

South Portland City Council  
***Position Paper of the City Manager***

***Subject:***

**ORDINANCE #18-13/14 – Amending Chapter 2, “Administration and Legislation”, Article III, Division 9, regarding an Arts and Historic Preservation Committee. First reading. Passage requires majority vote.**


***Position:***

As part of the continued implementation of the City's Comprehensive Plan that was passed in October, 2012, City staff is bringing forward an ordinance to establish an Arts and Historic Preservation Committee. The committee members will be appointed by the City Council and shall have specific responsibilities to preserve the historical and architectural integrity of South Portland, foster beautification of public areas, and promote the educational, cultural and general welfare of South Portland.

This item was discussed at the May 12, 2014 workshop in which the public and City Council providing input, which has been incorporated within the attached document. This item is being brought forward for first reading and to set July 2, 2014 for second reading and action.

***Requested Action:***

Council passage of first reading and set July 2, 2014 for second reading and action.

A handwritten signature in black ink, appearing to read "James H. Bailey". The signature is fluid and cursive, with a large loop at the end.



CITY OF SOUTH PORTLAND

GERARD A. JALBERT  
Mayor

JAMES H. GAILEY  
City Manager

SUSAN M. MOONEY  
City Clerk

SALLY J. DAGGETT  
Jensen Baird Gardner & Henry

IN CITY COUNCIL

ORDINANCE #18-13/14

**THE COUNCIL** of the City of South Portland hereby ordains that Article III of Chapter 2, "Administration and Legislation," of the "Code of Ordinances of the City of South Portland, Maine," be and hereby is amended as follows (deletions are ~~struck through~~; additions are underlined):

District One  
MICHAEL R. POCK

District Two  
PATRICIA A. SMITH

District Three  
MELISSA E. LINSKOTT

District Four  
LINDA C. COHEN

District Five  
GERARD A. JALBERT

At Large  
MAXINE R. BEECHER

At Large  
THOMAS E. BLAKE

CHAPTER 2

ADMINISTRATION AND LEGISLATION

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ARTICLE III. BOARDS AND COMMISSIONS

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**DIVISION 9. ARTS & HISTORIC PRESERVATION COMMITTEE**

**Sec. 2-140. Establishment and Purpose.**

An Arts & Historic Preservation Committee is hereby established. The purpose of the Arts & Historic Preservation Committee (AHPC) is to assist the City Council in preserving the historical and architectural integrity of South Portland, fostering beautification of public areas, and promoting the educational, cultural, economic, aesthetic value, and general welfare of South Portland.

**Sec. 2-141. Definitions.**

For purposes of this Division 9, the following terms shall have the following meaning:

*Historic Preservation.* The protection, rehabilitation, restoration and/or reconstruction of sites, buildings, structures, and artifacts significant in history, architecture or culture.

Public Art. Works of art placed in areas accessible to the public that are reflective of the community, its history and values. Examples of public art include, but are not limited to, murals, fountains, sculptures, landscaping, hardscaping, historic displays, and paintings.

**Sec. 2-142. Composition; appointment; qualifications; and quorum.**

(a) The AHPC shall consist of nine (9) members, all of whom shall be residents of the City. There shall be no more than three (3) members from any one voting district. There shall be one member who is a representative of the South Portland Historical Society and one member who is a representative of Greater Portland Landmarks.

(b) Appointment to the AHPC shall be made by the City Council. It shall serve as an advisory body to the City Council and the Planning Board.

(c) All members of the AHPC shall be selected upon the basis of their interest in art, historic preservation and familiarity with the City of South Portland. The City Council should strive to include members representative of a diverse community.

(d) A quorum shall consist of five (5) members.

**Sec. 2-143. Terms of office.**

The terms of office of the members of the AHPC shall be three (3) years, except that initial appointments after the date of establishment of the committee shall be such that the terms of office of no more than three (3) members shall expire in any single year.

**Sec. 2-144. Duties generally.**

Duties of the AHPC include, but are not limited to, the following:

(a) Providing a resource of information and expertise to help and encourage those interested in rehabilitation of structures that have historic, cultural or architectural significance;

(b) Preparing and maintaining an inventory of historic, cultural and architectural areas, sites, structures and objects in South Portland;

(c) Developing proposed policies, priorities, and plans for promoting and advancing historic preservation in South Portland;

(d) Fostering and encouraging preservation, restoration, rehabilitation, designation, and reconstruction that respects the historic, cultural and architectural significance of distinctive areas, sites, structures and objects;

(e) Making recommendations to the City Council that assure that City projects and City-funded activities enhance the historic qualities of identified historic properties when this is feasible and appropriate;

- (f) Making recommendations to the City Council that assure that City construction projects consider the quality of architecture when this is feasible and appropriate;
- (g) Working collaboratively with the South Portland Historical Society, Greater Portland Landmarks and others to identify and preserve the City's historic, cultural and architectural areas, sites, structures and objects;
- (h) Assisting City staff with seeking grants, donations of funds and/or works of art for purposes of promoting and advancing historic preservation in South Portland;
- (i) Making recommendations to the City Council regarding allocation and budgeting of funds for historic preservation projects, the acquisition or commissioning of Public Art and/or for the maintenance of Public Art;
- (j) Developing proposed policies, priorities, and plans for promoting, advancing, and maintaining Public Art in South Portland;
- (k) Encouraging the promotion of Maine artists in City art projects;
- (l) Encouraging citizen input and involvement in the City's design and selection of Public Art;
- (m) Coordinating with the private sector and other governmental agencies in promoting arts and cultural excellence as a tool for the encouragement of economic development, business relocation and tourism;
- (n) Assisting City staff with seeking grants, donations of funds and/or works of art for purposes of expanding the Public Art collection or the maintenance of the collection including landscaping and hardscaping of public art;
- (o) Organizing and promoting Public Art that celebrates the City and its unique cultural heritage;
- (p) Carrying out such other duties as may be required or established by the City Manager and/or City Council; and
- (q) Development of a proposed set of incentives in support of the above.

**Sec. 2-145. Officers, meetings, and records.**

(a) The members shall annually elect a chairman from their membership. If not provided to the AHPC by the City Manager, the members shall also annually elect a secretary for the purpose of taking minutes and related duties.

(b) All meetings of the AHPC shall be open to the public. Notice of each meeting shall comply with the City's notice policies and Maine's Freedom of Access Act.

(c) Minutes shall be kept of all meetings with a copy filed with the City Clerk. An annual report of the AHPC's activities shall be submitted to the City Council in January of each year.

Fiscal Note: Less than \$1,000

Date: June 16, 2014