

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

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

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

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

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

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

A. Acceptance of Minutes

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

B. Communications from City Manager

The Manager addressed the following items;

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

C. Petitions and Communications

D. Appointment Calendar

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

There was no public discussion.

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

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

There was no public discussion.

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

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

Patrick Arnold spoke.

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

E. Consent Calendar

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

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

Margaret Stenberg, 72 Ocean Street spoke.

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

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

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

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

F. Citizen Discussion (First Part)

The following people spoke:

Russ Lunt, 133 Brigham Street

Rosemarie Deangelis, 30 Buttonwood

Patricia White, 7 Orchard Street

Kevin Rodriguez, 592 Main Street

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

G. Public Hearings and Action

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

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

Lee Smolovitch, 89 Willow Street spoke.

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

H. Action on Old and New Business

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

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

State Representative Terry Morrison spoke.

Tex Haeuser, Planning Director spoke.

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

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

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

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Tex Haeuser, Planning Director spoke.

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

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

Brad Weeks, Engineer spoke.

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

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

The order as amended passed 7-0.

I. Citizen Discussion (Second Part)

The following people spoke:

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

J. Councilor's Round Robin

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

Councilor Beecher commented on the July 5th celebration.

Councilor Pock reminded people to attend the July 12th Willardfest.

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

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


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

Mayor Jalbert thanked everyone for their patience tonight.

K. Executive Session

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

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ATTEST 

Jessica B. Hanscombe

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

H. Action on Old and New Business

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

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

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

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

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

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

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

There was no public discussion.

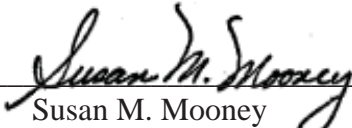
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Councilor Cohen moved for passage. Councilor Linscott seconded. The ordinance passed first reading by a vote of 7-0.

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

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Susan M. Mooney