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IN COUNCIL REGULAR MEETING VOL. 74 PAGE 1
JULY 2, 2012

Roll Call: Mayor Smith 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 June 18th meeting was made by Councilor Beecher. Councilor De Angelis seconded. Passed 6-0.

B. Communications from City Manager

The Manager addressed the following items:

- Mill Creek Park in under full scale reconstruction
- Parallel parking will be the accepting plan for both sides of Ocean Street in the Knightville area.
- There is a collapsed sewer line in the basement of City Hall. The building may have to be closed tomorrow.
- Concerts are on schedule for Mill Creek Park beginning July 18th.
- Introduction of the new Parks and Recreation Director, Rick Towle

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #78-11/12 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/19/11. Passage requires majority vote.

Motion to postpone #1 through #4 was made by Councilor Blake and seconded by Councilor Jalbert. Motion passed 6-0

2. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Postponed, see Item #1 for details.

3. ORDER #130-11/12 – Civil Service Commission, District Four (Beecher) for a term that expires 03/1/17. Postponed since 04/02/12. Passage requires majority vote.

Postponed, see Item #1 for details.

4. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed, see Item #1 for details.

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5. ORDER #1-12/13 – Energy and Recycling Committee – Associate seat, At Large (Livingston) for a term that expires 05/05/14. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned to appoint Robert Foster, 206 Front Street to this seat. Councilor Jalbert seconded. The Order passed 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

John Platt, owner of None Such Books – Mr. Platt voiced objection to the decision to have parallel parking in Knightville and said he felt it would be detrimental to the businesses located there.

Dani Nisbet, owner of Bellissimo Salon – Ms. Nisbet also felt that the decision for parallel parking was no in the best interest of the area.

Michael Drinan, owner of Market Place – Mr. Drinan agreed with the previous comments and said a traffic study has not been done and the issue of traffic turning down the side streets is a concern. Businesses cannot wait a year to see if this traffic plan will work.

G. Public Hearings and Action

6. Business License

Application for Kamasouptra, seeking a variance to allow them to operate a FS/Stationary Vending Unit within 500' of an existing licensed Food Establishment. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor De Angelis seconded. The License passed 6-0.

H. Action on Old and New Business

7. ORDER #2-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage. Councilor Beecher seconded. The Order passed 6-0.

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8. ORDER #3-12/13 - Accepting a \$2,500 grant from Saco & Biddeford Savings through its Community Investment Program to be used for the purchase of a fountain for Mill Creek Park. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Beecher seconded. The Order passed 6-0.

9. ORDER #4-12/13 - Adopting the street opening fees for FY 2013. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Jalbert seconded. The Order passed 6-0.

10. ORDER #5-12/13 - Authorizing the City Manager to sign two license agreements with Portland Pipe Line Corporation extending the term for property used for the Greenbelt Walkway; one near Benjamin W. Pickett Street, and one behind the Bonnybank area. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage. Councilor De Angelis seconded. The Order passed 6-0.

11. ORDER #6-12/13 - Amending Resolve #27-11/12, the FY 2013 Appropriation Resolve, to increase the Police Department Hourly Account by \$25,000. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Beecher seconded. The Order passed 6-0.

12. RESOLVE #1-12/13 - Approving an Appropriation Transfer Resolve for FY 2012 Siemens Energy Performance Lease payments. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage. Councilor Jalbert seconded. The Resolve passed 6-0.

13. ORDINANCE #1-12/13 - Amending Chapter 2, "Administration and Legislation," regarding purchasing. First reading. Passage requires majority vote.

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JULY 2, 2012

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

Councilor Coward motioned for passage. Councilor Beecher seconded. Councilor Coward motioned to amend the ordinance by striking out section 2-171, "Sale of Real Property". Councilor De Angelis seconded. The amendment passed 6-0. The Ordinance passed first reading as amended 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Coward is happy to see the work started in Mill Creek Park. He encouraged folks to listen to the Council Meetings and said he welcomes letters and visits from the public.

Councilor De Angelis said there was lots of thoughtful dialog around the issue of parking in Knightville. She supports all businesses in that area. She attended the ribbon cutting ceremony for the Community Gardens on June 23rd. She also reminded folks that fireworks are not allowed to be detonated in South Portland.

Councilor Beecher thanked citizens for coming out to the final forum put on by the Comprehensive Planning Committee. Their final meeting is scheduled for July 17th.

Councilor Jalbert noted that parking on New York Ave. during Little League games and the Wilkinson Park building are two issues that are being looked at.

Councilor Blake said John Kierstead would be dressed as Benjamin Franklin to deliver the Declaration of Independence in Bug Light Park on July 4th. He also talked about building upgrades to City Hall and park rejuvenation project by Evelyn's Tavern.

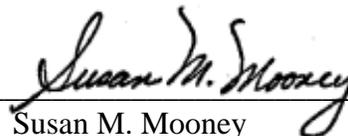
Mayor Smith thanked Councilor Beecher for her work on the Veteran's Memorial Bridge Committee. It is a great project that is cyclist and pedestrian friendly.

K. Executive Session

Councilor De Angelis motioned for adjournment at 8:50 P.M. Councilor Beecher seconded. The motion passed 6-0.

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 5
JULY 16, 2012

Roll Call: Mayor Smith called the meeting to order at 7:00 P.M. Councilor De Angelis arrived at 7:05 P.M.

A. Acceptance of Minutes

Motion to accept the minutes from the Council meeting of July 2nd was made by Councilor Beecher. Councilor Livingston seconded. Passed 6-0 (De Angelis had not yet arrived)

B. Communications from City Manager

City Manager James Gailey presented the new Business Guide that is available to individuals that want to open a business here in South Portland or currently have a business here in South Portland.

James Gailey read a Resolution from the United States Senate to Fire Chief Guimond regarding his department's participation in the Submarine Fire.

C. Petitions and Communications

Department reports for the month of June, 2012.
Attendance reports for the month of June, 2012.

D. Appointment Calendar

1. ORDER #78-11/12 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/19/11. Passage requires majority vote.

There was no public discussion.

Mayor Smith motioned to appoint Laura D. Smith, 329 Cottage Road. Councilor De Angelis seconded. The Order passed 7-0.

2. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Motion to postpone #2 was made by Councilor Beecher and seconded by Councilor Jalbert. Motion passed 7-0.

3. ORDER #130-11/12 – Civil Service Commission, District Four (Beecher) for a term that expires 03/1/17. Postponed since 04/02/12. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned to appoint Elaine Lundgren, 38 Winding Way. Councilor Blake seconded. The Order passed 7-0.

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JULY 16, 2012

4. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Motion to postpone #4 was made by Councilor Beecher and seconded by Councilor De Angelis. Motion passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

5. ORDINANCE #1-12/13 - Amending Chapter 2, “Administration and Legislation,” regarding purchasing. Passed first reading on 07/02/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion. Councilor Blake motioned to have the item read by title only and Councilor Livingston seconded. The motion passed 6-0 (Jalbert was absent).

Councilor Beecher motioned for passage. Councilor De Angelis seconded. The Ordinance passed roll call vote 7-0.

H. Action on Old and New Business

6. ORDER #8-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Beecher seconded. The order passed 7-0.

7. ORDER #9-12/13 – Award of sole source bid to Northeast Mechanical, of Portland, ME, for the Mahoney School Gas Conversion and Stack Lining Project. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for the passage. Councilor Jalbert seconded. The order passed 7-0.

8. ORDER #10-12/13 - Authorizing the City Manager to sign a Memorandum of Understanding with the Greater Portland Council of Governments for a Joint Solicitation and Cooperative Purchase Agreement. Passage requires majority vote.
There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 7
JULY 16, 2012

Councilor Beecher motioned for the passage. Councilor Coward seconded. The order passed 7-0.

9. ORDER #11-12/13 - Authorizing the City Manager to sign a Memorandum of Understanding with the Greater Portland Council of Governments for a Regional Branding and Marketing Project. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for the passage. Councilor De Angelis seconded. The order passed 7-0.

10. ORDER #12-12/13 - Appointments to the Long Creek Watershed Management District Board of Directors. Passage requires majority vote.

There was no public discussion.

Councilor Blake made a motion for passage. Councilor Livingston seconded. The vote was 6-0 (Jalbert recused himself).

Councilor Coward made a motion for the recusal of Councilor Jalbert. Councilor Beecher seconded. The motion failed 3-3 (De Angelis, Blake and Smith).

Councilor Coward made a motion to reopen the vote. Councilor Livingston seconded. The vote passed 7-0.

Councilor Coward made a motion for passage. Councilor De Angelis seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Jalbert stated that he was at Bug Light Park over the weekend and it was full of people and many different tours. He is glad that people utilize our parks.

Councilor Blake has noticed with the nice weather that people are riding mopeds and scooters. He wants to remind the public that they should wear their helmets.

Councilor Livingston wanted to thank the newspaper for their coverage on the new departure route for the Portland Jetport. He does not believe that the City is being fair to the local businesses in Knightville. He believes that they should readdress the parking issue in Knightville.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 9
AUGUST 6, 2012

Roll Call: Councilor Coward called the meeting to order at 7:00 P.M. Councilor De Angelis arrived at 7:05 P.M. Mayor Smith was absent.

A. Acceptance of Minutes

Motion to accept the minutes from the Council meeting of July 16, 2012 was made by Councilor Blake. Councilor Livingston seconded. Passed 5-0 (De Angelis had not yet arrived)

B. Communications from City Manager

City Manager Gailey stated that on September 22, 2012 from 8:30am to 11:30am, Ecomaine will be open to take in old Electronics.

Art in the Park is on August 11, 2012 in Millcreek Park. There are 185 Artist. Mr. Gailey thanked all the sponsors.

Reminder that the August 13, 2012 City Council Workshop will be held in the City Council Chambers. The Community Center will be closed.

Mr. Gailey recognized the City of South Portland Employee Track Team for their first place finish.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Motion to postpone #1 was made by Councilor Blake and seconded by Councilor Beecher. Motion passed 6-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Motion to postpone #2 was made by Councilor Blake and seconded by Councilor Beecher. Motion passed 6-0.

3. ORDER #13-12/13 – Conservation Commission, At Large (Blake), for a term which expires on 11/20/13. Passage requires majority vote.

Motion to postpone #3 was made by Councilor Blake and seconded by Councilor Beecher. Motion passed 6-0.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 10
AUGUST 6, 2012

4. ORDER #14-12/13 – Harbor Commission, Mayoral appointment, for a term which expires on 06/30/15. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned to appoint Captain William Van Voorhis, 52 Tamarack Drive. Councilor DeAngelis seconded. The Order passed 6-0.

5. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Passage requires majority vote.

Motion to postpone #5 was made by Councilor DeAngelis and seconded by Councilor Beecher. Motion passed 6-0.

6. ORDER #16-12/13 – Board of Appeals, District Two (Smith) for a term that expires 07/23/15. Passage requires majority vote.

Motion to postpone #6 was made by Councilor De Angelis and seconded by Councilor Beecher. Motion passed 6-0.

7. ORDER #17-12/13 – Nomination to the Governor for an appointment to the Greater Portland Public Development Commission for a term which expires 08/08/17. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned to appoint Craig Church, 22 Jessica Lane. Councilor Livingston seconded. The Order passed 6-0.

E. Consent Calendar

8. Street Closure

Adam Ramsell, 94 Providence Avenue is requesting the closure of Providence Avenue from Lawrence Lano Drive to the culvert (prior to Marsh Road), for a block party on 08/11/12 from 10:00 A.M. to 4:00 P.M., with a rain date of 08/12/12. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Jalbert seconded. The Street Closure passed 6-0.

F. Citizen Discussion (First Part)

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 11
AUGUST 6, 2012**

G. Public Hearings and Action

H. Action on Old and New Business

9. ORDER #18-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for the passage. Councilor De Angelis seconded. The order passed 6-0.

10. ORDER #19-12/13 – Accepting a Target National Night Out Grant for \$500.00 to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for the passage. Councilor Livingston seconded. The order passed 6-0.

11. ORDER #20-12/13 – Award of Bid to M. E. O’Brien & Sons Incorporated, of Medfield, MA, for the purchase and installation of a playscape for Wainwright Farms. Passage requires majority vote.

There was no public discussion.

Parks and Recreation Director Rick Towle gave a presentation in regards to the playscape.

Councilor De Angelis motioned for the passage. Councilor Beecher seconded. The order passed 6-0.

12. ORDER #21-12/13 – Authorizing the City Manager to execute an easement with Portland Water District in relation to the South Portland High School Project. Passage requires majority vote.

There was no public discussion.

Superintendent Suzanne Godin explained the Easement.

Councilor Jalbert motioned to amend the order to include the revised Easement Deed. Councilor Beecher seconded. The amendment passed 6-0

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

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 12
AUGUST 6, 2012

13. ORDER #22-12/13 – Award of Bid #1-13 to Wireless Construction Inc., of Standish, ME, for design and construction of a 90-foot telecommunication tower at West End Fire Station. Passage requires majority vote.

There was no public discussion.

Fire Chief Kevin Guimond gave a brief description of the tower and its use.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Beecher would like to remind everyone that Art in the Park is this Saturday in Mill Creek Park.

Councilor Jalbert attended the Veterans Green Groundbreaking. It was a great turnout with great weather.

Councilor Blake passed.

Councilor Livingston thanked the Planning Board for all their hard work.

Councilor Coward stated that there was an excellent article in the Portland Press Herald describing what TIF's were. It was a very informative article. He also watched the landing of a rover on Mars. It was very impressive. The Councilor would also like to remind everyone to go out to Art in the Park. It will be a wonderful afternoon event.

Councilor De Angelis would like to thank South Portland, Scarborough and Cape Elizabeth Police, Fire and Rescue for all their hard work in the Tri for a Cure and the Beach to Beacon. They kept the participants safe along the course. She also thanked all the sponsors. The Councilor also noted that she received an email from a constituent in regards to Public Works Director Doug Howard. The constituent stated that working with Mr. Howard had been a pleasure.

K. Executive Session

Councilor De Angelis made a motion to adjourn at 8:55 P.M. Councilor Jalbert seconded. The motion passed 6-0.

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ATTEST



Jessica B. Hanscombe

IN COUNCIL SPECIAL MEETING VOL. 74 PAGE 13
AUGUST 10, 2012

Roll Call: Councilor Coward called the meeting to order at 4:00 P.M. Mayor Smith, Councilor De Angelis, Councilor Livingston were absent.

E. Consent Calendar

1. 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 8:00 pm on August 12, 2012. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Beecher seconded. The Street Closure passed 4-0.

Councilor Jalbert made a motion to adjourn at 4:01 P.M. Councilor Beecher seconded. The motion passed 4-0.

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ATTEST _____


Jessica B. Hanscombe

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 14
AUGUST 20, 2012

Roll Call: Mayor Smith called the meeting to order at 7:03 P.M.

A. Acceptance of Minutes

Motion to accept the minutes from the August 6th meeting and the August 10th Special meeting was made by Councilor Blake. Councilor Livingston seconded. Passed 7-0.

B. Communications from City Manager

C. Petitions and Communications

Department Reports for the month of July, 2012

Attendance Reports for the month of July, 2012

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Beecher motioned to postpone items #1 through #6 and item #8. Councilor Livingston seconded. The motion to postpone passed 7-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed, see Item #1 for details.

3. ORDER #13-12/13 – Conservation Commission, At Large (Blake), for a term which expires on 11/20/13. Passage requires majority vote.

Postponed, see Item #1 for details.

4. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed on 08/06/12. Passage requires majority vote.

Postponed, see Item #1 for details.

5. ORDER #16-12/13 – Board of Appeals, District Two (Smith) for a term that expires 07/23/15. Postponed on 08/06/12. Passage requires majority vote.

Postponed, see Item #1 for details.

6. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Passage requires majority vote.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 15
AUGUST 20, 2012

Postponed, see Item #1 for details.

7. ORDER #24-12/13 – Economic Development Committee, At Large (Blake) for a term that expires 03/23/14. Passage requires majority vote.

Councilor Blake motioned to appoint John Schwartzman of 11 River Place Drive. Councilor Jalbert seconded. The appointment passed 7-0.

8. ORDER #25-12/13 – Board of Appeals, District Five (Jalbert) for a term that expires 07/23/14. Passage requires majority vote.

Postponed, see Item #1 for details.

E. Consent Calendar

9. Sign Permit

STRIVE is requesting to place 20 temporary directional signs on 09/15/12 for STRIVE for Five. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Beecher seconded. The permit passed 7-0.

10. Street Closing

John Maloney is requesting the closure of 33 – 40 Arbutus Avenue for a Block Party on 09/15/12 from 1:00 P.M. to 7:00 P.M. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Beecher seconded. The street closing passed 7-0.

F. Citizen Discussion (First Part)

Susanne Conley, owner of 39 C Street – Ms. Conley is opposed to angle parking on Ocean Street and is concerned with the amount of traffic that will increase on the side streets.

Dana Michaud, 41 Elsmere Ave – Mr. Michaud said angle parking has worked just fine and said businesses will be impacted if parking is changed to parallel.

Louisa Beckett, Brenton Street – Ms. Beckett supports keeping the angle parking.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 16
AUGUST 20, 2012

G. Public Hearings and Action

11. Business License

TE Portland Food, Inc., d/b/a Teriyaki Exchange, 171A Ocean Street for an FE/Establishment with Malt and Vinous license. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage. Councilor Jalbert seconded. The license passed 7-0.

H. Action on Old and New Business

12. ORDER #26-12/13 - Appropriating \$13,900 from undesignated fund balance for the purchase of a new City website with CMS solution. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Beecher seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Beecher praised Mary Perry for her organization skills and the work she put in for Art in the Park.

Councilor Jalbert thanked folks who recently reached out to him regarding his sons second tour of duty in Afghanistan.

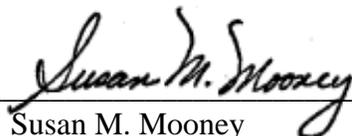
Councilor Blake announced that the South Portland Land Trust and the South Portland Historical Society would be holding a 5K Run/Walk race. Information is available at <http://www.buglight5k.com/>.

K. Executive Session

Councilor De Angelis motioned for adjournment at 7:37 P.M. Councilor Jalbert seconded. The motion passed 7-0.

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 17
SEPTEMBER 5, 2012

Roll Call: Mayor Smith called the meeting to order at 7:03 P.M.

A. Acceptance of Minutes

Motion to accept the minutes from the August 20th meeting was made by Councilor Beecher. Councilor Jalbert seconded. Passed 7-0.

B. Communications from City Manager

The City Manager addressed the following item;

- Property Tax Assistance forms have been posted on the home page of the website. Applications will be received through December 1st.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Coward motioned to postpone items #1, #2, #4, #6 and #9. Councilor Beecher seconded. The postponement passed 7-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed, see Item #1 for details.

3. ORDER #13-12/13 – Conservation Commission, At Large (Blake), for a term which expires on 11/20/13. Postponed since 08/06/12. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned to appoint Julie Prevost-Lucci, 53 Angell Avenue. Councilor Livingston seconded. The Order passed 7-0.

4. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed, see Item #1 for details.

5. ORDER #16-12/13 – Board of Appeals, District Two (Smith) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 18
SEPTEMBER 5, 2012

Councilor Smith motioned to reappoint Aaron Hackett, 59 Parrott Street. Councilor Beecher seconded. The Order passed 7-0.

6. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Postponed on 08/20/12. Passage requires majority vote.

Postponed, see Item #1 for details.

7. ORDER #25-12/13 – Board of Appeals, District Five (Jalbert) for a term that expires 07/23/14. Postponed on 08/20/12. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned to appoint Cara Biddings, 57 Burwell Avenue. Councilor Beecher seconded. The Order passed 7-0.

8. ORDER #27-12/13 – Energy & Recycling Committee, District Five (Jalbert) for a term that expires 05/05/15. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned to appoint Brian Wallace, 213 Sandy Hill Road. Councilor Livingston seconded. The Order passed 7-0.

9. ORDER #28-12/13 – Library Advisory Board, At Large (Livingston) for a term that expires 12/31/14. Passage requires majority vote.

Postponed, see Item #1 for details.

E. Consent Calendar

10. Sign Permit

South Portland Farmers Market is requesting to place campaign style signs in various locations through October. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Livingston seconded. Councilor Blake motioned to postpone the item because there was no one present to answer questions being raised. Councilor De Angelis seconded. The Order was postponed by a vote of 7-0.

F. Citizen Discussion (First Part)

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 19
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Jake Myrick, Harbor View Ave. – Mr. Myrick said there would be a Candlelight Remembrance for 7:00 p.m. to 8:00 p.m. on September 14th in honor of the lives lost on 9-11, the lives lost in Iraq and Afghanistan and the many wounded warriors.

Gary Crosby, Tanner Street – Mr. Crosby inquired whether there were intentions of paving between Cash Corner and the Golf Course.

G. Public Hearings and Action

H. Action on Old and New Business

Mayor Smith requested that Item #13 be taken out of order. No one objected. See Item #13 for details.

11. ORDER #29-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor De Angelis seconded. The Order passed 7-0.

12. ORDER #30-12/13 – Action regarding payment of cost for City Councilors to participate in City group medical insurance program. Passage requires majority vote.

The following people addressed this item;

Dan Mooers, Ledge Road – Mr. Mooers said everyone should have health insurance and the Council deserves compensation, increase the Council stipend and the city should stop paying for health insurance. It should not be a hidden benefit.

Gary Crosby, 2 Tanner Street – Mr. Crosby said he hopes the order is passed. Most people who signed his petition agreed that the Council stipend should be more but health insurance should not be paid by the city.

Margaret Carmody, Preble Street – Ms. Carmody said the board should have equal compensation and was unhappy to learn about how the benefit got started. She does not want to see the city to continue to pay health insurance through the end of the term for each councilor.

Barbara Psychos, Harbor Place – Ms. Psychos wanted to make sure the order addressed a termination date for city paid health insurance.

Albert DiMillo, Colchester Drive – Mr. DiMillo wants to see passage of this order. He hates to see it continue for another year and four months but he said this is a big compromise and let's just end it.

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Mayor Smith motioned for passage with a friendly amendment to include, “the City will continue to pay the employers share for such Councilor...”. Councilor Blake seconded.

Councilor De Angelis made a motion to amend the order to read, “City’s group medical insurance program until ~~the Councilors’s current term expires or service on the City Council terminates, whichever occurs first.~~December 31, 2012 or service on the City Council terminates, whichever happens first, at which time all premium payments by the City will cease”. There was no second so the motion failed.

Councilor De Angelis made a second motion to amend the order to remove “and their family’s participation” so that only the Councilor would be covered by the health insurance coverage to the end of their current term. Again there was no second so the motion failed.

Councilor Livingston made a motion to have all current sitting Councilors who have been covered by health insurance in the past reimburse the City for that coverage. Councilor De Angelis seconded. Councilor Livingston withdrew his motion. Councilor De Angelis did not remove her second. Councilor Coward moved the question. The amendment failed 1-6 (Blake, Livingston, Jalbert, Smith, Beecher, Coward).

Councilor Jalbert motioned to amend the order to cease city paid health insurance coverage on November 30, 2013 and give any Councilor access to the coverage during that time, allowing a newly elected Councilor access to the coverage. Councilor De Angelis seconded the motion. Corporation Counsel drew up revised wording. Because this was considered to substantially change the order, the Council agreed to open public comment back up again. The following people responded;

Albert DiMillo, Colchester Drive – Mr. DiMillo said this is ridiculous and said the amendment should not be passed.

Barbara Psichos, Harbor Place – Ms. Psichos said the object of this was to phase out health insurance, but this will open it up to new employees.

Gary Crosby, Tanner Street – Mr. Crosby agreed with Mr. DiMillo. He said he understands and appreciates what Councilor Jalbert is trying to do but said the original order was best.

Dan Mooers, Ledge Road – Mr. Mooers said he didn’t feel as strong as Mr. DiMillo but prefers the original submission of the order.

The amendment passed 7-0. The order passed as amended 5-2 (Coward, De Angelis)

13. ORDER #31-12/13 – Authorizing a Business Revolving Loan in the amount of \$4,000 to Laura Hubbard, d/b/a Big Booty Bakehouse. Passage requires majority vote.

The following person addressed this item;

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Gary Crosby, Tanner Street – Mr. Crosby asked questions about how the City’s investment would be protected.

Councilor Beecher motioned for passage. Councilor Blake seconded. The Order passed 7-0.

14. ORDER #32-12/13 - Authorizing equipment lease purchase financing and appropriation of the proceeds for South Portland High School energy improvements. Passage requires majority vote.

There was no public discussion.

Councilor Beecher made a friendly amendment to pass the order with the revised numbers as submitted by the Finance Director. Councilor Coward seconded. The Order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Jalbert remarked about personal attacks on individuals and hopes it never repeats.

Councilor Coward welcomed Labor Day weekend and commented on a contentious item in Saco relating to dogs on the beach.

Councilor Blake agreed with Councilor Jalbert’s disappointment with inappropriate remarks made against individuals and said all Councilors care a great deal about the community. He talked about the Land Trust “Hidden Jewels” tour scheduled for Saturday morning.

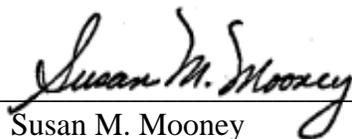
Councilor De Angelis said she will always second a motion for discussion purposes out of respect. She could hardly remember that this has occurred in the past.

K. Executive Session

Councilor Jalbert motioned for adjournment at 9:17 P.M. Councilor Coward seconded. The motion passed 7-0.

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 22
SEPTEMBER 17, 2012

Roll Call: Mayor Smith called the meeting to order at 7:00 P.M. Councilor De Angelis arrived at 7:05 P.M.

A. Acceptance of Minutes

Motion to accept the minutes from the September 5th meeting was made by Councilor Jalbert. Councilor seconded Beecher. Passed 6-0 (Councilor De Angelis had not yet arrived).

B. Communications from City Manager

The Manager addressed the following items;

- Volunteers from the Redbank/Brick Hill Hub summer breakfast program were recognized for their service to our community

C. Petitions and Communications

Department reports for the month of August, 2012.
Attendance Reports for the month of August, 2012.

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned to postponed Items #1 through #4. Councilor Coward seconded. The items were postponed by a vote of 7-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Postponed since 08/20/12. Passage requires majority vote.

Postponed. See Item #1 for details.

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Councilor Livingston motioned to waive Standing Rule 3(e) to allow Item #5 to be added to the agenda. Councilor Beecher seconded. The motion passed 7-0.

5. ORDER #28-12/13 – Library Advisory Board, At Large (Livingston) for a term that expires 12/31/14. Postponed on 09/05/12. Passage requires majority vote.

There was no public discussion.

Councilor Livingston motioned to appoint Aimee Turner of 82 Pitt Street to this seat. Councilor Coward seconded. The order passed 7-0.

E. Consent Calendar

6. Sign Permit

The Farmers Market is requesting the placement of signs in various locations. Postponed on 09/05/12. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage and Councilor Coward seconded. Councilor Jalbert motioned to recuse Councilor De Angelis. Councilor Beecher seconded. The motion failed 1-5 (Coward, Smith, Beecher, Livingston, Blake) (De Angelis did not vote). After significant discussion and conclusion that the sign permit would not benefit this Farmers Market this fall, Councilor Blake withdrew his motion for passage and Councilor Coward withdrew his second. Councilor Blake motioned to withdraw the item. Councilor Coward seconded. The motion passed 7-0.

F. Citizen Discussion (First Part)

G. Public Hearings and Action

H. Action on Old and New Business

7. ORDER #33-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage. Councilor De Angelis seconded. The Order passed 7-0.

8. ORDER #34-12/13 - Award of Bid #5-13 to H. P. Fairfield, Inc, of Skowhegan, ME, for the purchase of a sidewalk plow for the Public Works Department. Passage requires majority vote.

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SEPTEMBER 17, 2012

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Jalbert seconded. The Order passed 7-0.

9. ORDER #35-12/13 – Amending ORDER #141-05/06 regarding designating certain areas as “Safe Zones” under State law. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Livingston seconded. There was a friendly amendment from Councilor De Angelis that Brick Hill Park be changed to Jordan Park and Councilor Blake made a friendly amendment to change Cash Corner Park to Firefighters Memorial Park. The Order passed 7-0.

10. ORDER #36-12/13 – Accepting an Office of Substance Abuse Underage Drinking Enforcement Grant of \$7,360 to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Jalbert seconded. The Order passed 7-0.

11. ORDER #37-12/13 – Accepting an Enhanced Police Intervention Collaboration (EPIC), STOP Violence Against Women Grant from the U. S. Dept. of Justice to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Smith motioned for passage. Councilor De Angelis seconded. The Order passed 7-0.

12. ORDER #38-12/13 – Accepting \$1,840, 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 Jalbert motioned for passage. Councilor Beecher seconded. The Order passed 7-0.

13. ORDINANCE #2-12/13 – Amending Chapter 27, “Zoning,” regarding angle parking. First reading. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 25
SEPTEMBER 17, 2012

Councilor Beecher motioned for passage. Councilor Livingston seconded. The Ordinance passed first reading 6-1 (De Angelis).

14. ORDER #39-12/13 - Amending ORDER #32-12/13 for Change in Intended Use of Equipment Lease Purchase Financing for High School Energy Improvements. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Blake seconded. The Order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Jalbert said he was alarmed by what he had read in an article regarding the Farmers Market that prompted his motion to recuse Councilor De Angelis from Item #6.

Councilor Blake inquired about the end dates for the projects in the Mill Creek area. He noted that GPCOG would be hiring a grant writer and we may be able to gain some assistance with grant projects. He reminded folks about the 5K Bug Light race.

Councilor Livingston thanked citizens for their input and patience around the Knightville Parking process.

Mayor Smith indicated that she would be starting the Bug Light race.

Councilor De Angelis asked if information could be posted for residents regarding recent water main breaks. She thanked Jake Myric for his work efforts behind the 9-11 Candle light Memorial.

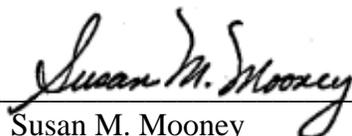
Councilor Beecher said the ecomaine open house is scheduled for September 22nd. Folks can dispose of items such as tvs, e-waste and fluorescent bulbs for free. There is another medication collection drive on September 29th at Redbank Hub and the Community Center.

K. Executive Session

Councilor De Angelis motioned for adjournment at 9:05 P.M. Councilor Blake seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 26
OCTOBER 1, 2012

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

A. Acceptance of Minutes

Motion to accept the minutes from the September 17th meeting was made by Councilor Blake. Councilor seconded Beecher. Passed 6-0

B. Communications from City Manager

The Manager addressed the following items;

- The October 10th Council Workshop with begin at 6:00 P.M. The two items scheduled for the workshop is a presentation of the Comprehensive Plan and amendments to Chapter 8, the Fire Code.
- On October 22nd the Council will be attending a site walk at 5:30 P.M. at Wilkinson Park before the Council Workshop.
- Update on the Armory

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned to postponed Items #1 through #4. Councilor Beecher seconded. The items were postponed by a vote of 6-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Postponed since 08/20/12. Passage requires majority vote.

Postponed. See Item #1 for details.

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5. ORDER #40-12/13 – Conservation Commission At-Large Associate position (Blake) for a term which expires on 03/03/14. Passage requires majority vote.

There was no public discussion. Mr. Klotz was present and said he is excited to work with the Conservation Commission.

Councilor Blake motioned to appoint Robert Klotz of 10 Whitehall Ave. to fill this vacancy. Councilor Livingston seconded. The motion passed 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Steven Haskell, 425 Broadway – Mr. Haskell said he is moving to Casco on Saturday and hopes to be able to continue as a student at SMCC.

Gary Crosby, 2 Tanner Street – Mr. Crosby encouraged folks to volunteer. He suggested that the Council consider changing the practice of appointing board and committee members by district and open appointments city wide.

G. Public Hearings and Action

6. ORDINANCE #2-12/13 – Amending Chapter 27, “Zoning,” regarding angle parking. Passed first reading on 9/17/12. Passage requires five (5) affirmative votes.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Livingston seconded. The ordinance passed roll call vote 5-1 (De Angelis).

H. Action on Old and New Business

7. ORDER #41-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

8. ORDER #42-12/13 – Accepting \$24,996 from the Maine Municipal Association Property and Casualty Program. Passage requires majority vote.

The following person addressed this item;

Linda French, Sawyer Street – Ms. French asked how many accounts there were for the City, School and Sewer Departments.

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Councilor Jalbert motioned for passage. Councilor Blake seconded. The order passed 6-0.

9. ORDER #43-12/13 – Award of Bid #11-13 to Hews Company, of South Portland, ME, for the purchase and installation of a dump body for the Water Resource Protection Department. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Livingston seconded. The order passed 6-0.

10. ORDER #44-12/13 – Amending the Traffic Schedule regarding one-way between E Street and D Street. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Livingston seconded. The order passed 5-1 (De Angelis).

11. ORDINANCE #3-12/13 – Amending Chapter 14, regarding adoption of administrative codes. First reading. Passage requires majority vote.

Councilor Jalbert motioned to have the ordinance read by title only. Councilor De Angelis seconded. The motion passed 6-0. The following people spoke on this item;

Sheryl Frisco, 757 Main Street
April Tracy, Gary L. Maietta Parkway
Lee Kimball, 133 High Street
Lenny Tracy, Gary L. Maietta Parkway
Gary Crosby, 2 Tanner Street
Pauline Conley, 184 Sawyer Street
Linda French, Sawyer Street

Councilor Beecher motioned for passage of the amended ordinance. Councilor Livingston seconded. The ordinance passed first reading by a vote of 6-0.

12. ORDINANCE #4-12/13 – Amending Chapter 16, “Nuisances Generally,” regarding public nuisances. First reading. Passage requires majority vote.

There was no public discussion. Councilor Jalbert motioned to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 5-1 (Blake).

Councilor Beecher Jalbert motioned for passage. Councilor Blake seconded. The ordinance passed first reading by a vote of 6-0.

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OCTOBER 1, 2012

13. ORDER #45-12/13 – Accepting the Planning Board’s recommendation regarding tax acquired property. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Blake seconded. The order passed 6-0.

14. ORDER #46-12/13 – Award of Bid #12-13 to Damon Mechanical Services of Auburn, ME, for HVAC at the Branch Library. Passage requires majority vote.

There was no public discussion.

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

15. ORDER #47-12/13 – Appropriating \$60,200 from Undesignated Fund Balance and award of Bid #13-13 to Wright-Ryan Construction, Inc., of Portland, ME, for bridge replacement at the Branch Library. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Beecher seconded. The order passed 6-0.

16. PROCLAMATION #1-12/13 – Proclaiming recognition and welcome to Mad Horse Theatre Company, its artists, and its patrons to South Portland. Passage requires majority vote.

Councilor De Angelis motioned to waive Standing Rule 3(e) to have this item added to the agenda. Councilor Beecher seconded. The motion passed 6-0. There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Jalbert seconded. The proclamation passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Livingston attending a Jetport Noise Committee meeting on September 18th. He said not all flights have been realigned for the new departure schedule. They are still discussing arrival schedule flight patterns.

Councilor De Angelis excused herself because of an unexpected death in her family.

Councilor Beecher talked about the Comprehensive Plan presentation coming to the October 10th workshop. She said the Medication Collection program was a success and

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 30
OCTOBER 1, 2012

announced that the Board and Committee Recognition event has been scheduled for October 29th. Invitations will go out shortly.

Councilor Jalbert talked about the Long Creek Watershed Management District being on target with all goals. Work is progressing better than expected.

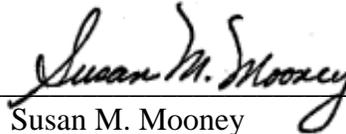
Councilor Blake reminded residents that there is a kayak and canoe launch at Long Creek. He said the Bug Light 5K scheduled for Sunday has over 400 people signed up. There is a ribbon cutting ceremony scheduled at the Trout Brook Nature Preserve on October 27th.

K. Executive Session

Councilor Blake motioned for adjournment at 9:35 P.M. Councilor Jalbert seconded. The motion passed 5-0 (Coward absent, De Angelis left a few minutes early).

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ATTEST _____


Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 31
OCTOBER 15, 2012**

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

A. Acceptance of Minutes

Motion to accept the minutes from the October 1st meeting was made by Councilor Blake. Councilor De Angelis seconded . The motion passed 7-0

B. Communications from City Manager

The Manager addressed the following items;

- Redbank – Lights on After School – October 18th
- Chief Guimond presented Joe Nalbach with a recognition plaque for 44 years of service as a volunteer Firefighter

C. Petitions and Communications

Department Reports for the month of September, 2012.

Attendance Reports for the month of September, 2012.

D. Appointment Calendar

Councilor De Angelis motioned to take Item #13 out of Order. Councilor Coward seconded. The motion passed 7-0. See item #13 for details.

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned to postponed Items #1 through #4. Councilor De Angelis seconded. The items were postponed by a vote of 7-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Postponed since 08/20/12. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 32
OCTOBER 15, 2012**

Postponed. See Item #1 for details.

5. ORDER #48-12/13 – Planning Board, District Two (Smith) for a term that expires 04/01/13. Passage requires majority vote.

There was no public discussion.

Mayor Smith motioned to appoint Fred Hagan of 68 Kaler Road to fill this seat. Councilor Beecher seconded. The motion passed 7-0.

6. ORDER #49-12/13 – Appointing Ward Clerk District 2, Pro-Tempore for November 6th General Election. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned to appoint Robert Morency of 278 Broadway to fill this seat. Councilor Smith seconded. The motion passed 7-0.

F. Citizen Discussion (First Part)

G. Public Hearings and Action

7. Business License

So Po Catering, 171 Ocean Street, for a Class A Catering with Liquor license. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Jalbert seconded. The license passed 7-0.

8. ORDINANCE #3-12/13 – Amending Chapter 14, regarding adoption of administrative codes. Amended and passed first reading on 10/01/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Beecher seconded. The ordinance passed roll call vote 7-0.

9. ORDINANCE #4-12/13 – Amending Chapter 16, “Nuisances Generally,” regarding public nuisances. Passed first reading on 10/01/12. ROLL CALL VOTE. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 33
OCTOBER 15, 2012**

Councilor Beecher motioned to have the ordinance read by title only. Councilor Coward seconded. The motion passed 7-0. There was no public discussion.

Councilor Coward motioned for passage. Councilor Jalbert seconded. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

10. ORDER #50-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

11. ORDER #51-12/13 - Adopting the South Portland Comprehensive Plan Update dated 2012. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Coward seconded. The order passed 7-0.

12. ORDER #52-12/13 – 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 Jalbert motioned for passage. Councilor Beecher seconded. The order passed 7-0.

13. ORDER #53-12/13 – Award of Bid #8-13 to Pierce Manufacturing, Inc., of Appleton, WI, for the purchase of a fire truck for the South Portland Fire Department. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage. Councilor De Angelis seconded. The order passed 7-0.

14. ORDER #54-12/13 – Award of Bid #15-13 to Dearborn Brothers Construction, of Buxton, ME, for sewer trunkline replacement on Mussey Street. Passage requires majority vote.

There was no public discussion.

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

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 34
OCTOBER 15, 2012**

15. ORDER #55-12/13 - Setting the time for opening the polls for the November 6, 2012 General Election. Passage requires majority vote.

There was no public discussion.

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

E. Consent Calendar

Councilor De Angelis motioned to waive Standing Rule 3(e) to allow item #16 to be added to the agenda. Councilor Coward seconded. The motion passed 7-0.

16. Street Closing

The City of South Portland is requesting the closure of Mussey Street from Third Street to Second Street for the duration of the Mussey Street Sewer Trunkline Project. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Beecher seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor De Angelis encouraged folks to get out and vote. She commented on the quality service in our City regarding a reverse call from the police department about a lost person with dementia.

Councilor Beecher said the Council would be hosting a Board and Committee Recognition event on October 29th.

Councilor Jalbert let residents know that they can vote in honor of a Veteran and receive a button from the State.

Councilor Blake provided details about the Bug Light 5K. He also noted several events; the Senate 7 and House seat 124 debate on Thursday, a meeting regarding traffic on Broadway at SMCC, a South Portland candidate forum on October 25th and on October 27th a ribbon cutting at Trout Brook and a Fort Preble Preservation clean up.

Mayor Smith announced a ribbon cutting for the Mad Horse Theater.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 35
OCTOBER 15, 2012

Councilor Coward talked about election experience through his life and encourage residents to be informed and vote.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M. R. S. A, §405 (6) (D) regarding labor negotiations with AFSCME Local 481, South Portland Bus Operators.

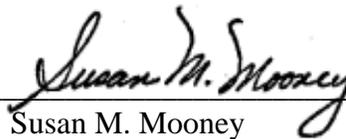
Councilor Jalbert motioned to go into executive session at 9:23 P.M. Councilor Blake seconded. The motion passed 7-0.

Councilor Jalbert motioned to come out of executive session at 10:01 P.M. Councilor Blake seconded. The motion passed 5-0 (Coward and De Angelis out of room).

Councilor Jalbert motioned for adjournment at 10:02 P.M. Councilor Blake seconded. The motion passed 5-0 (Coward and De Angelis out of room).

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ATTEST _____


Susan M. Mooney

**IN COUNCIL SPECIAL MEETING VOL. 74 PAGE 36
OCTOBER 22, 2012**

Roll Call: Mayor Smith called the meeting to order at 6:46 P.M. at the South Portland Community Center. Councilor Jalbert was not in attendance for the Special Meeting. He arrived

G. Action on Old and New Business

1. RESOLVE #2-12/13 – To establish the position of the City of South Portland in regard to Marriage Equality. Passage requires majority vote.

Mayor Smith recused herself from the discussion because of her involvement with Equality Maine.

Councilor Beecher motioned to vote on whether Mayor Smith should be recused from acting on this item. Councilor De Angelis seconded. The Council discussed the issue and decided that since there was no benefit to Mayor Smith and that her vote would not have an impact on the municipality she should not be recused from this Resolve. The Council voted 4-0 to allow Mayor Smith to participate. (Jalbert absent, Livingston had not arrived yet)

The following people addressed this item;

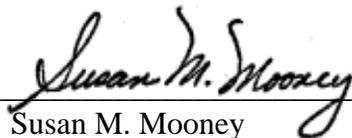
Jim Hoy, Hill Street
Margaret Stenberg, 72 Ocean Street
Mike Hawk
Colleen Johnson, 662 Highland Ave.
Pam Koonz Canarie, 975 Sawyer Street

Councilor Coward motioned for passage. Councilor Beecher seconded. The order passed 5-1 (Livingston).

Councilor Coward motioned for adjournment at 7:17 P.M. Councilor De Angelis seconded. The motion passed 6-0 (Jalbert absent).

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 37
NOVEMBER 5, 2012

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

A. Acceptance of Minutes

Motion to accept the minutes from the October 15th meeting and the October 22nd Special Meeting was made by Councilor De Angelis. Councilor Coward seconded . The motion passed 6-0

B. Communications from City Manager

The Manager addressed the following items;

- Knightville improvements
- Finance Director, Greg L'Heureux, gave an overview of the tax reimbursement program

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned to postponed Items #1 through #4. Councilor Coward seconded. The items were postponed by a vote of 6-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Postponed since 08/20/12. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 38
NOVEMBER 5, 2012

F. Citizen Discussion (First Part)

Robert Melegian, 425 Broadway – Mr. Melegian is concerned about no parking in front of building.

Albert DiMillo, 64 Colchester Drive – Mr. DiMillo said the tax refund program information on the website is wrong.

Carter Scott, President of the Land Trust – Ms. Scott thanked the Council and said the Land Trust is excited about having a new location to work from.

Dan O'Connell, 94 Harriet Street – Mr. O'Connell was concerned about traffic and speed on Harriet Street and inquired about getting a temporary speed bump put in place.

G. Public Hearings and Action

H. Action on Old and New Business

5. ORDER #56-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Beecher seconded. The order passed 6-0.

6. ORDER #57-12/13 – Authorizing the City Manager to sign a collective bargaining agreement with AFSCME Local #481, Council 93, South Portland Bus Operators from July 1, 2011 to June 30, 2014. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Jalbert seconded. The order passed 6-0.

7. ORDER #58-12/13 Accepting a Bureau of Justice Assistance 2012 Bulletproof Vest Partnership(BVP) Grant of \$9,442.50 for the South Portland Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Beecher seconded. The order passed 6-0.

8. ORDER #59-12/13 – Authorizing the City Manager to sign a Municipal/State Agreement with the Maine Department of Transportation regarding improvements to Cummings Road. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 39
NOVEMBER 5, 2012

Councilor Beecher motioned for passage. Councilor De Angelis seconded. The order passed 6-0.

9. ORDER #60-12/13 – Authorizing the City Manager to sign a Power Purchase Agreement with SoPo Solar, LLC, for solar power at the Planning and Development Department at 496 Ocean Street. Passage requires majority vote.

There was no public discussion.

Councilor Beecher motioned for passage. Councilor Jalbert seconded. The order passed 6-0.

10. ORDER #61-12/13 - Authorizing the City Manager to sign a Lease Agreement with the South Portland Land Trust, Inc., for the lease of the former electrical building located in Mill Creek Park. Passage requires majority vote.

There was no public discussion.

Councilor De Angelis motioned for passage. Councilor Beecher seconded. The order passed 6-0.

11. ORDER #62-12/13 - Allowing Dearborn Brothers Construction, of Buxton, ME, to install a new sewer trunkline in Mussey Street between 9:00 p.m. and 7:00 a.m. as needed. Passage requires majority vote Mussey Construction – Night work

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor De Angelis seconded. The order passed 6-0.

12. ORDER #63-12/13 - Appropriating \$500,000 from Undesignated Fund Balance for the Public Works, Parks and Transportation Facility. Passage requires majority vote.

The following person addressed this item;

Albert DiMillo, 64 Colchester Drive – Mr. DiMillo said it is disturbing that the city is under budgeting revenue and doing what the school is doing. He said a cost benefit analysis should be done on this project.

Councilor Jalbert motioned for passage. Councilor Beecher seconded. The order passed 4-2 (Livingston, De Angelis).

I. Citizen Discussion (Second Part)

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 40
NOVEMBER 5, 2012

Rosemarie De Angelis, Buttonwood St. – Ms. De Angelis thanked the people who supported her through the election. She said it is family, faith and friends that matter most in the end.

J. Councilor's Round Robin

Councilor Beecher said she is concerned about the parking issue at 425 Broadway. She said she was honored to attend the Mill Creek Park dedication and also noted that people in Knightville was pleased with the work that has been completed down there.

Councilor Jalbert wished the best to all the candidates.

Councilor Livingston said Knightville and the Park look great. He commended on it being fall leaf collection time and encouraged folks to tend to their leaves.

Councilor Smith thanked those involved with the park dedication on Saturday. She urged residents to vote tomorrow.

Councilor Coward said Mill Creek and Knightville look sharp. The ribbon cutting was memorable. He indicated that the one way section in Knightville seemed to be working fine. He said he is looking forward to voting tomorrow.

Councilor De Angelis said Knightville looks great. She is planning on being at the polls early.

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.

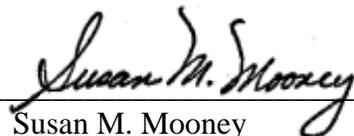
Councilor Jalbert motioned to go into executive session at 9:17 P.M. Councilor Coward seconded. The motion passed 6-0.

Councilor Beecher motioned to come out of executive session at 10:48 P.M. Councilor De Angelis seconded. The motion passed 6-0.

Councilor De Angelis motioned for adjournment at 10:49 P.M. Councilor Livingston seconded. The motion passed 6-0.

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ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 41
NOVEMBER 19, 2012**

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

A. Acceptance of Minutes

The minutes for the previous meeting were incomplete.

B. Communications from City Manager

The Manager addressed the following items;

- No workshop on 11/26 but there will be a joint workshop with the School Board on 11/28
- Holidayfest is scheduled for December 7th from 4:00 P.M. to 8:00 P.M.
- This is the last Council Meeting for Councilor De Angelis and Councilor Beecher, both have been very supportive of city staff

Councilor Coward motioned to add the Mayoral Caucus to the agenda after Round Robin. Councilor Beecher seconded. The motion passed 6-0.

C. Petitions and Communications

Attendance Reports for the month of October, 2012.

Department Reports for the month of October, 2012.

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned to postponed Items #1, #2, #3 and #5. Councilor Livingston seconded. The items were postponed by a vote of 6-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #23-12/13 – Economic Development Committee, District Three (De Angelis) for a term that expires 03/23/13. Postponed since 08/20/12. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 42
NOVEMBER 19, 2012**

There was no public discussion.

Councilor De Angelis motioned to appoint Martin Macisso Jr. of 70 D Street. Councilor Beecher seconded. The order passed 6-0.

5. ORDER #64-12/13 – Civil Service Commission, At-Large (Livingston) to fill an unexpired term which expires on 12/31/14. Passage requires majority vote.

Postponed. See Item #1 for details.

- 5A. ORDER #67-12/13 – Board of Education, At Large, to fill a vacancy pursuant to Section 904 of the City Charter. Passage requires majority vote.

Councilor Blake motioned to waived Standing Rule 3(e) to have item 5A. added to the agenda. Councilor Beecher seconded. The motion passed 6-0.

There was no public discussion.

Councilor Beecher motioned to appoint Mary House of 131 Elderberry Drive to fill the vacancy on the School Board from the resignation of Jeff Selser. Councilor Coward seconded. The appointment passed 6-0.

E. Consent Calendar

6. Street Closing

HolidayFest is requesting the closure of Hinckly Drive on 12/07/2012 from 4:00 P.M. to 8:00 P.M. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Beecher seconded. The street closing passed 6-0.

F. Citizen Discussion (First Part)

G. Public Hearings and Action

H. Action on Old and New Business

7. ORDER #65-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Mayor Smith motioned for passage. Councilor Coward seconded. The order passed 6-0.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 43
NOVEMBER 19, 2012

8. ORDER #66-12/13 – Accepting a 2013 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 discussion.

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

9. ORDINANCE #5-12/13 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding parking tickets. First reading. Passage requires majority vote.

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

Councilor Coward motioned for passage of first reading and setting the public hearing date to December 3rd. Councilor Beecher seconded. The motioned passed 6-0.

10. ORDINANCE #6-12/13 – Amending Chapter 21, “Police,” regarding burglar alarms. First reading. Passage requires majority vote.

There was no public discussion. Councilor Coward motioned to have the ordinance read by title only. Councilor Beecher seconded. The motioned passed 5-1 (Blake).

Councilor Livingston motioned for passage of first reading and setting the public hearing date to December 3rd. Councilor Beecher seconded. The motioned passed 6-0.

11. ORDINANCE #7-12/13 – Amending Chapter 8, Fire Protection and Prevention. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Blake motioned for passage of first reading and setting the public hearing date to December 3rd. He included a friendly amendment to correct the wording in the heading from “Fire” to “Fire Protection and Prevention”. There was no opposition. Councilor Livingston seconded. The motioned passed 6-0.

12. ORDINANCE #8-12/13 – Amending Chapter 9, “Garbage and Refuse”; Chapter 10, “Health, Welfare and Sanitation Generally”; Chapter 17, “Offenses-Miscellaneous Provisions”; and Chapter 23, “Streets and Sidewalks” of the Code of Ordinances to update fire protection and prevention references as a result of the update of Chapter 8, “Fire Protection and Prevention.” First reading. Passage requires majority vote.

There was no public discussion. Councilor Beecher motioned to have the ordinance read by title only. Councilor Coward seconded. The motioned passed 4-2 (Blake, De Angelis).

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 44
NOVEMBER 19, 2012

Councilor Coward motioned for passage of first reading and setting the public hearing date to December 3rd. Councilor Beecher seconded. The motion passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Blake encouraged attendance to the joint workshop between the Council and the School Board. He recognized the accomplishments and contributions of Councilor Beecher and Councilor De Angelis.

Councilor Livingston thanked Councilor Beecher and Councilor De Angelis and wished all a Happy Thanksgiving.

Mayor Smith thanked fellow Councilors, the City Manager and Clerk for their support over the last year. She thanked Councilor Beecher and Councilor De Angelis for the work they have done.

Councilor Coward also thanked Councilor De Angelis and Councilor Beecher. He said the Mayor said it well; the city is a better place because of their service. He indicated that there are several people interested in running for his seat on the Council. He wished everyone a Happy Thanksgiving.

Councilor De Angelis expressed disappointment with Councilors working together to unseat her because of her stand on certain issues. She wished all God Speed.

Councilor Beecher wished everyone a happy Thanksgiving and noted that 437 pounds of medications were collected at the last medication collection project. She said it has been a wonderful nine years serving on the Council.

K. Executive Session

A motion may be made to go into executive session pursuant to 36 M.R.S.A. §841, to discuss applications(s) for abatement of property taxes on account of infirmity or poverty, and pursuant to 1 M.R.S.A. §405(6)(C), to discuss the acquisition or sale of real property. Passage requires majority vote.

Councilor Blake motioned to go into executive session at 8:35 P.M. Councilor Coward seconded. The motion passed 6-0.

Councilor Coward motioned to come out of executive session at 9:10 P.M. Councilor Blake seconded. The motion passed 6-0.

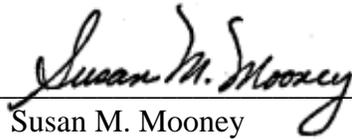
**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 45
NOVEMBER 19, 2012**

Councilor Coward motioned to approved Hardship Abatement #1-2012/2013, abating the entire year of taxes for 2011/2012 and the August and November installments for 2012/2013 totaling \$3,982.13. Mayor Smith seconded. The motion passed 6-0.

Councilor De Angelis motioned for adjournment at 9:12 P.M. Councilor Livingston seconded. The motion passed 6-0.

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ATTEST



Susan M. Mooney

**IN COUNCIL INAUGURAL MEETING VOL. 74 PAGE 46
DECEMBER 3, 2012**

Mayor Smith called the meeting to order at 4:00 P.M. Councilor De Angelis was absent.

Mayor Smith invited Fire Department Chaplin, Howard Sterling to offer the invocation.

Mayor Smith presented Councilor Beecher a plaque and thanked her for nine years of service to the community.

City Clerk Mooney administered the Oath of office to Councilors-elect Cohen and Linscott.

City Clerk Mooney declared Councilors Cohen and Linscott duly qualified Councilors.

Councilor Coward nominated Councilor Blake for Mayor for year 2012/2013. Councilor Livingston seconded the motion.

Mayor Smith moved that nominations cease. Councilor Linscott seconded the motion. Passage 7-0.

City Clerk Mooney called for the vote.

Councilor Smith announced Councilor Blake as Mayor for 2012/2013 with seven votes.

Mayor Blake presented Councilor Smith with a gavel and thanked her for her leadership over the last year.

Mayor Blake then presented the Inaugural Address.

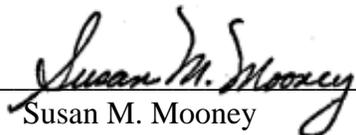
Councilor Smith moved that the Inaugural Address be spread on the records. Councilor Cohen seconded the motion. Mayor Blake took the vote and ordered the Inaugural Address be spread on the records.

City Clerk Mooney read RESOLUTION #3-12/13 establishing time and place of meetings. Councilor Coward moved for passage. Councilor Linscott seconded the motion. Mayor Blake took the vote and declared the Resolution duly passed.

Councilor Livingston moved to adjourn. Councilor Smith seconded the motion. Mayor Blake took the vote and declared the Council recessed until 7:00 P.M. this evening.

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ATTEST _____


Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 47
DECEMBER 3, 2012**

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

A. Acceptance of Minutes

Councilor Livingston motioned to accept the minutes of the November 5th and November 19th Council meetings. Councilor Cohen seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;

- Rundown of employees that were recognized at the Employee Recognition Breakfast on November 28th
- Holidayfest 2012 scheduled for December 7th

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Jalbert motioned to postpone Items #1 through #4. Councilor Smith seconded. The motion passed 7-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #64-12/13 – Civil Service Commission, At-Large (Livingston) to fill an unexpired term which expires on 12/31/14. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

F. Citizen Discussion (First Part)

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 48
DECEMBER 3, 2012**

Terry Morrison, District 122 Representative – Mr. Morrison welcomed Councilor Cohen and Councilor Linscott and said he is looking forward to working closely with the Council.

G. Public Hearings and Action

5. ORDINANCE #5-12/13 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding parking tickets. Passed first reading on 11/19/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion. Councilor Coward motioned to have the item read by title only. Councilor Jalbert seconded. The motion passed 7-0.

Councilor Livingston motioned for passage of Ordinance #5, including the recommended amendment added at the end of Sec. 15-25(b): The City Council may declare from time to time by Council order an “Amnesty Period” for outstanding parking violations whereby, during the declared “Amnesty Period,” any individual with outstanding parking violations may pay the initial waiver fee for such violation and any late fee associated with the initial waiver fee shall be forgiven. Councilor Jalbert seconded.

Councilor Cohen motioned to pass the amendment on its own. Councilor Livingston seconded. The amendment passed 7-0. The ordinance passed as amended by roll call vote 6-1 (Jalbert).

6. ORDINANCE #6-12/13 – Amending Chapter 21, “Police,” regarding burglar alarms. Passed first reading on 11/19/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Coward motioned for passage. Councilor Cohen seconded. The ordinance passed roll call vote 7-0.

7. ORDINANCE #7-12/13 – Amending Chapter 8, Fire Protection and Prevention. Amended and passed first reading on 11/19/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Blake seconded. The ordinance passed roll call vote 7-0.

8. ORDINANCE #8-12/13 – Amending Chapter 9, “Garbage and Refuse”; Chapter 10, “Health, Welfare and Sanitation Generally”; Chapter 17, “Offenses-Miscellaneous Provisions”; and Chapter 23, “Streets and Sidewalks” of the Code of Ordinances to update fire protection and prevention references as a result of the update of Chapter 8, “Fire Protection and Prevention.” Passed first reading on 11/19/12. ROLL CALL VOTE. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 49
DECEMBER 3, 2012**

There was no public discussion.

Councilor Coward motioned for passage. Councilor Jalbert seconded. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

9. ORDER #67-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Cohen motioned for passage. Councilor Coward seconded. The order passed 7-0.

10. ORDER #68-12/13 – Amendment of the Schedule of License, Permit, Inspection and Application Fees. Passage requires majority vote.

There was no public discussion.

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

11. ORDINANCE #9-12/13 - Amending Chapter 10, “Health, Welfare and Sanitation Generally”, regarding property tax assistance. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Smith seconded. The ordinance passed first reading 7-0.

12. ORDINANCE #10-12/13 - Amending Chapter 25, “Swimming Pools and Wading Pools regarding public pools and spas. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Cohen motioned for passage. Councilor Jalbert seconded. The ordinance passed first reading 7-0.

13. ORDER # 69-12/13 – Amending the Lease Agreement with Mad Horse Theater for the lease of 24 Mosher Street. Passage requires majority vote.

Councilor Jalbert motioned to waive standing rule 3(e) to allow Item #13 to be added to the agenda. Councilor Coward seconded. The motion passed 7-0.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 50
DECEMBER 3, 2012**

Councilor Smith motioned for passage. Councilor Coward seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Cohen said it's great to be here. She is hoping for a big turnout for the tree lighting.

Councilor Livingston congratulated the two new Councilors and thanked former Mayor Smith for her leadership. He noted new hours at the Transfer Facility.

Mayor Blake commented on the afternoon Inauguration and thanked the Council for their support. He said the Council would be recognizing Board and Committee members tomorrow night at the Community Centre.

Councilor Coward thanked former Councilor De Angelis and former Councilor Beecher for their service and Councilor Smith for her leadership over the last year. He commented on Councilors Linscott and Cohen being off to a great start. He fully supports Mayor Blake ambitious agenda for the next year and support the public works facility.

Councilor Smith said she is excited about a new fresh start and thanked Beecher and De Angelis for their commitment to the community.

Councilor Linscott thanked everyone for their well wishes.

K. Executive Session

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

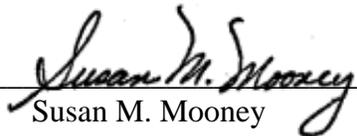
Councilor Coward motioned to go into executive session at 8:56 P.M. Councilor Smith seconded. The motion passed 7-0.

Councilor Coward motioned to come out of executive session at 9:16 P.M. Councilor Livingston seconded. The motion passed 7-0.

Councilor Jalbert motioned for adjournment at 9:17 P.M. Councilor Smith seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 51
DECEMBER 17, 2012**

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

A. Acceptance of Minutes

Councilor Smith motioned to accept the minutes of the December 3rd Council Inauguration and December 3rd Council meeting. Councilor Jalbert seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;

- Safe and Happy Holidays
- Good Luck to Councilor Coward on becoming the new County Commissioner.

Mayor Blake called for a moment of silence for the recent deaths of two City Employees and the tragedy in Connecticut.

C. Petitions and Communications

Attendance Reports for the month of November, 2012.

Department Reports for the month of November, 2012.

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Cohen motioned to postpone Items #1 through #3 and #5 through #6. Councilor Smith seconded. The motion passed 7-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. ORDER #64-12/13 – Civil Service Commission, At-Large (Livingston) to fill an unexpired term which expires on 12/31/14. Postponed since 11/19/12. Passage requires majority vote.

There was no public discussion.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 52
DECEMBER 17, 2012**

Councilor Livingston motioned to appoint Brian Wallace of 213 Sandy Hill Road. Councilor Jalbert seconded. The order passed 6-0.

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

Postponed. See Item #1 for details.

6. ORDER #71-12/13 – Economic Development Committee, District Four (Cohen), for a term which expires on 03/23/13. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

7. ORDINANCE #9-12/13 - Amending Chapter 10, “Health, Welfare and Sanitation Generally”, regarding property tax assistance. Passed first reading on 12/3/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Livingston seconded. The ordinance passed roll call vote 7-0.

8. ORDINANCE #10-12/13 - Amending Chapter 25, “Swimming Pools and Wading Pools regarding public pools and spas. Passed first reading on 12/3/12. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Cohen motioned for passage. Councilor Livingston seconded. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

9. ORDER #72-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 53
DECEMBER 17, 2012

10. ORDER #73-12/13 – Award of Bid #18-13 to CPM Constructors, of Freeport, ME, for the reconstruction of the Fore River Boat Facility in Bug Light Park. Passage requires majority vote.

There was no public discussion.

Tom Myers answered questions from the Council.

Councilor Cohen motioned for passage. Councilor Coward seconded. The order passed 7-0.

11. ORDER #74-12/13 – Award of Bid #24-13 to W. C. Cressey & Son, Inc., of Kennebunk, ME, for the purchase of a school bus with wheel chair lift for the School Department. Passage requires majority vote.

There was no public discussion.

Dan Lamarre and Rafe Forland from the South Portland School Department answered questions from the Council.

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

12. ORDER #75-12/13 - Award of Bid #25-13 to W. C. Cressey & Son, Inc., of Kennebunk, ME, for the purchase of a Type C school bus for the School Department. Passage requires majority vote.

There was no public discussion.

Dan Lamarre and Rafe Forland from the South Portland School Department answered questions from the Council.

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

13. ORDER #76-12/13 - Granting amnesty until February 28, 2013 to persons that hold delinquent parking tickets. Passage requires majority vote.

There was no public discussion.

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

14. ORDER #77-12/13 – Amendment of the Schedule of License, Permit, Inspection and Application Fees. Passage requires majority vote.
There was no public discussion.

Councilor Coward motioned for passage. Councilor Smith seconded. The order passed 7-0.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 54
DECEMBER 17, 2012**

15. ORDER #78-12/13 – Approving the disbursement of funds from the sale of 857 Broadway. Passage requires majority vote.

There was no public discussion.

Councilor Cohen motioned for passage. Councilor Jalbert seconded.

Councilor Cohen motioned for passage of the amendment which credits 70% of the net proceeds from the City's recent sale of tax acquired property at 857 Broadway to the Public Works Facility Reserve Account and 30% of the net proceeds from said sale to the Land Bank Fund pursuant to Sec. 18-76(4)(b) of the Code of Ordinances of the City of South Portland. Councilor Smith seconded. The amendment passed 7-0.

The main motion as amended passed 7-0.

16. ORDER #79-12/13 – Appropriating \$76,800 and authorizing the City Manager to execute necessary documents for the purchase of real property from Douglas Gagne located at 933 Highland Avenue. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert made a motion for the recusal of Councilor Cohen. Councilor Coward seconded. The motion failed 1-5 (Smith, Linscott, Jalbert, Livingston and Blake) (Cohen Abstaining).

Councilor Coward motioned for passage. Councilor Jalbert seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Jalbert thanked Councilor Coward for his service to the City of South Portland.

Councilor Livingston also thanked Councilor Coward for his service to the City of South Portland.

Mayor Blake thanked Councilor Coward for his service. He also appealed to the public looking for members to serve on a Committee to discuss the Hot Tub at the Community Center. They would like citizens and business owners to help in fund raising for a new hot tub to replace the one that has been out of commission for some time.

Councilor Coward stated that he will resign on January 1, 2013 to be sworn in as a County Commissioner. He thanked the citizens, staff and fellow councilors that supported him in his time as a City Councilor and Mayor.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 56
JANUARY 7, 2013

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. All Councilors were present. Councilor Coward has officially resigned and the District One City Council seat is now vacant.

A. Acceptance of Minutes

Councilor Cohen moved to accept the minutes of the December 17th Council meeting. Councilor Livingston seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following items;

- 1/14/13 Workshop cancelled so that Councilors may attend Tom Coward's inauguration to the County Commissioner seat
- City closed on property at 933 Highland Ave. this past Friday
- Ecomaine – eco-Excellence Award – entry forms can be found at www.ecomaine.org
- Christmas tree pickup 1/2/13 to 1/18/13 – Please place trees curbside
- Public meeting on the future of the Wilkinson Park building January 16th at the Community Center at 6:00 P.M.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Jalbert moved to postpone Items #1 through #4 and #8. Councilor Livingston seconded. The postponement passed 6-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith) for a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

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

Postponed. See Item #1 for details.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 57
JANUARY 7, 2013

5. ORDER #71-12/13 – Economic Development Committee, District Four (Cohen), for a term which expires on 03/23/13. Postponed on 12/17/12. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Peter Stocks of 98 Colchester Drive. Mayor Blake seconded. The appointment passed 6-0

6. ORDER #80-12/13 – Library Advisory Board, District One (Coward), for a term which expires on 12/31/15. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to reappoint Julie Kingsley of 266 Preble Street. Councilor Livingston seconded. The appointment passed 6-0

7. ORDER #81-12/13 – Library Advisory Board, District Five (Jalbert), for a term which expires on 12/31/15. Passage requires majority vote.

There was no public discussion. Councilor Jalbert moved to waive standing rule #3(e) to allow this order to be added to the agenda. Councilor Livingston seconded. The motion passed 6-0.

Councilor Jalbert motioned to reappoint Lynne Joys of 6 Kenneth Road. Councilor Livingston seconded. The appointment passed 6-0

8. ORDER #82-12/13 – Energy & Recycling Committee, District One (Coward) for a term that expires 05/05/15. Passage requires majority vote.

Postponed. See Item #1 for details.

9. ORDER #83-12/13 – Conservation Commission, District Three (Linscott), for a term which expires on 11/20/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott motioned to reappoint Mitchell Sturgeon of E Street. Councilor Livingston seconded. The appointment passed 6-0

10. ORDER #84-12/13 – Conservation Commission, District Four (Cohen), for a term which expires on 11/20/15. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Monika Youells of 25 Strout Street. Mayor Blake seconded. The appointment passed 6-0

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 58
JANUARY 7, 2013**

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

11. Business License

Edward H. Benjamin d/b/a Benjamin Building Wrecking Company, 41 Jackson Street, for an Automobile Graveyard/Automobile Recycling business and/or Junkyard License. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Livingston seconded. The licenses passed 6-0.

H. Action on Old and New Business

12. ORDER #85-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Linscott seconded. The order passed 6-0.

13. ORDER #86-12/13 – Calling for a Special Election on March 12, 2013 to fill the vacant District One City Council seat. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Cohen seconded. The order passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Jalbert mentioned attending the Annual Willard Square Fire Department dinner. He provided statistics on the number of training hours required by volunteer firefighters and noted that among volunteer fire departments, South Portland had the highest rating in the State of Maine.

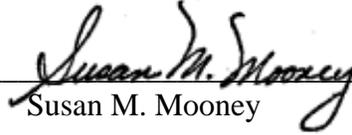
K. Executive Session

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 59
JANUARY 7, 2013**

Councilor Jalbert made a motion to adjourn at 7:28 P.M. Councilor Smith seconded. The motion passed 6-0.

A TRUE COPY

ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 60
JANUARY 23, 2013**

Roll Call: Mayor Blake called the meeting to order at 6:30 P.M. All Councilors were present.

A. Acceptance of Minutes

Councilor Cohen moved to accept the minutes of the January 7th Council meeting. Councilor Jalbert seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following items;

- Senator Millett presented a Legislative Sentiment to the family of Officer Peter MacVane
- Presentation of the 2012 Budget Audit

C. Petitions and Communications

Attendance Reports for the month of December, 2012.

Department Reports for the month of December, 2012.

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Jalbert moved to postpone Items #1, #3, #4, #5 and #7. Councilor Smith seconded. The postponement passed 6-0.

2. ORDER #155-11/12 – Energy & Recycling Committee, District Two (Smith), appointing Todd Erickson to a term that expires 05/05/15. Postponed since 05/07/12. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Todd Erickson of 95 Parrott Street. Councilor Jalbert seconded. The appointment passed 6-0

3. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

4. 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.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 61
JANUARY 23, 2013**

Postponed. See Item #1 for details.

5. ORDER #82-12/13 – Energy & Recycling Committee, District One (Coward) for a term that expires 05/05/15. Postponed on 1/7/13. Passage requires majority vote.

Postponed. See Item #1 for details.

6. ORDER #87-12/13 – Conservation Commission, Associate Seat, District Four (Cohen), appointing Alison Shea to a term which expires on 03/03/16. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Alison Shea, 19 Buchanan Street. Mayor Blake seconded. The appointment passed 6-0

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

Postponed. See Item #1 for details.

8. ORDER #89-12/13 – Community Development Advisory Committee, District Four (Cohen), appointing Forrest Johnson to a term which expires on 01/15/16. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Forrest Johnson, 35 Crossmeadow Road. Councilor Linscott seconded. The appointment passed 6-0

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

9. Business License

Enio's, LLC, d/b/a Enio's, 347 Cottage Road, for a Food Establishment with Malt and Vinous license. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 62
JANUARY 23, 2013

Councilor Cohen moved for passage of the business license. Councilor Smith seconded. The license passed 6-0.

H. Action on Old and New Business

10. ORDER #90-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

11. ORDER #91-12/13 – Authorizing the City Manager to sign a collective bargaining agreement with IAFF Local #1476 Public Safety Dispatchers for the period of July 1, 2012 to June 30, 2013. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage of the order. Councilor Cohen seconded. The order passed 6-0.

12. ORDER #92-12/13 - Accepting a grant of \$70,363 from the Maine Department of Environmental Protection for the Trout Brook Restoration Project, Phase I. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #93-12/13 – Award of Bid #29-13 to Quirk Ford, of Augusta, ME, for the purchase of two (2) SUV's; and to Southern Maine Motors, of Saco, ME, for the purchase of two (2) police sedans for the South Portland Police Department. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage of the order. Councilor Livingston seconded. The order passed 6-0.

14. ORDER #94-12/13 – Award of Bid #30-13 to Neokraft Signs Inc., of Lewiston, ME, for the purchase of a LED variable message center for the South Portland Police Department. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 63
JANUARY 23, 2013

Councilor Cohen moved for passage of the order. Councilor Linscott seconded. The order passed 5-1 (Blake).

I. Citizen Discussion (Second Part)

Albert DiMillo, 64 Colchester Drive – Mr. DiMillo provided a handout with budget and audit numbers and then read through his communication.

J. Councilor's Round Robin

Mayor Blake asked residents to look after friends and neighbors to make sure their needs are being taking care of. He also reminded citizens about the February 1st deadline to take out petition papers for the District One City Council seat.

Councilor Smith reminded folks about the Bike/Ped Forum scheduled for tomorrow night.

Councilor Cohen mentioned the County Commissioner swearing in ceremony and said it was well attended and a fun evening.

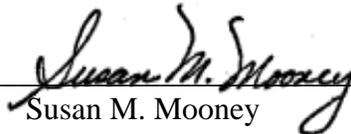
Councilor Livingston said there would be a Jetport Noise Committee meeting Tuesday, the 29th at 5:30 P.M. at the main terminal at the Jetport.

K. Executive Session

Councilor Cohen moved to adjourn at 8:16 P.M. Mayor Blake seconded. The motion passed 6-0.

A TRUE COPY

ATTEST



Susan M. Mooney

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 64
FEBRUARY 4, 2013**

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Councilor Smith arrived at 7:30 P.M.

A. Acceptance of Minutes

Councilor Cohen moved to accept the minutes of the January 23rd Council meeting. Councilor Linscott seconded. The motion passed 5-0 (Smith had not arrived yet).

B. Communications from City Manager

The Manager addressed the following items;

- The 2011/2012 Annual Report is available. Copies can be obtained from city departments or reviewed on the city website.
- Chief Guimond and Deputy Chief Fox recognized the following individuals;
 - Phil Selberg – Fire Officer of the Year
 - Phil Viola – Call Co. Fire Officer of the Year
 - Phil Rumery – Firefighter of the Year
 - Andy Leary – Call Co. Firefighter of the Year
 - Ryan Cusano – EMS Provider of the Year
- Absentee ballots are available for the March 12 Special Election for District One Councilor

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Jalbert moved to postpone Items #1 through #5. Councilor Linscott seconded. The postponement passed 5-0 (Smith had not arrived yet).

2. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

4. ORDER #82-12/13 – Energy & Recycling Committee, District One (Coward) for a term that expires 05/05/15. Postponed since 1/7/13. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 65
FEBRUARY 4, 2013**

Postponed. See Item #1 for details.

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

Postponed. See Item #1 for details.

6. ORDER #95-12/13 – Energy & Recycling Committee, At Large (Blake) appointing **David Domingos** for a term that expires 05/05/14. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to appoint David Domingos of 192 Elderberry Drive. Councilor Livingston seconded. The appointment passed 5-0 (Smith had not arrived yet).

7. ORDER #96-12/13 – Energy & Recycling Committee, District Three (Linscott), appointing **Stanley Cox** to a term that expires 05/05/13. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to appoint Stanley Cox of 460 Highland Avenue. Councilor Livingston seconded. The appointment passed 5-0 (Smith had not arrived yet).

8. ORDER #97-12/13 – Energy & Recycling Committee Associate seat, At Large (Blake), appointing **Jessica Williams** to a term that expires 05/05/14. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved to appoint Jessica Williams of 9 Everett Street. Councilor Livingston seconded. The appointment passed 5-0 (Smith had not arrived yet).

E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

H. Action on Old and New Business

9. ORDER #98-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 66
FEBRUARY 4, 2013

Councilor Jalbert moved for passage. Councilor Cohen seconded. The order passed 5-0 (Smith had not arrived yet).

10. ORDER #99-12/13 – Accepting a 2012 Homeland Security Grant of \$107,722.89 from the Maine Emergency Management Agency. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved for passage. Mayor Blake seconded. The order passed 5-0 (Smith had not arrived yet).

11. ORDER #100-12/13 – Amending the Traffic Schedule regarding no parking on the north side of New York Avenue and the east side of Concord Street from May 1, to September 1. Passage requires majority vote.

The following person addressed this item;

Mike Williams, New York Ave. – Mr. Williams is opposed to this amendment. He made a request to look into this matter further and have more dialog with the residents.

Councilor Jalbert moved for passage. Mayor Blake seconded. Councilor Cohen motioned to postpone to the first meeting in April. Councilor Livingston seconded. The order was postponed by a vote of 6-0.

12. ORDER #101-12/13 – Accepting \$33,409.57 or a portion thereof, under the Federal Asset Forfeiture Program. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #102-12/13 – Accepting the Goal-Setting Workshop Highlights Report. Passage requires majority vote.

There was no public discussion.

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

14. RESOLVE #3-12/13 – Expressing opposition to the proposed State of Maine biennium budget. Passage requires majority vote.

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 67
FEBRUARY 4, 2013

I. Citizen Discussion (Second Part)

Mike Williams, New York Ave. – Mr. Williams suggested that the city hire a lobbyist to represent the City of South Portland in Augusta.

J. Councilor's Round Robin

Councilor Cohen was pleased to see Firefighters recognized. She talked about an annual fund raising event in Boston for the American Lung Association that is supported by Firefighters and noted that Auburn Fire Department took first place this year.

Councilor Jalbert said government provides vitals services providing great infrastructure for people and that the Governors budget proposal is short sighted.

Councilor Livingston said there would be an emergency training exercise at the Portland Jetport in May. He would like to have Jetport Administrators come and address the Council in the spring.

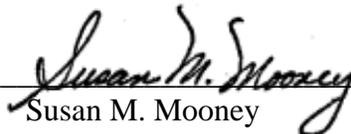
Mayor Blake announced that Senator Millett will be chairing a forum at the Community Center on February 7th at 7:00 P.M. and our three Representatives will be present.

K. Executive Session

Councilor Cohen moved to adjourn at 8:30 P.M. Councilor Livingston seconded. The motion passed 6-0.

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 68
FEBRUARY 20, 2013

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

A. Acceptance of Minutes

Councilor Cohen moved to accept the minutes of the February 4th Council meeting. Councilor Jalbert seconded. The motion passed 5-0.

B. Communications from City Manager

- Welcome to Jon Jennings, the new Assistant City Manager and Chris Dumais, the new Information Technology Director
- Recognition of retiring bus driver Peter Cotton for his 41 years of service to the City of South Portland

C. Petitions and Communications

Department & Attendance Reports for the month of January, 2013.

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Jalbert moved to postpone Items #1 through #5. Councilor Smith seconded. The postponement passed 5-0.

2. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

4. ORDER #82-12/13 – Energy & Recycling Committee, District One (Coward) for a term that expires 05/05/15. Postponed since 1/7/13. Passage requires majority vote.

Postponed. See Item #1 for details.

5. 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.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 69
FEBRUARY 20, 2013

Postponed. See Item #1 for details.

6. ORDER #103-12/13 – Appointments to the Long Creek Watershed Management District Board of Directors.

There was no public discussion.

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

7. ORDER #104-12/13 – Appointing Tex Haeuser and James Gailey to the PACTS Policy Committee and Doug Howard as an Alternate. Passage requires majority vote.

There was no public discussion.

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

E. Consent Calendar

F. Citizen Discussion (First Part)

William Laidley, Taylor Street – Mr. Laidley said the Annual Report did not provide enough information in the Corporation Counsel section. He felt it was important to report what has been resolved and what is currently being litigated.

G. Public Hearings and Actions

H. Action on Old and New Business

8. ORDER #105-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Mayor Blake seconded. The order passed 5-0.

9. ORDER #106-12/13 – Authorizing the City Manager to sign three (3) modification agreements and one (1) Utility Agreement with the Maine Department of Transportation regarding adjustments to sanitary sewer manholes on Dartmouth Road, Rumery Road and two sections of Broadway. Passage requires majority vote.

There was no public discussion.

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

10. ORDER #107-12/13 – Approving the submission of grant applications to PACTS for traffic, bicycle and pedestrian studies. Passage requires majority vote.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 70
FEBRUARY 20, 2013

There was no public discussion.

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

11. ORDER #108-12/13 - Authorizing the exchange of deeds with Hornby Zeller Properties, LLC for parcels of land approx. 612 s.f. in size and located along the Greenbelt Walkway (portion of Map 14, Lots 164 and 164B). Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Linscott said she is excited about the new hires and remarked on the great background of the new Assistant Manager.

Councilor Cohen thanked the Public Works crew and said they've done a great cleanup job with recent storms.

Councilor Jalbert also welcomed the two new employees.

Mayor Blake invited folks to attend or watch the City Council District One debate on March 5th in Council Chambers. He also spoke about the history of the Corporation Counsel office noting that there were two full time lawyers staffed in the 1970's. He said the city was dealing with 21 law suits in 2008 but that has dropped to 2 to 3 in the last couple of years.

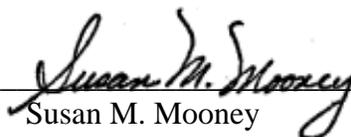
Councilor Smith talked about ecomaine's silver bullet design contest. Submissions are due by March 30th.

K. Executive Session

Councilor Jalbert moved to adjourn at 8:03 P.M. Councilor Cohen seconded. The motion passed 6-0.

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 71
MARCH 4, 2013

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

A. Acceptance of Minutes

Councilor Smith motioned to accept the minutes of the February 20th Council meeting. Councilor Blake seconded. The motion passed 6-0.

B. Communications from City Manager

- On March 11th at 6:00 pm at the South Portland Community Center there will be an Oil Sands Meeting.
- On March 5th at 7:00 pm in the City Council Chambers there will be a District One Forum Night for the Candidates. This will be broadcast on SPCTV.
- There will be a Special Election on March 12th at the Community Center. Polls will be open from 7:00 am – 8:00 pm.
- Congratulations to both the boys and girls South Portland Basketball Teams.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #109-11/12 – Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

Councilor Livingston motioned to postpone Items #1 through #5. Councilor Linscott seconded. The postponement passed 6-0.

2. ORDER #15-12/13 – Board of Appeals, District One (Coward) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Postponed. See Item #1 for details.

3. 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.

Postponed. See Item #1 for details.

4. ORDER #82-12/13 – Energy & Recycling Committee, District One (vacant) for a term that expires 05/05/15. Postponed since 1/7/13. Passage requires majority vote.

Postponed. See Item #1 for details.

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5. 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.

6. ORDER #109-12/13 – Economic Development Committee, District Three (Linscott) appointing **Martin Macisso, Jr.** for a term which expires on 03/23/16. Passage requires majority vote.

Rosemarie De Angelis spoke in favor of the appointment. Martin Macisso Jr. spoke in thanks of the appointment.

Councilor Linscott motioned for passage. Councilor Livingston seconded. The order passed 6-0.

7. ORDER #110-12/13 – Appointing a Blue Ribbon Committee in regards to Councilor's compensation. Passage requires majority vote.

Sam Fratoni questioned the appointments. Rosemarie De Angelis questioned the criteria for the committee. Kathy Hanson would like an additional member added from District One. Michael Wing, the Consultant for the Blue Ribbon Committee, spoke about the selection process.

Councilor Jalbert motioned for passage. Councilor Livingston seconded. Councilor Smith motioned to postpone the item to expand the Committee to 7 people. Mayor Blake seconded. The Order was postponed by a vote of 5-1 (Jalbert).

E. Consent Calendar

8. Street Closing

The Color Run is requesting the closure of various streets for a 5K race on July 7, 2013 from 8:00 A.M. to 10:00 A.M. Passage requires majority vote.

There was no public discussion.

Councilor Cohen motioned for passage. Councilor Linscott seconded. Mayor Blake motioned to postpone the item and send it to Workshop. Councilor Smith seconded. The Order was postponed by a vote of 6-0

F. Citizen Discussion (First Part)

Rosemarie De Angelis stated that she was upset in regards to comments regarding her concerns on the Blue Ribbon Committee. She also spoke regarding the Farmers Market.

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She believes they should not be allowed on Hinckley Drive. She believes that Thomas Knight Park is still a valid location.

G. Public Hearings and Action

H. Action on Old and New Business

9. PROCLAMATION #2-12/13 – Proclaiming the 2012 Police Officer of the Year. Passage requires majority vote.

Chief Googins presented Detective Chris Todd with a Plaque in honor of the award. Detective Chris Todd spoke in thanks of his award.

Councilor Cohen motioned for passage. Councilor Livingston seconded. The order passed 6-0.

10. ORDER #111-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Linscott motioned for passage. Mayor Blake seconded. The order passed 6-0.

11. ORDINANCE #11-12/13 – Amending Chapter 14, “Licenses, Permits and Business Regulations Generally”, regarding Farmers’ Markets. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Linscott motioned for passage. Councilor Cohen seconded. The order passed 6-0.

12. ORDINANCE #12-12/13 – Amending Chapter 27, “Zoning”, regarding Farmers’ markets. First reading. Passage requires majority vote.

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

Councilor Cohen moved for passage. Councilor Smith seconded. Councilor Smith motioned to amend the ordinance by adding recycling to section 27-1580v and to section 27-1581c. Councilor Cohen seconded. The amendment passed 6-0. The Ordinance passed first reading as amended 6-0.

13. ORDER #112-12/13 – Accepting \$7,730.00, or any portion thereof, under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

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MARCH 4, 2013

There was no public discussion.

Councilor Smith moved for passage. Councilor Blake seconded. The order passed 5-0 (Jalbert was absent).

14. ORDER #113-12/13 – Amending the “Traffic Schedule” for No Truck Parking for the entire length of Pleasant Avenue. Passage requires majority vote.

Chief Googins spoke in regards to this item.

Councilor Smith moved for passage. Councilor Livingston seconded. The order passed 5-1(Smith).

15. ORDER #114-12/13 – Accepting a sub-grant as part of the Port of Portland, ME FY 2009 Port Security Grant in the amount of \$39,576.00 to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

16. ORDER #115-12/13 – Authorizing the City Manager to sign the Greater Portland Economic Development Corporation Protocol. Passage requires majority vote.

There was no public discussion.

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

17. ORDER #116-12/13 – Setting the time for opening the polls for the March 12, 2013 Special Election. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Livingston seconded.

Councilor Cohen moved for passage of the amendment that lists the polling place as the Community Center. Mayor Blake seconded. The amendment passed 6-0.

The main motion as amended passed 6-0.

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

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Councilor Cohen congratulated the South Portland Boys Basketball team on their Western Maine Class A Championship. She also congratulated the South Portland Girls Basketball team on their Sportsmanship award. She recognized McCauley High School Girls Basketball Team on their State Championship.

Councilor Jalbert announced that he will have a nominee for the Conservation Commission at the next City Council Meeting. He also reminded the citizens that Sunday March 10th is Daylight Savings Time.

Councilor Livingston congratulated the South Portland Basketball Teams on their great Season. He spoke of the sea of red in Augusta at the State Championship game. There is a candidate forum on March 5, 2013 and he would like remind people to watch.

Mayor Blake congratulated the Basketball Teams on their great season. He reminded citizens of the candidate debate tomorrow night. EcoMaine is having a competition for design on a silver bullet. The winner receives \$500.00 and he encouraged people to turn in their artwork. There will be a meeting on Thursday March 7th at 6:30 at SMCC in regards to the City of South Portland's plan to revamp Broadway.

Councilor Smith wished good luck to all the candidates in the upcoming election. She also congratulated the South Portland Jazz Ensemble for their first place finish.

Councilor Linscott spoke of the South Portland Boys Basketball Team and the program they have been following that implements respect.

K. Executive Session

Councilor Jalbert made a motion to adjourn at 9:00 P.M. Councilor Cohen seconded. The motion passed 6-0.

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ATTEST 

Jessica B. Hanscombe

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 76
MARCH 18, 2013

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Following the Pledge of Allegiance, District One Councilor Elect Michael R. Pock was sworn into office. All Councilors were present.

A. Acceptance of Minutes

Councilor Smith motioned to accept the minutes of the March 4th Council meeting. Councilor Jalbert seconded. The motion passed 7-0.

B. Communications from City Manager

C. Petitions and Communications

FY 2014 Proposed Municipal Budget – The Manager presented the dates for the budget reviews
FY 2014 Capital Improvement Plan
Department Reports for the month of February, 2013.
Attendance Reports for the month of February, 2013.

D. Appointment Calendar

1. ORDER #109-11/12 – Appointing **Nathan Marles** to the Conservation Commission, District Five (Jalbert), for a term which expires on 11/20/13. Postponed since 03/05/12. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to appoint Nathan Marles of 137 Settler Road. Mayor Blake seconded. The order passed 7-0.

2. ORDER #15-12/13 – Board of Appeals, District One, (Vacant) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

Councilor Jalbert moved to postpone Items #2 through #5. Councilor Pock seconded. The postponement passed 7-0.

3. 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.

Postponed. See Item #2 for details.

4. ORDER #82-12/13 – Energy & Recycling Committee, District One (vacant) for a term that expires 05/05/15. Postponed since 1/7/13. Passage requires majority vote.

Postponed. See Item #2 for details.

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MARCH 18, 2013

5. 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 #2 for details.

6. ORDER #110-12/13 – Appointing a Blue Ribbon Committee in regards to Councilor’s compensation. Postponed on 03/04/2013. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Jalbert seconded. Councilor Jalbert moved to amend the order to include Richard Rottkov and Natalie West. Councilor Livingston seconded. The amendment passed 7-0. The order passed as amended 7-0.

7. ORDER #117-12/13 – Appointing **Peter Stocks** to the Economic Development Advisory Committee, District 4, (Cohen) for a term which expires on 03/23/2016. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Peter Stocks of 98 Colchester Drive. Mayor Blake seconded. The order passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Rachel Berger, 17 Churchill Road – Ms. Berger spoke in opposition to Tar Sands.

Chris Gillis, Portland Pipeline – Mr. Gillis thanked the Council for holding the Tar Sands workshop and he looks forward to the continuing dialog with the city on this issue.

Frederick Lancaster, 41 Hillside Ave. – Mr. Lancaster also thanked the Council for holding the workshop last week and inquired about what the next steps would be.

G. Public Hearings and Action

8. ORDINANCE #11-12/13 – Amending Chapter 14, “Licenses, Permits and Business Regulations Generally”, regarding Farmers’ Markets. Passed first reading 03/04/2013. ROLL CALL VOTE. Passage requires majority vote.

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

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MARCH 18, 2013

Councilor Jalbert moved for final passage of Ordinance #11-12/13. Councilor Livingston seconded. The ordinance passed roll call vote 7-0.

9. ORDINANCE #12-12/13 – Amending Chapter 27, “Zoning”, regarding Farmers’ markets. Passed first reading 03/04/2013. ROLL CALL VOTE. Passage requires five affirmative votes.

Councilor Cohen moved to have the ordinance read by title only. Councilor Jalbert seconded. The motion passed 7-0. The following person spoke on this item;

Frederick Lancaster, Hillside Ave. – Mr. Lancaster inquired whether there has been consideration to let the Farmers Market continue year round at the Planning and Development location.

Councilor Jalbert moved for final passage of Ordinance #12-12/13. Councilor Linscott seconded. The ordinance passed roll call vote 7-0.

10. BUSINESS LICENSE - Bono’s Pizzeria & Grille, 29 Western Avenue, for a Food Establishment Restaurant with Liquor License. Passage requires majority vote.

There was no public discussion.

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

11. BUSINESS LICENSE - Taco Trio, 199 Ocean Street, for a Food Establishment Restaurant with Liquor License. Passage requires majority vote.

There was no public discussion.

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

H. Action on Old and New Business

12. ORDER #118-12/13 - Accepting \$20,000 from the Maine Department of Transportation for the Bus Service to perform Job Access Reverse Commute operating assistance. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #119-12/13 – Authorizing the submittal of an application to the Bureau of Justice Assistance for funds under its Justice and Mental Health Collaboration Program to be used by the South Portland Police Department. Passage requires majority vote.

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MARCH 18, 2013

There was no public discussion. Lt. Frank Clark answered questions from the Council.

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

14. ORDER #120-12/13 – Award of Bid #26-13 to Workgroup Technology Partners, of Westbrook, ME, for networking equipment for the School Department. Passage requires majority vote.

There was no public discussion. Andy Wallace, the School IT Director was present and answered questions from the Council.

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

15. ORDER #121-12/13 – Amending the City’s Schedule of License, Permit, Inspection and Application Fees regarding farmers’ markets licenses. Passage requires majority vote.

There was no public discussion.

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

16. ORDER #122-12/13 - Setting April 3, 2013, as the date for Public Hearing in City Council Chambers at 7:00 P.M. for the Proposed FY 2014 Municipal Budget. Passage requires majority vote.

The following person addressed this item;

Jessica Delisle, Bellaire Road – Ms. Delisle asked if she would be able to review the budget document at City Hall. She was advised that there would be a copy available in the City Clerks’ Office.

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

I. Citizen Discussion (Second Part)

David Orbeton, 37 Lowell Street – Mr. Orbeton asked if issues involving Farmers Markets could be addressed in the fall.

David Sear, Portland Pipeline – Mr. Sear said that the Portland Pipeline does not have an active project for Tar Sands.

Attila Delisle, Bellaire Road – Mr. Delisle said the Farmers Market makes summer magical.

J. Councilor’s Round Robin

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MARCH 18, 2013

Mayor Blake encouraged attendance and feedback from upcoming budget hearings. He thanked City staff for assistance with the Tar Sands workshop.

Councilor Pock said he was recently elected by two votes and noted the low turnout for the Special Election.

Councilor Smith thanked Mayor Blake for holding the Tars Sands workshop. She said we need a better understanding of flow and exposure risks.

Councilor Linscott said the workshop opened the issue up to a much wider audience.

Councilor Cohen welcomed Councilor Pock and wished everyone safe travels tomorrow.

Councilor Livingston echoed everything that has already been said.

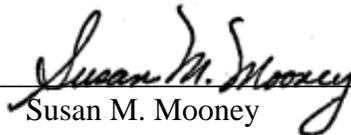
Councilor Jalbert congratulated Councilor Pock on his win for the District One Council seat.

K. Executive Session

Councilor Jalbert moved to adjourn at 8:30 P.M. Councilor Cohen seconded. The motion passed 7-0.

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ATTEST _____


Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 81
APRIL 1, 2013

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

A. Acceptance of Minutes

Councilor Cohen motioned to accept the minutes of the March 18th Council meeting. Councilor Livingston seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;

- Budget review schedules
- Introduced Assistant City Manager Jon Jennings
- The Manager has set up a Twitter account to keep residents informed about city projects. The account name is @sopomanager

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #15-12/13 – Board of Appeals, District One, (Pock) for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

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

2. 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.

Postponed. See Item #1 for details.

3. ORDER #82-12/13 – Energy & Recycling Committee, District One (Pock) for a term that expires 05/05/15. Postponed since 1/7/13. Passage requires majority vote.

Postponed. See Item #1 for details.

4. 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.

5. ORDER #123-12/13 – Civil Service Commission, District One (Pock), for a term which expires on 03/1/18. Passage requires majority vote.

Postponed. See Item #1 for details.

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

Postponed. See Item #1 for details.

7. ORDER #125-12/13 – South Portland Housing Authority, District Four (Cohen), appointing **Christine Dearborn** for a term which expires on 03/25/18. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Christine Dearborn of 215 Settler Road. Mayor Blake seconded. The order passed 7-0.

8. ORDER #126-12/13 – Planning Board, District One (Pock), appointing **Rob Schreiber** for a term which expires on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to appoint Rob Schreiber of 209 Stanford Street. Councilor Jalbert seconded. The order passed 7-0.

9. ORDER #127-12/13 – Planning Board, District Two (Smith), appointing **Fred Hagan** for a term which expires on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to appoint Fred Hagan of 68 Kaler Road. Councilor Jalbert seconded. The order passed 7-0.

10. ORDER #128-12/13 – Planning Board, At Large (Livingston), Appointing **Susan Hasson** for a term which expires on 04/01/16. Passage requires majority vote.

There was no public discussion.

Councilor Livingston moved to appoint Susan Hasson of 134 Pine Street. Mayor Blake seconded. The order passed 7-0.

E. Consent Calendar

11. Street Closing

The Color Run is requesting the closure of various streets for a 5K race on July 7, 2013 from 8:00 A.M. to 10:00 A.M. Postponed on 03/04/13. Passage requires majority vote.

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There was no public discussion. The Mayor shared a communication from Bill Berman expressing concern about closings that prohibit access to the SMCC campus and South Point Ledge Light.

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

F. Citizen Discussion (First Part)

Albert DiMillo, 64 Colchester Drive – Mr. DiMillo read through a hand out outlining budget comparison between South Portland and other communities.

Frederick Lancaster, Hillside Ave.,- Mr. Lancaster expressed his great respect for city services and the school system.

G. Public Hearings and Action

H. Action on Old and New Business

12. ORDER #129-12/13 – 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.

13. ORDER #100-12/13 - Amending the Traffic Schedule regarding no parking on the north side of New York Avenue and the east side of Concord Street from May 1, to September 1. Postponed on 2/4/13. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to postpone this item to the April 17th Councilor meeting. Councilor Livingston seconded. The order passed 7-0.

14. ORDER #130-12/13 – Implementing the FY 2014 Capital Improvement Program. Passage requires majority vote.

The following people addressed this item;

Albert DiMillo, Colchester Drive – Mr. DiMillo said the x-country grooming equipment was un-necessary and that the public works complex should stay where it is.

Cliff Marchant, Hamilton Street – Mr. Marchant supported the new public works complex proposal and said it was necessary.

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Frederick Lancaster, Hillside Ave. – Mr. Lancaster likes the proposal for the x-country grooming equipment.

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

15. ORDER #131-12/13 – Award of Bid #33-13 to Riley’s Sport Shop, Inc., of Hooksett, NH, for the purchase of firearms to be used by the South Portland Police Department. Passage requires majority vote.

There was no public discussion. Chief Googins answered question from the Council.

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

16. ORDINANCE #13-12/13 – Amending Chapter 17, “Offenses – Miscellaneous Provisions,” repealing Section 17-13 regarding games, recreational activities on Sunday morning. First reading. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Jalbert seconded. The ordinance passed first reading 6-1 (Pock).

17. RESOLVE #4-12/13 - Supporting the 126th Legislature to adopt LD 1251. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. Mayor Blake motioned for an amendment to strike “, with any amendments brought forward by its sponsors,” from the last paragraph. Councilor Jalbert seconded. The amendment passed 7-0. The order passed as amended 7-0.

I. Citizen Discussion (Second Part)

Councilor Pock said he appreciates the opportunity to witness the CIP process.

Councilor Jalbert talked about the reduction in the ecomaine tipping fee for South Portland.

Mayor Blake commented on the pamphlet that was in with the tax bills, 50 Ways to Reduce Carbon Footprints. The Energy and Recycling Committee will have these available in a couple of weeks.

J. Councilor’s Round Robin

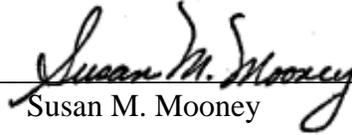
K. Executive Session

**IN COUNCIL REGULAR MEETING VOL. 74 PAGE 85
APRIL 1, 2013**

Councilor Smith moved to adjourn at 8:25 P.M. Councilor Jalbert seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 86
APRIL 17, 2013

Roll Call: Councilor Jalbert called the meeting to order at 7:00 P.M. Mayor Blake was on vacation.

A. Acceptance of Minutes

Councilor Cohen moved to accept the minutes of the April 1st Council meeting. Councilor Livingston seconded. The motion passed 6-0.

B. Communications from City Manager

C. Petitions and Communications

Department Reports for the month of March, 2013.
Attendance Reports for the month of March, 2013.

D. Appointment Calendar

1. ORDER #15-12/13 – Board of Appeals, District One, (Pock) appointing **Sara Orbeton** for a term that expires 07/23/15. Postponed since 08/06/12. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to appoint Sara Orbeton of 37 Lowell Street. Councilor Linscott seconded. The order passed 6-0.

2. 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.

Councilor Cohen moved to postpone Items #2, #4, #5 and #6. Councilor Pock seconded. The postponement passed 6-0.

3. ORDER #82-12/13 – Energy & Recycling Committee, District One (Pock) appointing **Rita Thompson** for a term that expires 05/05/15. Postponed since 1/7/13. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to appoint Rita Thompson of 48 Bowers Street. Councilor Linscott seconded. The order passed 6-0.

4. 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 #2 for details.

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APRIL 17, 2013

5. ORDER #123-12/13 – Civil Service Commission, District One (Pock), for a term which expires on 03/1/18. Postponed on 04/01/13. Passage requires majority vote.

Postponed. See Item #2 for details.

6. 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.

Postponed. See Item #2 for details.

E. Consent Calendar

F. Citizen Discussion (First Part)

Mike Williams, New York Ave. – Mr. Williams inquired about whether sealing would be put down on the cracks in the roads.

G. Public Hearings and Action

7. ORDINANCE #13-12/13 – Amending Chapter 17, “Offenses – Miscellaneous Provisions,” repealing Section 17-13 regarding games, recreational activities on Sunday morning. Passed first reading 04/01/13. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Cohen seconded. The ordinance passed roll call vote 5-1 (Pock).

8. BUSINESS LICENSE – El Grand Rodeo, 147 Western Avenue, for a Food Establishment Restaurant with Liquor License. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Livingston seconded. The license passed 6-0.

9. STREET CLOSURE – Southern Maine Community College is requesting to close Fort Road in front of the Hub Gym and Surfsite St. in front of the Hub Gym from 9:30 A.M. to 12:00 P.M. on May 18th, 2013 for the 2013 Commencement Ceremony. Rain would extend the closure to 4:00 P.M. Passage requires majority vote.

There was no public discussion.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 89
APRIL 17, 2013

There was no public discussion.

Councilor Linscott moved for passage. Councilor Jalbert seconded. The ordinance passed first reading 6-0.

14. ORDER #134-12/13 – Establishing time, place and particulars for the Farmers' Market to be located on Hinckley Drive. Passage requires majority vote.

The following person addressed this item;

Amber Roberge, 161 Ocean Street

This item was added to the agenda after the cut-off date. Councilor Livingston moved to waive Standing Rule 3(e) to have it added to the agenda. Councilor Jalbert seconded. The motion passed 6-0.

Councilor Livingston moved for passage. Councilor Pock seconded. Councilor Jalbert moved to amend the order as follows;

BE IT FURTHER ORDERED, that the hours of operation shall be on Thursday's from 23:00 p.m. to 7:00 p.m. from May 1st to October 31st;

Councilor Pock 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

All Councilors remarked about the tragedy and extended condolences to all those affected by the bombings in Boston.

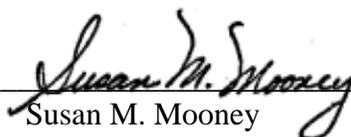
Councilor Livingston thanked Linda Eastman and George Hackett for their years of service to the Community Development Advisory Board and Civil Service Commission.

K. Executive Session

Councilor Livingston moved to adjourn at 9:25 P.M. Councilor Cohen seconded. The motion passed 6-0.

A TRUE COPY

ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 90
MAY 6, 2013

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

A. Acceptance of Minutes

Councilor Smith moved to accept the minutes of the April 17th Council meeting. Councilor Jalbert seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;

- Joint meeting with the School Department on Thursday evening at 6:00 P.M. in Council Chambers for a discussion on budget information
- New City smart phone application – can be found by searching South Portland Maine

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.

Councilor Jalbert moved to postpone Items #1 through #4 and #6. Councilor Livingston 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 #123-12/13 – Civil Service Commission, District One (Pock), for a term which expires on 03/1/18. Postponed on 04/01/13. Passage requires majority vote.

Postponed. See Item #1 for details.

4. 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.

Postponed. See Item #1 for details.

5. ORDER #135-12/13 – Energy & Recycling Committee, District Three (Linscott) appointing **Stan Cox** for a term that expires 05/05/16. Passage requires majority vote.

There was no public discussion.

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Councilor Linscott moved to appoint Stan Cox, 460 Highland Ave. for a three year term. Councilor Livingston seconded. The order passed 7-0.

6. ORDER #136-12/13 – Energy & Recycling Committee, District Four (Cohen), for a term that expires 05/05/16. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

7. Sign Request

Skillin School PTA is requesting to place signs in various locations from May 7, 2013 – May 19, 2013 to advertise the Skillin Spring Fair on May 19, 2013. Passage requires majority vote.

There was no public discussion.

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

8. Street Closing

Tri for a Cure is requesting the closure of Fort Road, Benjamin Pickett Street and Surfsite Road from 5:30 A.M. to 12:00 P.M. for a triathlon on July 21, 2013. Passage requires majority vote.

The following person addressed this item;

Kelly Martin, 201 Walnut Street – Ms. Martin thanked the city for supporting the Tri for a Cure.

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

F. Citizen Discussion (First Part)

Kay Loring, Bluff Road – Mrs. Loring was part of the group that made Bug Light happen. The group never was in favor of alcohol in the park. Their vision for the park was that it was to be a peaceful place.

Maxine Beecher, Highland Ave. – Mrs. Beecher expressed thanks for bringing up discussion about the possibility of alcohol in public parks. It has allowed her a reason to reconnect with the public. She said this city has always put our children first and we should consider the message we are sending to them.

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Albert DiMillo, Colchester Drive – Mr. DiMillo said the budget information that the city requested from the school department was not the information that is needed and it was a waste of time compiling it. He indicated that the numbers from the last ten months of this fiscal year are available and is adequate to prove that the amounts budgeted are wrong.

Cliff Marchant, Hamilton Street – Mr. Marchant said he has received good information about the need of the proposed Public Works complex. He disagreed with a recent decision regarding the disposal of hand guns from the Police Department and said that the guns should be traded in for the revenue.

G. Public Hearings and Action

9. ORDINANCE #14-12/13 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding penalties and special procedures for parking tickets. Passed first reading 04/17/13. ROLL CALL VOTE. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Mayor Blake seconded. The ordinance passed roll call vote 7-0.

10. Business License

Ruby Thailand, 179 Cottage Road, for a Food Establishment Restaurant with Malt and Vinous License. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage. Councilor Smith seconded. The license passed 7-0.

H. Action on Old and New Business

11. ORDER #137-12/13 – Accepting a 2013 Seat Belt Grant for \$2,000 from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #138-12/13 – Accepting a 2013 Speed Enforcement Grant for \$5,000 from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

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There was no public discussion.

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

13. ORDER #139-12/13 – Amending the Traffic Schedule regarding 2-hour parking on Ocean Street from E Street to C Street. Passage requires majority vote.

The following people addressed this item;

Bill Dunnigan, owner of Cia – Mr. Dunnigan thanked the City for bringing this item forward and said he is hopeful this order is passed.

Allen Cardinal, owner of Legion Square Market – Mr. Cardinal spoke in support of the parking amendment.

Chief Googins said the owners of the businesses in the area initially did not support the parking restriction, however most changed their mind after they learned more about the issue.

Councilor Smith moved for passage. Councilor Linscott seconded. The order passed 6-1 (Blake).

14. ORDER #140-12/13 - Setting June 3, 2013 as the date of the public hearing on a public nuisance complaint relating to property at 119 and 125 Wythburn Road. 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)

Bill Dunnigan, owner of Cia, inquired about a traffic problem location on Broadway during rush hour traffic and asked if there had been any consideration into changing the traffic light holding pattern.

J. Councilor's Round Robin

Mayor Blake spoke in appreciation of the volunteers who assisted with the Fort Preble Conservation efforts on Saturday and the 40 Interact students who help with cleaning up the West End Trails on Sunday.

Councilor Smith reminded folks about the South Portland Land Trust plant sale on May 18th at the American Legion Hall. She also noted the May is “Commute Another Way” month and encouraged residents to think about ways they could support this effort.

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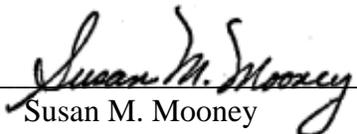
Councilor Linscott said this is Teacher Appreciation Week and she extended thanks to all the teachers. She also wished everyone a Happy Mother's Day.

Councilor Cohen also sent wishes for a Happy Mother's Day. She said she has been thinking about the fires that have occurred in Lewiston and is sending good thoughts to fire support staff there.

K. Executive Session

Councilor Jalbert moved to adjourn at 8:24 P.M. Councilor Pock seconded. The motion passed 7-0.

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ATTEST  _____
Susan M. Mooney

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K. Executive Session

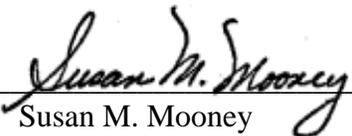
A motion may be made to go into Executive Session pursuant to 1 M. R. S. A. §405 (6)(A), City Manager's Contract.

Councilor Jalbert moved to go into executive session at 9:08 P.M. Councilor Smith seconded. The motion passed 6-0 (Livingston absent).

Councilor Jalbert motioned to come out of executive session at 9:40 P.M. Councilor Cohen seconded. The motion passed 6-0.

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ATTEST



Susan M. Mooney

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Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. At the end of the appointment calendar Mayor Blake requested to have Councilor Jalbert chair the remainder of the meeting because he was losing his voice.

A. Acceptance of Minutes

Councilor Smith moved to accept the minutes of the May 6th Council meeting. Councilor Jalbert seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following item;

- Special presentation to Bob Harrison, owner of Cape Associates and recipient of one of the first revolving loan grants from the City. Mr. Harrison presented his final payment to the City and also presented the City with a framed photo of Spring Point Ledge Light.

C. Petitions and Communications

Department and Attendance Reports for the month of April, 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.

Councilor Jalbert moved to postpone Items #1, #2 and #4. Councilor Livingston 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 #123-12/13 – Civil Service Commission, District One (Pock), appointing **Kathleen Hanson** for a term which expires on 03/1/18. Postponed since 04/01/13. Passage requires majority vote.

There was no public discussion.

Councilor Pock moved to appoint Kathleen Hanson, 30 Loveitt's Field Road. Mayor Blake seconded. The order passed 7-0.

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4. 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.

5. ORDER #136-12/13 – Energy & Recycling Committee, District Four (Cohen), appointing **Heather Valley** for a term that expires 05/05/16. Postponed on 05/06/13. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Heather Valley, 26 Bonnybriar Road. Councilor Livingston seconded. The order passed 7-0.

6. ORDER #141-12/13 – Energy & Recycling Committee Associate, District Four (Cohen), appointing **Eric Knutsen** for a term that expires 05/05/16. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to appoint Eric Knutsen, 17 Gooseberry Circle. Councilor Linscott seconded. The order passed 7-0.

E. Consent Calendar

7. Sign Permit

Spring Point Ledge Light Trust is requesting to place signs in various locations on weekend days from June to October to advertise that the lighthouse is open for tours. Passage requires majority vote.

There was no public discussion.

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

F. Citizen Discussion (First Part)

Albert DiMillo, 64 Colchester Drive – Mr. DiMillo referred to a hand out that he presented four months ago. He said the school budget should be cut by 1.5 million dollars. He said reserves are not proper and no other schools have them.

Cookie Kalloch, 14 Bellevue Ave. – Ms. Kalloch asked why the Greenbelt between Dock's Seafood and Wainwright Farms is being closed off to the Eastern Trail Alliance bike ride this year.

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Margaret Stenberger, Ocean Street – Mrs. Stenberger asked if she would be able to speak when the item for sidewalk seating comes up.

G. Public Hearings and Action

8. Business License

PPF Group Inc. DBA Gourmaine, 200 Gorham Road, for a Food Establishment Restaurant with Malt and Vinous License. Passage requires majority vote.

There was no public discussion.

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

9. Business License

Oscar Pizza, DBA Otto, 159 Cottage Road, for a Food Establishment Restaurant with Malt and Vinous License. Passage requires majority vote.

There was no public discussion.

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

H. Action on Old and New Business

10. PROCLAMATION #3-12/13 – Proclaiming the week of May 19, 2013 as Arbor Week in the City of South Portland. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the proclamation. Mayor Blake seconded. The proclamation passed 7-0.

11. PROCLAMATION #4-12/13 - Regarding Memorial Day, and directing that flags be placed on the graves of veterans. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the proclamation. Mayor Blake seconded. The proclamation passed 7-0.

12. ORDER #142-12/13 – Accepting miscellaneous donations. Passage requires majority vote.

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There was no public discussion.

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

13. RESOLVE #5-12/13 - That \$16,677,889 be authorized to be expended for Regular Instruction. Passage requires majority vote.

There was no public discussion. The School's Attorney, Rob Nadeau, provided a legal opinion on which resolves would have to be acted on individually.

Councilor Smith moved passage of items #13 through #23 as one vote. Mayor Blake seconded. The City Clerk read Items #13 through #23 and they passed by a vote of 7-0.

14. RESOLVE #6-12/13 - That \$8,140,612 be authorized to be expended for Special Education. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

15. RESOLVE #7-12/13 - That \$257,693 be authorized to be expended for Career and Technical Education. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

16. RESOLVE #8-12/13 - That \$786,475 be authorized to be expended for Other Instruction. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

17. RESOLVE #9-12/13 - That \$3,541,612 be authorized to be expended for Student and Staff Support. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

18. RESOLVE #10-12/13 - That \$1,217,832 be authorized to be expended for System Administration. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

19. RESOLVE #11-12/13 - That \$2,190,758 be authorized to be expended for School Administration. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

20. RESOLVE #12-12/13 - That \$1,524,279 be authorized to be expended for Transportation and Buses. Passage requires majority vote.

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Passed 7-0. See Item #13 for motions.

21. RESOLVE #13-12/13 - That \$3,775,471 be authorized to be expended for Facilities Maintenance. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

22. RESOLVE #14-12/13 - That \$4,482,440 be authorized to be expended for Debt Service and Other Commitments. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

23. RESOLVE #15-12/13 - That \$387,495 be authorized to be expended for All Other Expenditures. Passage requires majority vote.

Passed 7-0. See Item #13 for motions.

24. RESOLVE #16-12/13 - That \$33,456,938 be appropriated for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$28,843,215 be raised as the City's contribution to the total cost of funding public education from 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 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.

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

25. RESOLVE #17-12/13 - That \$3,731,788 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 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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Skillin Elementary School Addition and Renovation, approved by voters on November 5, 1991.
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 Pock moved for passage. Councilor Livingston seconded. The resolve passed 7-0.

26. RESOLVE #18-12/13 - That \$4,136,892 be raised and appropriated in additional local funds, which exceed the State's Essential Programs and Services Allocation model by \$3,391,833 as required to fund the budget recommended by the Board of Education. Passage requires majority vote.

The Board of Education recommends \$4,136,892 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$3,391,833.

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 cut-away 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 kindergarten to grade 12 as describe 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 Smith moved for passage. Mayor Blake seconded. The resolve passed 7-0.

27. RESOLVE #19-12/13 - That the Board of Education be authorized to expend \$42,982,556 for the fiscal year beginning July 1, 2013 and ending June 30, 2014 from the municipality's contribution to the total cost of funding public education from 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.

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There was no public discussion.

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

28. RESOLVE #20-12/13 - 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 Smith moved passage of items #28 and #31 as one vote. Mayor Blake seconded. The City Clerk read Items #28 through #31 and they passed by a vote of 7-0.

29. RESOLVE #21-12/13 - That the City of South Portland will raise and appropriate \$380,000 in additional local dollars in support of the food service program. Passage requires majority vote.

There was no public discussion.

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

30. RESOLVE #22-12/13 - That the City of South Portland will raise and appropriate \$300,000 in additional local dollars to fund partially the construction and renovation of South Portland High School as approved by the voters on November 2, 2010. Passage requires majority vote.

There was no public discussion.

Mayor Blake moved for passage. Councilor Pock seconded. The resolve passed 7-0.

31. RESOLVE #23-12/13 - 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 7-0. See Item #28 for motions.

32. ORDER #143-12/13 - Setting the time for opening the polls for the June 11, 2013 School Budget Referendum Election. Passage requires majority vote.

There was no public discussion.

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

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33. ORDER #144-12/13 – Authorize the City Manager to sign a License Agreement with William F. Dunnigan, III, d/b/a Cia´ (coffee, ice cream, art gallery) to offer outdoor seating for its patrons on a portion of Ocean Street sidewalk. Passage requires majority vote.

Councilor Jalbert, as Chair, provided William and Jeannie Dunnigan an opportunity to speak before the floor was opened up to the public. They thanked the City for consideration for outdoor seating and they are excited about being able to provide for it.

The following citizens spoke on this issue;

Brian Ang, on behalf of his parents who reside at 72 Ocean Street. – Mr. Ang supports the agreement and said the process has been fair and flexible.

Margaret Stenberg, 72 Ocean Street – Mrs. Stenberg thanked the Council for limiting the hours and number of tables that will be outside. She inquired whether there would be a no smoking sign.

Richard Stenberg, 72 Ocean Street – Mr. Stenberg asked if the License Agreement was going to be read.

Thomas Marino, 72 Ocean Street – Mr. Marino supports the business but is concerned about noise and whether this will devalue his property.

Adam Rothbart, 72 Ocean Street – Mr. Rothbart was of the opinion that this will enhance property values and he supports the license.

Mayor Blake moved for passage. Councilor Smith seconded. Mayor Blake moved to amend the license to include that the outside area be posted for no smoking and no alcohol. Councilor Jalbert seconded the amendment. The amendment passed 7-0. The order passed as amended 6-1 (Livingston).

34. ORDER #145-12/13 - Authorizing the Mayor to sign the City Manager's Employment Agreement. Passage requires majority vote.

There was no public discussion.

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

35. PROCLAMATION #5-12/13 - Proclaiming May 20 through May 26, 2013 as Public Works Week. Passage requires majority vote.

There was no public discussion.

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

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 104
MAY 20, 2013

I. Citizen Discussion (Second Part)

Lori Bowring Michaud, 10 Hudson Road – Ms. Bowring Michaud said she has been watching this budget process for the last 23 years and is frustrated that each year at this time someone on the Council says we need a better process. The Council should be meeting with the School Board in July if they expect things to be done different.

J. Councilor's Round Robin

Councilor Pock said he was impressed with the meeting, especially the dialog around the Cia outdoor seating issue.

Councilor Smith thanked all the volunteers that helped with the Land Trust plant sale.

Councilor Cohen said she will have a vacancy on the Planning Board soon and is looking for folks that may have an interest in serving. She extended condolences to those who suffered from the tornado in Oklahoma.

Councilor Jalbert talked about chairing the meeting. He has been Chair at least five times over the years and he said it has a different perspective.

Mayor Blake said the east end of the city was hopping on Saturday between the SMCC graduation, the Kite Festival in Bug Light Park and the plant sale at the American Legion. He wished good luck to the South Portland students entering State competitions. The Council will be discussing public events at the June 10th workshop.

K. Executive Session

A motion may be made to go into Executive Session pursuant to 1 M.R.S.A. §405 (D), discussion of public employee labor negotiations regarding collective bargaining guidance for the South Portland Fire Command Contract, South Portland Firefighters IAFF Local #1476 and the Dispatch Contract.

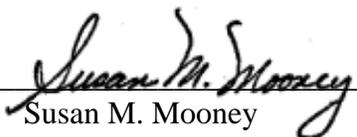
Councilor Jalbert moved to go into executive session at 10:43 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Smith moved to come out of executive session at 11:21 P.M. Councilor Jalbert seconded. The motion passed 7-0.

Councilor Jalbert moved to adjourn at 11:22 P.M. Mayor Blake seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 105
JUNE 3, 2013

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

A. Acceptance of Minutes

Councilor Smith moved to accept the minutes of the May 20, 2013 Council meeting. Councilor Pock seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following item;

- The summer schedule will be as follows: The first and third Monday will be the City Council Meeting in the City Council Chambers. The second Monday of the month will be a workshop held at the Community Center. The fourth Monday of the month will be a workshop held in the City Council Chambers.

C. Petitions and Communications

Jessica Hanscombe reminded citizens of the School Budget Referendum Election on June 11, 2013 at the Community Center.

Mayor Blake spoke regarding the South Portland Playing Outside signs. They can be picked up in the City Clerk's office. There are approximately 50 left.

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.

Councilor Smith moved to postpone Items #1, #2 and #3. 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.

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 on 04/01/13. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

4. Street Closure

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JUNE 3, 2013

Amending the street closure for the Color Run on July 7, 2013, approved on April 1, 2013. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert motioned for passage of the amended street closure. Councilor Cohen seconded. The street closure passed 6-0.

F. Citizen Discussion (First Part)

Rob Sellin, 5 Deake Street spoke on behalf of the Concerned Citizens of South Portland. He stated that there will be a Press Conference on the front steps of City Hall on Thursday at 11:00 am. There will also be a reception at the Community Center that same day from 4:00 pm to 8:00 pm. The press conference is in regards to Tar Sands.

Al Dimillo, 64 Colchester Drive, spoke in opposition to Item #9 and purchasing computers for the School Department.

G. Public Hearings and Action

Mayor Blake requested that we take number Item number 6 next.

6. Business License

Elsmere, LLC, d/b/a Elsmere BBQ and Wood Grill, 448 Cottage Road, for a Food Establishment restaurant with Liquor License. Passage requires majority vote.

There was no public discussion.

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

5. ORDER #146-12/13 – Public hearing on a public nuisance complaint relating to property at 119 and 125 Wythburn Road. Passage requires majority vote.

Patricia Doucette, Code Enforcement Director, presented the Code Enforcement case for a Public Nuisance to the City Council.

Mike Vaillancourt, the attorney for the Patterson Family, presented the case for the Family. He submitted a Timeline and Action Plan for 119 and 125 Wythburn. Attorney Vaillancourt went through the timeline for the City Council.

Craig Patterson spoke in regards to his home and the efforts that his family has made.

Victoria Patterson spoke in regards to her home and the efforts that her family has made.

IN COUNCIL REGULAR MEETING VOL. 74 PAGE 107
JUNE 3, 2013

Samantha Patterson spoke in regards to her family home and the efforts that her family has taken.

Public Discussion was opened.

Carl Dimow, 107 Wythburn Road, stated that he has lived there for 20 years and has no issues with the house.

Patrick Linehan, 26 Main Street Oakland, gave a description of what he had done to help the family. He has been assisting the family with the project.

Walter Bell, 34 Wythburn Road, likes the family but would like something done for their safety.

Scott MacLeod, 17 Kirland Avenue, would like a time frame for the construction to be completed. He indicated that it has taken too long and there is lots of debris. The family is nice.

Scott Day, 87 Wythburn Road, stated that the construction has taken too long and he wants a time frame for completion. He also thinks the family is nice.

John Huff, Mardale Avenue, would like the family left alone. He believes that it is bad that neighbors and City officials treated the family this way. And he would like people to stop dumping on the end of the street.

Holly Macleod, 189 Wythburn Road, believes the home is an eyesore. She would like an ending date on the building permit.

Councilor Jalbert questioned City Attorney Sally Daggett if the Council should vote to separate the properties. Attorney Daggett indicated that it is the City Council's decision.

Councilor Jalbert motioned for passage of the order with the following additions:

- c. At 119 Wythburn Road the front wall on the left side, requires completing the post and beam framing, erecting it and attaching the windows to the front in an appropriate manor.
- d. At 119 Wythburn Road completing the roof on the right side connecting it to the existing roof, this requires finishing the preparation of the ceiling framing (sanding and poly), nailing down the sub floor, constructing the back dormer wall and then the roof rafters and sheathing, then the roof shingles can be completed.
- e. Other steps to be done include installing all exterior doors, windows and trim to be a weather tight structure by 9/1/2013.
- f. Siding must be completed by 12/1/2013 at 119 Wythburn Road.

Now therefore, the City Council finds that the conditions present on the Premises do constitute a public nuisance for the following reasons: The Testimony of the Code Enforcement Officer with significant evidence presented verbally and by photos in our

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packet. There was excessive debris representing unsafe and unhealthy conditions. There was incomplete construction dating back to a construction permit from 2005. That construction is not complete and as such does not meet code and represents a nuisance to the neighborhood. I find also that based upon evidence presented by the homeowner there are some potentially unsafe conditions representing a nuisance, such as scrap metal, and these items overall meet the requirements under our ordinance of the property as a public nuisance. The debris represents a tripping hazard, potentially causing cuts or bruises to the folks which would cause the need for medical attention. That represents a public nuisance. That the incomplete construction represents unsafe and unhealthy structure. And the unhealthy and unsafe structure could represent a hazard to anyone living in or visiting the property through potential injuries.

And it is therefore ordered that the property owners shall complete the 2 major items as mentioned above (c-f) at 119 Wythburn Road. Mayor Blake seconded the motion.

Councilor Cohen moved to amend the order under the title of, "And it is therefore ordered that" section stating that the matter shall return to the City Council at its regular City Council meeting shortly after the 9/1/2013 deadline for Council review as well as shortly after the 12/1/2013 deadline for City Council Review if Code Enforcement deemed the construction deadlines are not met. Councilor Smith seconded. The amendment passed 6-0.

Councilor Smith moved to amend the order by adding "G." Remove any hazardous metal that makes it an unsafe construction area by June 30, 2013 and will return to City Council for review if Code Enforcement deemed the deadline was not met. Councilor Linscott seconded. The amendment passed 6-0.

Councilor Pock motioned to postpone the order until the City Council Meeting on June 17, 2013. Councilor Cohen seconded. The postponement passed 6-0.

H. Action on Old and New Business

7. ORDER #147-12/13 - Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

8. ORDER #148-12/13 – Accepting \$24,332.56 under the Federal Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

Chief Googins answered questions from the City Council.

Councilor Cohen moved for passage of the order. Councilor Linscott seconded. The order passed 6-0.

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9. ORDER #149-12/13 – Authorizing the South Portland School Department to purchase technology equipment in conjunction with the Maine Learning Technology Initiative (MLTI). Passage requires majority vote.

There was no public discussion.

Andy Wallace from the South Portland School Department answered questions from the City Council.

Councilor Jalbert motioned for passage of the order. Councilor Smith seconded. The motion failed 3-3 (Linscott, Pock, Jalbert).

10. ORDER #150-12/13 - Amending ORDER #128-11/12 by increasing the project cost for the Public Works Facility from \$10,000,000 to \$14,000,000 in 2013 Capital Improvement Program. Passage requires majority vote.

There was no public discussion.

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

11. ORDINANCE #15-12/13 - Appropriating \$14,000,000 for a new Public Works Facility and to authorize \$14,000,000 principal amount of bonds to finance such appropriation. First reading. Passage requires majority vote.

There was no public discussion.

Mayor Blake motioned to read the Ordinance by title only. Councilor Smith seconded. The motion passed 6-0.

Councilor Cohen moved for passage of the first reading of the ordinance. Mayor Blake seconded. The first reading passed 6-0.

12. ORDER #151-12/13 - 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.

Greg L'Heureux, Finance Director, answered questions from the City Council.

Councilor Jalbert motioned for passage of the order. Councilor Pock seconded. The order passed 6-0.

13. ORDER #152-12/13 - Authorizing the Finance Director to accept prepayment of FY 2014 property taxes. Passage requires majority vote.

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There was no public discussion.

Greg L'Heureux, Finance Director, answered questions from the City Council.

Councilor Jalbert motioned for passage of the order. Councilor Smith seconded. The order passed 6-0.

14. Reconsideration of Order #145-12/13 – Authorizing the Mayor to sign the City Manager's Employment Agreement. Passage requires majority vote.

There was no public discussion.

Councilor Cohen moved to reconsider Order #145. Councilor Smith seconded. The reconsideration passed 6-0.

Councilor Cohen moved to amend the employment contract presented to the Council on May 20th because it contained an inaccurate percentage under retirement contributions. The change in percentage was a result of a past year performance evaluation. Mayor Blake seconded. The amendment passed 6-0. The order passed as amended 6-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Cohen wants to get the word out in regards to an opening in her district for the Planning Board. She also stated that she is upset and concerned about the vote regarding the computers for the School Department.

Councilor Jalbert will be at Mahoney Middle School on June 4th. The 8th grade Language Arts/Social Studies Class will be making a presentation regarding donations to their favorite non profits.

K. Executive Session

Councilor Jalbert moved to adjourn at 11:10 P.M. Councilor Pock seconded. The motion passed 6-0.

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Jessica B. Hanscombe

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

A. Acceptance of Minutes

Councilor Jalbert moved to accept the minutes of the June 3, 2013 Council meeting. Mayor Blake seconded. The motion passed 6-0.

B. Communications from City Manager

The Manager addressed the following items;

- Open House at the Public Works complex on Saturday from 9:00 to 12:00
- The Manager can be followed on Twitter for news items @sopomanager. The city also has a free phone app available to the public.
- Jane Eberle and 3rd Grade Dyer School teacher, Vanessa Levesque presented a thank you video from the 3rd Grade students

C. Petitions and Communications

Department Reports for the month of May, 2013.

Attendance Reports for the month of May, 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.

Councilor Jalbert moved to postpone Items #1, #2 and #3. Councilor Smith 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 on 04/01/13. Passage requires majority vote.

Postponed. See Item #1 for details.

E. Consent Calendar

F. Citizen Discussion (First Part)

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Rachel Berger, 17 Churchill Road – Ms. Berger spoke about a press conference held today by the Concerned Citizens of South Portland.

Lois Reckitt, 38 Myrtle Street – Ms. Reckitt thanked the Council for supporting Family Crisis Services.

Karen Sanford, 19 Preble Street – Ms. Sanford spoke as a supporter of the Concerned Citizens of South Portland.

Chris Gillis, Portland Pipeline – Mr. Gillis expressed disappointment with the proposed ordinance amendment as submitted by the Concerned Citizens of South Portland.

James Gilboy, Barnstable Road – Mr. Gilboy thanked Mr. Gillis for coming to the meeting and said he felt sure that Portland Pipeline will follow Federal and State DEP guidelines.

Albert DiMillo, 64 Colchester Drive – Mr. DiMillo said the Ipad purchase is illegal. He questioned why the full expenditure was on the order.

Rick Carter, 33 Thompson Street – Mr. Carter thanked the Council for reconsidering the technology order.

Barbara Psichos, Harbor Place – Ms. Psichos inquired about the increase in the Public Works Facility upgrade.

Susan Adams, 55 Higgins Lane – Ms. Adams thanked the Council for the Workshop on the Ipad purchase. The Ipad is the devise of choice in her home.

G. Public Hearings and Action

4. ORDER #146-12/13 – Public hearing and action on a public nuisance complaint relating to property at 119 and 125 Wythburn Road. Postponed on 06/03/13. Passage requires majority vote.

There was no public discussion.

Councilor Jalbert moved to postpone indefinitely. Councilor Pock seconded. The order was postponed indefinitely by a vote of 6-0.

5. ORDINANCE #15-12/13 - Bond ordinance to appropriate \$14,000,000 (*) for construction and equipping of a community services facility and to authorize \$14,000,000 (*) principal amount of bonds to finance such appropriations. Passed first reading on 06/03/13. ROLL CALL VOTE. Passage requires affirmative vote of at least 4 members of the City Council.

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

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James Gilboy, Barnstable Road
Albert DiMillo, 64 Colchester Drive

Councilor Cohen moved for passage of the ordinance. Mayor Blake seconded. The ordinance passed roll call vote 6-0.

H. Action on Old and New Business

6. ORDER #153-12/13 - Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

7. Reconsideration of ORDER #149-12/13 – Authorizing the South Portland School Department to purchase technology equipment in conjunction with the Maine Learning Technology Initiative (MLTI). Passage requires majority vote.

Councilor Jalbert moved for reconsideration of order #149-12/13. Councilor Smith seconded. The motion passed 6-0. The following people addressed this item;

Suzanne Godin, Superintendent of Schools
Albert DiMillo, 64 Colchester Drive
Venessa Levesque, 3rd Grade Dyer School Teacher
Rosemarie DeAngelis, Pleasantdale resident
James Gilboy, Barnstable Road

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

8. ORDER #154-12/13 - Amending FY 2013/2014 CDBG Annual Action Plan regarding new activities. Passage requires majority vote.

The following people addressed this item;

Kevin Guimond, Fire Chief
Lois Reckitt, Myrtle Street

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

9. ORDER #155-12/13 – Award of Bid #40-13 to Doten’s Construction, of Freeport, ME, for the construction of the Mill Creek Transit Hub. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Pock seconded. Councilor Smith motioned to amend the unassigned fund balance from 30,000 to 44,000 and the fiscal note

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as follows; 175,300 to 147,300, 40,000 to 54,000 and 30,000 to 44,000. The amendment passed 6-0. The order passed as amended 6-0.

10. ORDER #156-12/13 – Accepting a Royal Bank of Canada grant in the amount of \$20,000 for Hinckley Park Improvements. Passage requires majority vote.

There was no public discussion.

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

11. RESOLVE #24-12/13 – Approving the FY 2014 Appropriation Resolve. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #157-12/13 – Setting the sewer user fees for Fiscal Year 2014. Passage requires majority vote.

There was no public discussion.

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

13. ORDER #158-12/13 – Setting the street opening fees for Fiscal Year 2014. Passage requires majority vote.

There was no public discussion.

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

14. ORDER #159-12/13 – Authorizing a 1.5% percent cost of living adjustment for non-union municipal employees. Passage requires majority vote.

There was no public discussion.

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

15. RESOLVE #25-12/13 – Approving an Appropriation Transfer Resolve for FY 2013 Bus Union Contract. Passage requires majority vote.

There was no public discussion.

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

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16. ORDER #160-12/13 –Transferring \$1,100,000 from General Fund Unassigned Fund Balance to the Property Tax Stabilization Reserve Account. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Smith congratulated Jamie Welch for receiving the 8th Grade Citizenship Award.

Councilor Cohen said she is looking for someone to fill a seat on the Planning Board.

Councilor Jalbert spoke about a deadly accident involving a bicyclist participating in a fund raiser that he road in. The event continued and 1.8 million dollars was raised to help people in need.

Councilor Livingston said he is glad more funds were added to the local circuit breaker program in light of the impact that State cuts are going to have on residents. He noted that the Long Creek Memorial will be held on July 11th. He noted that 68% of taxes fund the school in South Portland compared with 55% in Biddeford.

Mayor Blake encouraged residents to help with the Pope Reserve clearing on Sunday at 10:00 a.m. He also urged people to attend the Public Works Open House on Saturday.

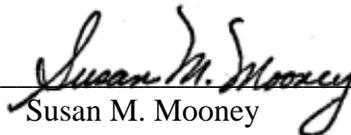
Councilor Pock said he was glad the reconsideration of the School Technology order was passed.

K. Executive Session

Councilor Jalbert moved to adjourn at 10:21 P.M. Councilor Cohen seconded. The motion passed 7-0.

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Susan M. Mooney