11 Thirlmere Avenue
Susan Roche-17 Thirlmere Avenue
Scott McKeen-29 Thirlmere Avenue

Councilor Beecher moved for passage. Councilor Cohen seconded. The ordinance passed first reading 5-2 (Blake, Smith).

15. ORDINANCE #14-13/14 – Amending Chapter 27, “Zoning,” creating a Main Street Community Commercial (MSCC) zoning district. First reading. Passage requires majority vote.

Councilor Cohen moved to have the ordinance read by title only. Councilor Linscott seconded. The motion passed 6-0 (Blake was out of the room).

Tex Haeuser, Planning Director spoke on this item.

The following citizens spoke during the public hearing:

Eric Hamlin-15 Thirlmere Avenue
Gloria Carter-12 Aspen Avenue

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

16. ORDINANCE #15-13/14 – Amending Chapter 2, “Administration and Legislation” and Chapter 13, “Libraries” regarding district representation for boards and committees. 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.

Jim Gailey, City Manager spoke on this item.

The following citizens spoke during the Public hearing:
Russell Lunt-133 Brigham Street

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

17. ORDINANCE #16-13/14 – Amending Chapter 19, “Personnel Rules and Regulations,” regarding district representation on the Civil Service Commission. First reading. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.

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

18. ORDINANCE #17-13/14 – Amending Chapter 27, “Zoning,” regarding district representation for Board of Appeals members. First reading. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.

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

19. ORDER #147-13/14 – Setting the date of the public hearing on proposed amendments to Sections 424, 703 and 1001-1004 of the City Charter. Passage requires majority vote.
Jim Gailey, City Manager spoke on this item.

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

20. ORDER #148-13/14 - Authorizing the City Manager to execute (i) an electric vehicle grant matching agreement with Central Maine Power Company, and (ii) an electric vehicle charging station agreement with the American Lung Association of the Northeast, both in

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order to facilitate the installation and maintenance of public electric vehicle charging station infrastructure on City property. Passage requires majority vote.

Jim Gailey, City Manager spoke on this item.

Jon Jennings, Assistant City Manager spoke on this item.

The following citizen spoke during the public hearing:

Russell Lunt-133 Brigham Street

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

I. Citizen Discussion (Second Part)

Joe Nalbach, 50 Thorton Avenue spoke in regards to his support on Item 10. He stated that a lot of the motels on Main Street would fall in that zone and it would give the Police some teeth. He spoke of using land before for a fire station but it could only be used for recreational purposes.

J. Councilor's Round Robin

Councilor Smith wanted to wish all the mothers a happy Mother's Day. She also would like to inform the public of the Land Trust Annual Plant sale on May 17th at the American Legion Hall.

Councilor Linscott would like to wish all mothers a happy Mother's Day.

Councilor Cohen would like to wish all mothers and fathers doing double duty a happy Mother's Day.

Councilor Blake would like to commend all the Mahoney and Memorial Middle School Students and Unum employees for the cleanup of Long Creek Trail.

Councilor Beecher would like to thank all that stayed and helped on April 26th at the Police Department for the medication collection. She also wants to wish all mothers a happy Mother's Day.

Mayor Jalbert would like to acknowledge all the individuals that spoke at the Council meeting tonight and were very respectful.

Councilor Pock would like to wish everyone a happy Cinco de Mayo.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property.

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Councilor Cohen moved to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property. Councilor Linscott seconded. The motion passed 7-0, 11:00 P.M.

Councilor Smith moved to come out of executive session at 11:45 P.M. Councilor Pock seconded. The motion passed 7-0

Councilor Linscott moved to adjourn at 11:47 P.M. Councilor Pock seconded. The motion passed 7-0.

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ATTEST 
Jessica B. Hanscombe

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Roll Call: Mayor Jalbert called the meeting to order at 7:00 P.M. Councilor Linscott arrived immediately after roll call and Councilor Blake arrived at 7:15 P.M.

A. Acceptance of Minutes

Motion to accept the minutes from the May 5th City Council Meeting was made by Councilor Pock. Councilor Beecher seconded. Councilor Cohen moved to amend the minutes to add the following underlined addition; “Councilor Cohen moved to go into executive session, pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property”. Councilor Linscott seconded. The amendment passed 6-0 (Councilor Blake absent). The motion passed as amended 6-0 (Councilor Blake absent).

B. Communications from City Manager

The Manager addressed the following items;

- The Transit Hub is now open
- Memorial Day Parade will step off on Monday at 10:30 A.M.

C. Petitions and Communications

Fire Department Awards
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. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #138-13/14 – Planning Board, At Large (Beecher), appointing Stefanie Veneziano to fill an unexpired term to expire on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Stefanie Veneziano. Councilor Blake seconded. The order passed 7-0.

3. ORDER #139-13/14 – Energy & Recycling Committee – Associate, At Large (Beecher), to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.

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There was no public discussion.

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

4. ORDER #140-13/14 – Energy & Recycling Committee – Associate, At Large (Blake), to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.

There was no public discussion. Councilor Blake moved to waive Standing Rule 3(e) to have an order to appoint David Domingos added to the agenda. Councilor Beecher seconded. The motion passed 7-0.

Councilor Blake moved to appoint David Domingos to the Energy & Recycling Associate seat. Councilor Smith seconded. The order passed 7-0.

5. ORDER #142-13/14 – Energy & Recycling Committee, At Large (Blake), appointing Jessica Williams to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to appoint Jessica Williams to the Energy & Recycling Committee. Councilor Cohen seconded. The order passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Albert DiMillo, 64 Colchester Drive
Russ Lunt, Brigham Street
Catherine Chapman, Beaufort Street
Charles Higgins, Ledge Road
Eben Rose, Buchanan Street
Jeff Selser, 17 Summit Street
Rosemarie De Angelis, Pleasantdale

G. Public Hearings and Action

6. ORDINANCE #12-13/14 - Amending Chapter 21, "Police," Establishing a Sex Offender Residency Restriction Ordinance. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires majority vote.

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

Russ Lunt, Brigham Street
Victoria Morales-98 Thirlmere Avenue

Councilor Blake moved for final passage of Ordinance #12-13/14. Councilor Beecher seconded. The ordinance passed roll call vote by a vote of 7-0.

7. ORDINANCE #13-13/14 – Amending Chapter 27, “Zoning,” creating a Thornton Heights Commercial (THC) zoning district. Passed first reading on 05/05/14. 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. The following people addressed this item;

Karen Silverman, Churchill Road
John McCall, Karynel Drive
Nicholas Fogg, 9 Gerry Ave.
Sarah Sutton, Westbrook Street
Russ Lunt, Brigham Street
Catherine Chapman, Beaufort Street
Natalie West, Deake Street
Eileen Arsenault, Barnstable Road
Joan Calwell, Osborne Ave.
Rosemarie De Angelis, Pleasantdale
Dara Saffer, Pond Road
Eric Hamlin, Thirlmere Ave.
Victoria Morales, Thirlmere Ave.
Ellen Fountain, Ginn Real Estate
Jared Saks, Spiritual Leader, Bet Ha’am

Councilor Beecher moved for final passage of Ordinance #13-13/14. Councilor Cohen seconded. Needing five affirmative votes the ordinance failed roll call vote by a vote of 4-3 (Pock, Smith, Blake).

8. ORDINANCE #14-13/14 – Amending Chapter 27, “Zoning,” creating a Main Street Community Commercial (MSCC) zoning district. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires five affirmative votes.

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

Lisa Munderback, Coach Road
Sharon Newman, Fort Road
Rosemarie De Angelis, Pleasantdale

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Tim Willett, High Street
Gloria Carter, Aspen Ave.

Councilor Cohen moved for final passage of Ordinance #14-13/14. Councilor Linscott seconded. The ordinance passed roll call vote by a vote of 7-0.

9. ORDINANCE #15-13/14 – Amending Chapter 2, “Administration and Legislation,” and Chapter 13, “Libraries,” regarding district representation for boards and committees. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires majority vote.

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

Albert DiMillo, 64 Colchester Drive

Councilor Blake moved for final passage of Ordinance #15-13/14. Councilor Smith seconded. The ordinance passed roll call vote by a vote of 7-0.

10. ORDINANCE #16-13/14 – Amending Chapter 19, “Personnel Rules and Regulations,” regarding district representation on the Civil Service Commission. First reading. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for final passage of Ordinance #16-13/14. Councilor Linscott seconded. The ordinance passed roll call vote by a vote of 7-0.

H. Action on Old and New Business

11. ORDER #149-13/14 - Authorizing the City Manager to execute an agreement between Ron Letourneau and the City relating to a building that encroaches into Marriner Street (Map 9, Lot 81). Passage requires majority vote.

The following person addressed this item;

Ron Letourneau, Marriner St.

Councilor Linscott disclosed that she represented the seller on this property. The Council voted 6-0 (Linscott recused) to allow Councilor Linscott to participate in this vote. Councilor Beecher moved for passage. Councilor Blake seconded. The order passed 7-0.

The Mayor requested to take item #35 out of order to relieve Corporation Counsel from the remainder of the meeting. There was no objection. See item #35 for the details of passage.

12. RESOLVE #6-13/14 - That \$17,357,477 be authorized to be expended for Regular Instruction. Passage requires majority vote.

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Councilor Smith moved to group items #12 through #22 as one vote. Councilor Beecher seconded. Motion passed 6-0 (Councilor Blake had to leave). The following people addressed this item;

Albert DiMillo, 64 Colchester Drive
Karen Callaghan, Alfred Street

Councilor Beecher moved for passage of items #12 through #22. Councilor Cohen seconded. The Resolves passed 6-0 (Blake absent).

13. RESOLVE #7-13/14 - That \$8,245,979 be authorized to be expended for Special Education. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.
14. RESOLVE #8-13/14 - That \$313,399 be authorized to be expended for Career and Technical Education. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.
15. RESOLVE #9-13/14 - That \$801,581 be authorized to be expended for Other Instruction. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.
16. RESOLVE #10-13/14 - That \$3,577,460 be authorized to be expended for Student and Staff Support. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.
17. RESOLVE #11-13/14 - That \$1,285,643 be authorized to be expended for System Administration. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.
18. RESOLVE #12-13/14 - That \$2,258,109 be authorized to be expended for School Administration. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.
19. RESOLVE #13-13/14 - That \$1,689,044 be authorized to be expended for Transportation and Buses. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.

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20. RESOLVE #14-13/14 - That \$3,942,077 be authorized to be expended for Facilities Maintenance. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.

21. RESOLVE #15-13/14 - That \$4,906,153 authorized to be expended for Debt Service and Other Commitments. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.

22. RESOLVE #16-13/14 - That \$407,874 be authorized to be expended for All Other Expenditures. Passage requires majority vote.

Passed 6-0. See Item #12 for motions.

23. RESOLVE #17-13/14 - That \$33,920,223 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 \$28,644,638 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.

There was no public discussion.

Councilor Smith moved for passage of resolve #17. Councilor Cohen seconded. The resolve passed 6-0 (Blake absent).

24. RESOLVE #18-13/14 - That \$4,172,291 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:

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- *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.*

There was no public discussion.

Councilor Cohen moved for passage of resolve #18. Councilor Pock seconded. The resolve passed 6-0 (Blake absent).

25. RESOLVE #19-13/14 - That \$5,158,088 be raised and appropriated in additional local funds, which exceed the State's Essential Programs and Services Allocation model by \$4,405,870 as required to fund the budget recommended by the Board of Education. Passage requires majority vote.

The Board of Education recommends \$5,158,088 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$4,405,870.

- *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 new 88 passenger school bus*
- *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.

There was no public discussion.

Councilor Beecher moved for passage of resolve #19. Councilor Cohen seconded. The resolve passed 6-0 (Blake absent).

26. RESOLVE #20-13/14 - That the Board of Education be authorized to expend \$44,784,796 for the fiscal year beginning July 1, 2014 and ending June 30, 2015 from the municipality's

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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.

There was no public discussion.

Councilor Pock moved for passage of resolve #20. Councilor Cohen seconded. The resolve passed 6-0 (Blake absent).

27. RESOLVE #21-13/14 - 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.

There was no public discussion.

Councilor Cohen moved to group items #27 through #29 as one vote. Councilor Beecher seconded. Motion passed 6-0 (Blake absent). The Clerk read through the three resolves.

Councilor Beecher moved for passage of the three resolves. Councilor Cohen seconded. The resolves passed 6-0 (Blake absent).

28. RESOLVE #22-13/14 - That the City of South Portland will raise and appropriate \$400,000 in additional local dollars in support of the food service program. Passage requires majority vote.

Passed 6-0. See Item #27 for motions.

29. RESOLVE #23-13/14 - 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.

Passed 6-0. See Item #27 for motions.

30. PROCLAMATION #5-13/14 – Regarding Memorial Day, and directing that flags be placed on the graves of veterans. Passage requires majority vote.

There was no public discussion.

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

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31. ORDER #150-13/14 – Amendment of the Schedule of License, Permit, Inspection and Application Fees. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Cohen seconded. Councilor Beecher moved to amend the date on the Schedule from 05/05/14 to 05/19/14. Councilor Smith seconded. The amendment passed 6-0 (Blake absent). The order was passed as amended 6-0 (Blake absent).

32. PROCLAMATION #6-13/14 – Proclaiming the week of May 18, 2014 as Arbor Week in the City of South Portland. Passage requires majority vote.

The following person addressed this item;

Russ Lunt, Brigham Street

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

33. ORDER #151-13/14 - Setting the time for opening the polls for the June 10, 2014 Primary Election and the South Portland School Budget Referendum. Passage requires majority vote.

There was no public discussion.

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

34. ORDER #152-13/14 – Accepting \$25,065 under the Federal Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

35. ORDER #153-13/14 – Authorizing the City Manager to execute a license and indemnification agreement between Long Creek Watershed Management District and the City to allow LCWMD to install and maintain stormwater best management practice improvements in the Maine Mall Road and Gorham Road rights-of-way. Passage requires majority vote.

This item was taken out of order immediately after item #11. There was no public discussion. Mayor Jalbert disclosed that, while he felt good about acting on this item, there

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could be a perceived conflict for him as Chair of the Long Creek Watershed Management District. No one on the Council indicated that there was a conflict of interest.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Pock looks forward to marching in the Memorial Day Parade.

Councilor Smith wished everyone a happy Memorial Day and thanked those who have served. She also extended best wishes to those graduating.

Councilor Linscott extended the same greetings.

Councilor Cohen also said congratulations to grads.

Councilor Beecher made similar remarks and sent the reminder, "don't drink and drive!"

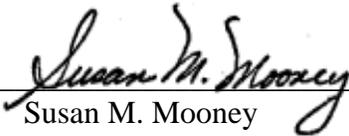
Councilor Jalbert said it was an honor to serve. He looks forward to marching in the parade. The weather calls for a sunny day. He commented about executive sessions and said he feels practices need to be tweaked in ensure decisions are all made in public.

K. Executive Session

Councilor Beecher moved to adjourn at 11:20 P.M. Councilor Smith seconded. The motion passed 6-0 (Blake absent).

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 121
JUNE 2, 2014

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

A. Acceptance of Minutes

Motion to accept the minutes from the May 19th City Council Meeting was made by Councilor Smith. Councilor Beecher seconded. The motion passed 5-0 (Blake, Jalbert absent).

Councilor Pock moved to reconsider Ordinance 13-13/14. Councilor Beecher seconded. The motion passed 4-1 (Smith) (Jalbert, Blake absent).

Councilor Pock moved to refer the item to the June 9th Council Workshop and then to the June 16th Council Meeting for vote. Councilor Beecher seconded. The motion passed 5-0 (Jalbert, Blake absent).

B. Communications from City Manager

The Manager addressed the following items;

- On June 4th there will be another “Coffee with a Cop” at Mill Creek McDonalds
- Draft Ordinance Committee will be accepting comments on recommendations on June 5th and there will be a proposed meeting on June 19th
- Concerts in the Park begin July 2nd.
- Councilor Cohen announced that she would be moving out of District Four on June 11th. The Charter allows a Councilor who has moved from their district to continue to serve to the end of their term.

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. Councilor Pock seconded. The postponement passed 5-0 (Jalbert, Blake absent).

2. ORDER #139-13/14 – Energy & Recycling Committee – Associate, At Large (Beecher), to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.

There was no public discussion.

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Councilor Beecher moved to postpone. Councilor Linscott seconded. The postponement passed 5-0 (Jalbert, Blake absent).

3. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill a term which expires on 03/01/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 5-0 (Jalbert, Blake absent).

4. ORDER #155-13/14 – Civil Service Commission, District Four (Cohen), appointing **Anne Jordan** to fill a term which expires on 03/01/17. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Anne Jordan. Councilor Smith seconded. The order passed 5-0 (Jalbert, Blake absent).

5. ORDER #156-13/14 – Planning Board, District One (Pock), to fill a term which expires on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to postpone. Councilor Linscott seconded. The postponement passed 5-0 (Jalbert, Blake absent).

6. ORDER #157-13/14 – Ward Clerk, District 2 Pro-Tempore appointing **Robert Swan** for June 10, 2014 Primary and School Budget Referendum. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Robert Swan. Councilor Pock seconded. The order passed 5-0 (Jalbert, Blake absent).

E. Consent Calendar

7. STREET CLOSURE - The City is requesting to close Ocean Street from Thomas Street to Hinkley Drive from June 9 – 11, 2014, on an as needed basis for the Uncle Andy's Restaurant Rescue production. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The street closure passed 5-0 (Jalbert, Blake absent).

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F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street

G. Public Hearings and Action

H. Action on Old and New Business

8. ORDER #158-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Linscott seconded. The order passed 5-0 (Jalbert, Blake absent).

9. ORDER #159-13/14 - Award of Bid #26-14 to Yankee Ford, of South Portland, ME, for the purchase of a 3/4 ton pickup truck for the Parks Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 5-0 (Jalbert, Blake absent).

10. ORDER #160-13/14 – Authorizing the City Manager to sign a Lease Agreement and a Memorandum of Lease with Portland Cellular Partnership, d/b/a Verizon Wireless for space at Central Fire Station for placement of telecommunication equipment. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Smith seconded. The order passed 5-0 (Jalbert, Blake absent).

11. ORDER #161-13/14 – Setting June 16, 2014 as the date of the public hearing on a public nuisance complaint relating to property at 35 Mildred Street. Passage requires majority vote.

There was no public discussion. Councilor Beecher disclosed that she worked with the owner of this property in the past.

Councilor Smith moved for passage. Councilor Linscott seconded. The order passed 5-0 (Jalbert, Blake absent).

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12. RESOLVE #24-13/14 – Opposing the legalization of recreational (non-medical) marijuana. Passage requires majority vote.

Chief Googins spoke in support of the resolve. The following people addressed this item;

Russ Lunt, Brigham Street
Melissa Thomas, Scamman Street
Dave Boyer, Portland
Grainne Dunne, ACLU
Brian Leonard, Broadway

Councilor Beecher moved for passage. Councilor Linscott seconded. The order passed 5-0 (Jalbert, Blake absent).

I. Citizen Discussion (Second Part)

Melissa Thomas, Scamman Street
Dave Boyer, Portland

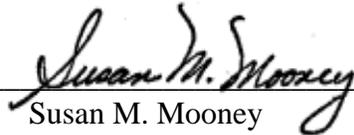
J. Councilor's Round Robin

K. Executive Session

Councilor Smith moved to adjourn at 8:19 P.M. Councilor Pock seconded. The motion passed 5-0 (Blake, Jalbert absent).

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 125
JUNE 16, 2014

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

A. Acceptance of Minutes

Motion to accept the minutes from the June 2nd City Council Meeting was made by Councilor Cohen. Councilor Linscott seconded. The motion passed 7-0.

B. Communications from City Manager

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. Councilor Blake seconded. The postponement passed 7-0.

2. ORDER #139-13/14 – Energy & Recycling Committee – Associate, At Large (Beecher), appointing **Clyde Barr** to fill a term which expires on 05/05/17. Postponed since 05/05/14. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Clyde Barr. Councilor Smith seconded. The order passed 7-0.

3. 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. Councilor Blake seconded. The postponement passed 7-0.

4. ORDER #156-13/14 – Planning Board, District One (Pock), appointing **Linda Boudreau** to fill an unexpired term which expires on 04/01/16. Postponed on 06/02/14. Passage requires majority vote.

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There was no public discussion.

Councilor Pock moved to appoint Linda Boudreau. Councilor Linscott seconded. The order passed 7-0.

E. Consent Calendar

5. Street Closure - The Willardfest Committee is requesting the closure of Preble Street at Willow Street, Pillsbury Street up to 444 Preble Street for Willardfest on July 12, 2014, with a rain date of July 13, 2014. Passage requires majority vote.

There was no public discussion.

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

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street

G. Public Hearings and Action

6. ORDINANCE #13-13/14 - Further Action on Ordinance #13-13/14, amending Chapter 27, "Zoning," creating the Thornton Heights Commercial (THC) District after reconsideration vote on June 2, 2014. ROLL CALL VOTE. Passage of ordinance requires five (5) affirmative votes.

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

As a reconsideration of Ordinance #13-13/14 this item opened as it stood just before roll call vote on May 19, 2014. Councilor Beecher moved to amend the ordinance to remove the THC designation from the City owned property on the corner of Main and Westbrook Streets and to revise the front yard setback currently proposed within the THC space and bulk requirements to 5 feet; referring this change to the 07/08/14 Planning Board Meeting, have first reading of the revised ordinance on 07/21/14 and possible final passage on 08/04/14. Mayor Jalbert seconded the amendment. The motion passed 7-0.

7. ORDINANCE #17-13/14 – Amending Chapter 27, “Zoning,” regarding district representation for Board of Appeals members. Passed first reading 05/05/2014. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

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Councilor Cohen moved for final passage of Ordinance #17-13/14. Mayor Jalbert seconded. The ordinance passed roll call vote 7-0.

8. ORDER #162-13/14 - Public hearing on proposed amendments to Sections 424, 703 and 1001-1004 of the City Charter and action to submit the amendments to the voters on the November 4, 2014 ballot. Passage requires majority vote.

There was no public discussion.

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

9. BUSINESS LICENSE - David's 388, Terra Cotta Pasta Co., South Portland House of Pizza and Elsmere BBQ & Woodgrill are seeking a waiver to allow them to operate an FE/Temporary License at 12 Pillsbury Street that is within 500' of other licensed food establishments. Passage requires majority vote.

There was no public discussion.

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

- 9A. BUSINESS LICENSE - Cia's Café Ocean Street, for a Use of Public sidewalk for outdoor seating license. Passage requires majority vote.

The following person addressed this item;

Jeff Peterson, 72 Ocean Street

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

10. ORDER #163-13/14 – Public hearing and action on a public nuisance complaint regarding 35 Mildred Street. Passage requires majority vote.

The following people addressed this item;

Kevin Alvarez, 40 Mildred Street

Guy Frenette, Mildred Street

Carol Frenette, Mildred Street

Dawn Pacillo, 39 Mildred Street

Christopher Muse, 35 Mildred Street

Russ Lunt, Brigham Street

Stacy Alvarez, 40 Mildred Street

Ed Googins, Police Chief

Patricia Doucette, Code Enforcement Officer

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Councilor Linscott moved for passage. Councilor Pock seconded. Councilor Cohen moved the following amendments;

- (g) The Code Enforcement Officer testified that water service to the Premises has been shut off sometime after May 12, 2014; and
- (h) An inspection of the Premises on June 16, 2014 by the Code Enforcement Department revealed that the sewer pipe is still not fixed but that Mr. Muse is still occupying the garage (side) apartment on the Premises.

Councilor Linscott seconded. The amendments passed 7-0. The order passed as amended, finding that the premises did constitute a public nuisance, by a vote of 7-0.

H. Action on Old and New Business

- 11. ORDER #164-13/14 – Award of sole source bid to Hussey Seating, of North Berwick, ME, for the conversion of bleachers in the South Portland Community Center gym. Passage requires majority vote.

There was no public discussion.

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

At the completion of Item #11 at 9:42 P.M. Mayor Jalbert left the meeting and Councilor Cohen continued to Chair the remainder of the meeting.

- 12. ORDER #165-13/14 – Authorizing the City’s participation in submitting an application for a 2014 COPS Hiring Grant to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

- 13. ORDER #166-13/14 - Authorizing the method of sale of the former Armory property located at 682 Broadway (Tax Map 19, Lot 158) as listing of the property for sale by the City as owner pursuant to Sec. 2-171(2)(b) of the Code of Ordinances and authorizing the City Manager to take any and all such further action necessary to proceed with such listing and sale of the property. Passage requires majority vote.

The following people addressed this item;

Robert Schwartz, Scamman Street
Russ Lunt, Brigham Street

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

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14. ORDINANCE #18- 13/14 – Amending Chapter 2, “Administration and Legislation”, Article III, Division 9, regarding an Arts and Historic Preservation Committee. First reading. Passage requires majority vote.

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

Councilor Beecher moved for passage of first reading of ordinance #18-13/14. Councilor Blake seconded. The motion passed 6-0 (Jalbert left).

15. RESOLVE #25-13/14 – Approving the FY 2015 Appropriation Resolve. Passage requires majority vote.

There was no public discussion.

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

16. ORDER #167-13/14 – Setting the sewer user fees for Fiscal Year 2015. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The order passed 5-0 (Jalbert left, Blake out of room).

17. ORDER #168-13/14 - Award of Bid #33-14 be and hereby is made to Windstream of Portland, ME for the purchase of an Email Archiving and eDiscovery solution system. Passage requires majority vote.

There was no public discussion.

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

18. ORDER #169-13/14 - that award of Bid #29-14 be and hereby is made to Winslow Technology Group, of Waltham, MA, for the purchase of VMware Host Server Hardware. Passage requires majority vote.

There was no public discussion.

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

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19. RESOLVE #26-13/14 - Regarding the PACTS Transportation Improvement Plan (TIP) for FY's 2016/2017/2018. Passage requires majority vote.

There was no public discussion.

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

20. ORDER #170-13/14 – Authorizing a 2% percent cost of living adjustment for non-union municipal employees. Passage requires majority vote.

There following person addressed this item;

Russ Lunt, Brigham Street

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

21. ORDER #171-13/14 - Authorizing the Finance Director to accept prepayment of FY 2015 property taxes. Passage requires majority vote.

There was no public discussion.

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

22. ORDER #172-13/14 - 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 Pock moved for passage. Councilor Beecher seconded. The order passed 6-0 (Jalbert left).

23. ORDER #173 -14/15 – Setting the street opening fees for Fiscal Year 2015. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

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Councilor Blake said that GPCOG would be holding their annual meeting on Wednesday at 11:30 A.M.

Councilor Smith wished the participants of the Color Run good luck on Sunday.

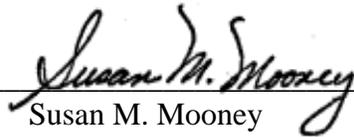
Councilor Linscott said Wednesday is the last day of school.

K. Executive Session

Councilor Beecher moved to adjourn at 11:14 P.M. Councilor Smith seconded. The motion passed 6-0 (Jalbert left).

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ATTEST _____


Susan M. Mooney