

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

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

A. Acceptance of Minutes

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

B. Communications from City Manager

The Manager addressed the following;

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

C. Petitions and Communications

Monthly Attendance & Committee Reports for November

D. Appointment Calendar

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

There was no public comment.

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

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

There was no public comment.

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

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

There was no public comment.

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

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

The following person addressed this item;

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

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

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

There was no public comment.

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

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

There was no public comment.

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

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

There was no public comment.

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

E. Consent Calendar

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

The following people addressed this item;

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David Orbeton, 37 Lowell Street
Attila Delisle, Bellaire Road

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

F. Citizen Discussion (First Part)

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

G. Public Hearings and Action

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

There was no public comment.

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

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

H. Action on Old and New Business

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

There was no public comment.

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

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

There was no public comment.

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

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

There was no public comment.

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

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

There was no public comment.

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

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

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

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

Steve McLaughlin, Portland
Charles Higgins, 12 Ledge Road
Fred Monkido, Munjoy Hill, Portland
Sandy Shapire, Cape Elizabeth
Russ Lunt, Brigham Street
Attila Delisle, Bellaire Road
Susan Tomkins, Sylvan Road
Patricia White, Orchard Street
Greg Raymond, Willow Street
Christine Marshall, 159 Sawyer Street
Mark Johnson, Romano Road
Tess Nacelewicz, 25 Robinson Street
Bob White, 7 Orchard Street
Taryn Hallweaver, Environment Maine
Ellen Fraser, 148 Breakwater Drive
Melinda Timpf, 163 Fort Road

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

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

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

There was no public comment.

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

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

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

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

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

There was no public comment.

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

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

All Councilors extended best wishes for the holidays.

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

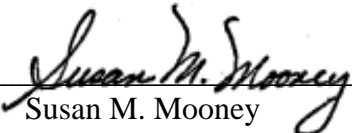
Councilor Blake expressed his appreciation to the public for re-electing him.

K. Executive Session

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

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ATTEST



Susan M. Mooney