



**Tuesday, September 14, 2021
CITY COUNCIL MEETING (REMOTE)**

Meeting Begins: 6:30 P.M.

Location: Zoom

CLICK THE "VIDEO" LINK TO ENTER THE MEETING.

<https://zoom.us/j/94322599202>

Or iPhone one-tap :

US: 19292056099

Or Telephone:

US: 1 929 205 6099

Webinar ID: 943 2259 9202

International numbers available: <https://zoom.us/u/aAz482hpA>

A. OPENING OF THE MEETING

Subject **1. Roll Call**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category A. OPENING OF THE MEETING

Access Public

Type

Subject **2. Acceptance of Minutes**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category A. OPENING OF THE MEETING

Access Public

Type Action, Minutes

Recommended Action Motion to accept the minutes from September 7, 2021.

Minutes [View Minutes](#) for Sep 7, 2021 - CITY COUNCIL MEETING (REMOTE)

File Attachments
[DRAFT - Minutes 09-07-21.pdf \(179 KB\)](#)

Subject 3. Petitions and Communications

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category A. OPENING OF THE MEETING

Access Public

Type

POSITION PAPER OF THE CITY MANAGER

B. APPOINTMENT CALENDAR

Subject 1. ORDER #77-19/20 – Comprehensive Plan Implementation Committee, resident members (Lewis, Dhalac). Postponed since October 29, 2019. Passage requires majority vote.

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

With Ordinance #8-19/20 in effect (as of October 15, 2019), the Council must now select and appoint seven (7) residents to the Comprehensive Plan Implementation Committee. Members must live in their respective districts. Interested residents may apply online at www.southportland.org or at the Clerk's office.

District One	Councilor Morgan	October 2019, then for 3 years (October 2020-October 2023) - appointed Peter Stanton on 2/4/2020
District Two	Mayor Lewis	October 2019; then for 3 years (October 2021-October 2024)
District Three	Councilor Pride	October 2019, then for 3 years (October 2020-October 2023) - appointed Jessica Stafos on 2/18/2020
District Four	Councilor Caricchio	October 2019; then for 3 years (October 2021-October 2024) - appointed Barry Lucier on 2/11/2020
District Five	Councilor Dhalac	October 2019; then for 3 years (October 2019-October 2022)
At-Large	Councilor Bruzgo	October 2019; then for 3 years (October 2019-October 2022) - appointed Robert Foster on 1/28/2020
At-Large	Councilor Henderson	October 2019; then for 3 years (October 2019-October 2022) - appointed Kathleen Egan 01/07/2020

Subject 2. ORDER #80-19/20 – Transit Advisory Committee, resident member (Pride), for a term ending October 1, 2023. Postponed since October 29, 2019. Passage requires majority vote.

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public
Type Action
Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

This member must live in District 3.

Subject **3. ORDER #119-19/20 – Board of Assessment Review, District At-Large (Bruzgo) for a term that expires December 31, 2023. Postponed since January 7, 2020. Passage requires majority vote**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Susan Hasson's term ended 12/31/19.

Subject **4. ORDER #178-19/20 - Civil Service Commission, District Two (Lewis), appointing Ghomri Rostampour for a term that expires March 1, 2025. Postponed since March 5, 2020. ROLL CALL VOTE. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Council passage of ORDER #178-19/20.

POSITION PAPER OF THE CITY CLERK

Caroline Hendry's term has ended. This appointee must be from District 2.

File Attachments

Ghomri's resume (1).pdf (81 KB)

Ghomri.pdf (21 KB)

Subject **5. ORDER #203-19/20 - Long Creek Watershed Management District Board of Directors, private participating landowner, for an unexpired term that expires February 14, 2022. Postponed since May 5, 2020. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Mike Vail from ON Semiconductor recently notified the Long Creek Watershed Management District ("LCWMD") that he is resigning from LCWMD's Board of Directors effective April 30, 2020. Mike is one of the seven directors appointed to LCWMD's Board by the City of South Portland. Specifically, Mike was appointed as one of four "private Participating Landowners or representatives of private Participating Landowners whose Parcel is located within the City of South Portland."

The LCWMD is seeking a replacement for Mr. Vail. Interested residents should submit their application on the City's website [at this link](#) or at the City Clerk's office at City Hall. All applications and nominations received will be forwarded to the Council for consideration. This is a Council appointment.

Subject **6. ORDER #61-20/21 - Open Space Acquisition Committee, District At-Large (Bruzgo), for a term that expires October 1, 2023. Postponed since September 15, 2020. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

This committee is currently seeking resident members. Interested persons should submit an [application](#).

Membership:

There may not be more than 3 resident members from any one voting district.

A quorum shall consist of seven (7) members, at least six (6) of whom shall be voting members.

Subject **7. ORDER #89-20/21 - Arts & Historic Preservation Committee, District Four (Caricchio), appointing James LaPlante for a term expiring October 20, 2023. Postponed since October 20, 2020. ROLL CALL VOTE. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion for passage.

POSITION PAPER OF THE CITY CLERK

Jon Godin has resigned. Councilor Caricchio is requesting to appoint James LaPlante to the fill this vacancy.

File Attachments
[ORDER #89 - LaPlante.pdf \(32 KB\)](#)

Subject **8. ORDER #165-20/21- Arts & Historic Preservation Committee, District Five (Dhalac), for an unexpired term that expires October 20, 2022. Postponed since March 2, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Caitie Whelan has resigned from the committee.

Subject **9. ORDER #222-20/21 - Waste Reduction Committee, District Three (Pride), for an unexpired term that expires May 5, 2022. Postponed on June 8, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Andrew Capelluti is stepping down from the Waste Reduction Committee in order to focus on landscape based initiatives. Andrew currently serves as Chair of the Waste Reduction Committee.

Subject **10. ORDER #01-21/22 - Planning Board, District Five (Dhalac), for an unexpired term that expires April 1, 2023. Postponed since July 6, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY MANAGER

Damas Rugaba has resigned.

Subject **11. ORDER #18-21/22 – Board of Appeals, District Two (Lewis), appointing Lisa Vickers to fill a term which expires July 23, 2024. Postponed since July 27, 2021. ROLL CALL VOTE. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Council passage of ORDER #18-21/22.

POSITION PAPER OF THE CITY CLERK

Robert Whyte resigned from the board effective March 19, 2019. The unexpired term has expired (7/23/21), and a new order has been created to fill the vacancy for the new term expiring 7/23/24.

File Attachments
[Vickers.pdf \(21 KB\)](#)

Subject **12. ORDER #19-21/22 - Board of Appeals, District At-Large (Bruzgo) for a term that expires July 23, 2024. Postponed since July 27, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Alex Anastasoff's term has expired.

Subject **13. ORDER #24-21/22 - Waste Reduction Committee, District One (Leighton), for an unexpired term that expires May 5, 2023. Postponed on August 3, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Brynn Reynolds has resigned from the committee (moved).

Subject **14. ORDER #25-21/22- Waste Reduction Committee, District Five (Dhalac), for an unexpired term that expires May 5, 2023. Postponed on August 3, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Jaime Madore has resigned from the committee (moved).

Subject **15. ORDER #28-21/22 - Landcare Management Advisory Committee, Arborist/Landscape Professional, for an unexpired term that expires January 31, 2023. Postponed since August 17, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Todd Robbins has resigned from the committee.

Subject **16. ORDER #30-21/22 - Conservation Commission, District Four (Caricchio), for an unexpired term that expires March 3, 2022. Postponed since August 24, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category B. APPOINTMENT CALENDAR

Access Public

Type Action

Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Marla LeBlanc has resigned from the committee.

Subject **17. ORDER #41-21/22 - Board of Appeals, District Five (Dhalac), for an unexpired term that expires July 23, 2023. Postponed on September 7, 2021. Passage requires majority vote.**

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)
Category B. APPOINTMENT CALENDAR
Access Public
Type Action
Recommended Action Motion to postpone.

POSITION PAPER OF THE CITY CLERK

Aaron Amede has resigned from the board due to non-attendance.

C. CONSENT CALENDAR

Subject 1. ORDER #47-21/22 – Authorizing the City Manager to sign a license agreement with Portland Pipe Line Corporation for property used as an access to Kaler School. ROLL CALL VOTE.

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)
Category C. CONSENT CALENDAR
Access Public
Type Action (Consent)
Preferred Date Sep 14, 2021
Absolute Date Oct 19, 2021
Fiscal Impact No
Recommended Action Passage of CONSENT CALENDAR requires majority vote.

POSITION PAPER OF THE CITY MANAGER

This action would authorize the extension of a License and Indemnity Agreement with Portland Pipe Line Corporation (PPLC) that provides the City a second means of access to Kaler School in the event of a fire or other emergency. Additionally, the Agreement provides the City access for emergency preparedness drills and similar exercises involving Kaler School, if needed.

Background

This agreement commenced in October 2003, with the original agreement allowing for up to three (3) three-year extensions. The agreement was extended in 2006, 2009, and 2012. In 2015 the license agreement was amended, removing the reference to replacing and/or relocating fencing as it was no longer applicable, and removed the allowance for up to three additional three-year extensions. The term of the lease was again extended in 2018 for one additional three-year term which will expire on October 29, 2021. Upon the City's request, PPLC has offered another three-year extension, through October 29, 2024.

File Attachments

[License and Indemnity Agreement - City & PPLC - Kaler School Access.pdf \(1,855 KB\)](#)
[First Amendment to License Agreement - City & PPLC - Kaler School Access.pdf \(96 KB\)](#)
[ORDER - PPLC - Kaler School access.pdf \(26 KB\)](#)

Passage of consent items requires majority vote.

D. CITIZEN DISCUSSION (PART I)

Subject 1. Citizen Discussion

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category D. CITIZEN DISCUSSION (PART I)

Access Public

Type Discussion

Members of the public will be given up to **5 minutes** to speak on any item on or off the agenda during Citizens Discussion Part I. Members of the public speaking on any agenda item during this time will not be able to speak on that item again once it comes up for public discussion (including workshops). Members speaking during Citizen Discussion Part I will not be able to speak during Citizen Discussion Part II.

E. PUBLIC HEARINGS AND ACTION

Subject 1. ORDER #48-21/22 - EDWARD H. BENJAMIN, doing business as BENJAMIN BUILDING WRECKING CO., of 41 Jackson Street, for an Automobile Graveyard/Recycling Business (renewal). ROLL CALL VOTE. Passage requires majority vote.

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category E. PUBLIC HEARINGS AND ACTION

Access Public

Type Action

Recommended Action Council passage of ORDER #48-21/22.

POSITION PAPER OF THE CITY CLERK

This is an existing business that requires annual approval by the municipal officers to grant the license, pursuant to Title 30-A Sec. 3753 & 3754 and Sec. 14-756 of the City's Code of Ordinances. The application was submitted and notices were sent to the Department of Motor Vehicles, as is required. A legal notice was placed in the South Portland-Cape Elizabeth Sentry. There have been no objections from the public.

File Attachments
[Edward Benjamin application.pdf \(125 KB\)](#)
[ORDER - Benjamin Building Wrecking License.pdf \(26 KB\)](#)

F. ACTION ON OLD AND NEW BUSINESS

G. WORKSHOP DISCUSSION

Subject 1. Changes to Parking Schedule on Ocean and South Richland

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)

Category G. WORKSHOP DISCUSSION

Access Public

Type Discussion, Information

POSITION PAPER OF THE CITY MANAGER

On June 15, 2021, Council adopted numerous amendments to the City's various traffic schedules. One of these changes included extending the two-hour ban on Ocean St from C St to A St.

Councilor Henderson is seeking a discussion on two changes to the traffic schedules, include one related to Councilor's recent decision on Ocean St. These two changes include:

- 1) Again allow for unlimited parking on Ocean St from B to A Streets (i.e., removing a portion of the two-hour restriction that Council adopted in June); and
- 2) Prohibit parking on one side of South Richland St.

I have asked our Police, Fire, and Public Works Departments to weigh in on these proposals:

- **Public Works:** No concerns with making either of these changes.
- **Fire:** No concerns with Ocean St change. If Council chooses to restrict parking on South Richland, recommend it be to the west side (closest to Red's) as that is the Fire Department's primary inboard route to calls.
- **Police:** No safety concerns with either change, however, they recommend no further changes on Ocean St. as all of the residents and business owners they have interacted with approve of the recent changes requiring two-hour parking. They are aware of only one entity (the law firm that reached out to Councilor Henderson) who object to these changes. For South Richland, they acknowledge the road can be tight, especially in the winter with snow banks.

Based on this information, staff recommends the following:

- 1) South Richland: If Council chooses to restrict parking, it should be prohibited on the western side of the street closest to Red's.
- 2) Ocean St: There are no safety concerns here either way. Although some dislike the recent change to two-hour parking, others like it. It is purely a political decision as to what to do here.

Once Council provides guidance on these two matters, we will notify abutters of any changes recommended and schedule this for a future date for formal action.

I have not asked any staff members to be present for this discussion since we did not identify any safety or operational issues with these proposed changes.

Subject	2. List of Workshop Items to be Reviewed.
Meeting	Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)
Category	G. WORKSHOP DISCUSSION
Access	Public
Type	Discussion

POSITION PAPER OF THE CITY MANAGER

Council has workshops scheduled through December 21, 2021. There remains three items on the workshop list that are awaiting a date. None of these items are ready to be scheduled for a specific date.

File Attachments
[09-09-21 Workshop Items List.pdf \(113 KB\)](#)

H. CITIZEN DISCUSSION (PART II)

Subject	1. Citizen Discussion
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Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)
Category H. CITIZEN DISCUSSION (PART II)
Access Public
Type Discussion

Members of the public will be given up to **5 minutes** to speak on any item on or off the agenda during Citizens Discussion Part II. Members of the public who spoke on any agenda item (including workshops) will not be able to speak on that item again during this time. Members who spoke during Citizen Discussion Part I will not be able to speak during Citizen Discussion Part II.

I. COMMUNICATION FROM THE CITY MANAGER

J. COUNCILOR'S ROUND ROBIN

K. EXECUTIVE SESSION

L. ADJOURNMENT

Subject 1. Adjourn

Meeting Sep 14, 2021 - CITY COUNCIL MEETING (REMOTE)
Category L. ADJOURNMENT
Access Public
Type Action
Recommended Action MOTION TO ADJOURN

Items may only be introduced after 11:00 p.m. upon a majority vote of Councilors present and voting. Items on a regular meeting agenda not introduced pursuant to this rule shall be placed on the next regular meeting agenda.