



CITY OF SOUTH PORTLAND

GERARD JALBERT
Mayor

JAMES H. GAILEY
City Manager

SUSAN M. MOONEY
City Clerk

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

District One
MICHAEL R. POCK

District Two
PATRICIA SMITH

District Three
MELISSA E. LINSOTT

District Four
LINDA C. COHEN

District Five
GERARD JALBERT

At Large
MAXINE BEECHER

At Large
THOMAS E. BLAKE

Name of Body: City Council
Tentative Agenda for the Meeting of: May 19, 2014
Meeting Begins: 7:00 P.M.
Location: City Hall Council Chambers
Amended Agenda Issued:

A. Acceptance of Minutes

B. Communications from City Manager

C. Petitions and Communications

Fire Department Awards
Department and Committee Reports

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.
2. ORDER #138-13/14 – Planning Board, At Large (Beecher), appointing **Stefanie Veneziano** to fill an unexpired term to expire on 04/01/16. Passage requires majority vote.
3. ORDER #139-13/14 – Energy & Recycling Committee – Associate, At Large (Beecher), to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.
4. ORDER #140-13/14 – Energy & Recycling Committee – Associate, At Large (Blake), to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.
5. ORDER #142-13/14 – Energy & Recycling Committee, At Large (Blake), appointing **Jessica Williams** to fill a term which expires on 05/05/17. Postponed on 05/05/14. Passage requires majority vote.

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E. Consent Calendar

F. Citizen Discussion (First Part)

G. Public Hearings and Action

6. ORDINANCE #12-13/14 - Amending Chapter 21, "Police," Establishing a Sex Offender Residency Restriction Ordinance. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires majority vote.
7. ORDINANCE #13-13/14 – Amending Chapter 27, "Zoning," creating a Thornton Heights Commercial (THC) zoning district. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires five affirmative votes.
8. ORDINANCE #14-13/14 – Amending Chapter 27, "Zoning," creating a Main Street Community Commercial (MSCC) zoning district. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires five affirmative votes.
9. ORDINANCE #15-13/14 – Amending Chapter 2, "Administration and Legislation," and Chapter 13, "Libraries," regarding district representation for boards and committees. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires majority vote.
10. ORDINANCE #16-13/14 – Amending Chapter 19, "Personnel Rules and Regulations," regarding district representation on the Civil Service Commission. First reading. Passed first reading on 05/05/14. ROLL CALL VOTE. Passage requires majority vote.

H. Action on Old and New Business

11. ORDER #149-13/14 - Authorizing the City Manager to execute an agreement between Ron Letourneau and the City relating to a building that encroaches into Marriner Street (Map 9, Lot 81). Passage requires majority vote.
12. RESOLVE #6-13/14 - That \$17,357,477 be authorized to be expended for Regular Instruction. Passage requires majority vote.
13. RESOLVE #7-13/14 - That \$8,245,979 be authorized to be expended for Special Education. Passage requires majority vote.

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14. RESOLVE #8-13/14 - That \$313,399 be authorized to be expended for Career and Technical Education. Passage requires majority vote.
15. RESOLVE #9-13/14 - That \$801,581 be authorized to be expended for Other Instruction. Passage requires majority vote.
16. RESOLVE #10-13/14 - That \$3,577,460 be authorized to be expended for Student and Staff Support. Passage requires majority vote.
17. RESOLVE #11-13/14 - That \$1,285,643 be authorized to be expended for System Administration. Passage requires majority vote.
18. RESOLVE #12-13/14 - That \$2,258,109 be authorized to be expended for School Administration. Passage requires majority vote.
19. RESOLVE #13-13/14 - That \$1,689,044 be authorized to be expended for Transportation and Buses. Passage requires majority vote.
20. RESOLVE #14-13/14 - That \$3,942,077 be authorized to be expended for Facilities Maintenance. Passage requires majority vote.
21. RESOLVE #15-13/14 - That \$4,906,153 authorized to be expended for Debt Service and Other Commitments. Passage requires majority vote.
22. RESOLVE #16-13/14 - That \$407,874 be authorized to be expended for All Other Expenditures. Passage requires majority vote.
23. RESOLVE #17-13/14 - That \$33,920,223 be appropriated for the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$28,644,638 be raised as the City's contribution to the total cost of funding public education from pre-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 pre-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.

24. RESOLVE #18-13/14 - That \$4,172,291 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

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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 pre-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:

- *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.*

25. RESOLVE #19-13/14 - That \$5,158,088 be raised and appropriated in additional local funds, which exceed the State's Essential Programs and Services Allocation model by \$4,405,870 as required to fund the budget recommended by the Board of Education. Passage requires majority vote.

The Board of Education recommends \$5,158,088 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$4,405,870.

- *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 88 passenger 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 pre-kindergarten to grade 12 as described 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.

26. RESOLVE #20-13/14 - That the Board of Education be authorized to expend \$44,784,796 for the fiscal year beginning July 1, 2014 and ending June 30, 2015 from the municipality's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in

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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.

27. RESOLVE #21-13/14 - 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.
28. RESOLVE #22-13/14 - That the City of South Portland will raise and appropriate \$400,000 in additional local dollars in support of the food service program. Passage requires majority vote.
29. RESOLVE #23-13/14 - 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.
30. PROCLAMATION #5-13/14 – Regarding Memorial Day, and directing that flags be placed on the graves of veterans. Passage requires majority vote.
31. ORDER #150-13/14 – Amendment of the Schedule of License, Permit, Inspection and Application Fees. Passage requires majority vote.
32. PROCLAMATION #6-13/14 – Proclaiming the week of May 18, 2014 as Arbor Week in the City of South Portland. Passage requires majority vote.
33. ORDER #151-13/14 - Setting the time for opening the polls for the June 10, 2014 Primary Election and the South Portland School Budget Referendum. Passage requires majority vote.
34. ORDER #152-13/14 – Accepting \$25,065 under the Federal Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.
35. ORDER #153-13/14 – Authorizing the City Manager to execute a license and indemnification agreement between Long Creek Watershed Management District and the City to allow LCWMD to install and maintain

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stormwater best management practice improvements in the Maine Mall Road and Gorham Road rights-of-way. Passage requires majority vote.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

K. Executive Session

Note: Items may be added to or deleted from the tentative agenda. Copies of amended agenda may be obtained from the City Clerk. Amendments, if any, appear on attachments to the tentative agenda.

In the event the Council determines that it may not reach all agenda items by 11:00 P.M., it may postpone some items to a subsequent meeting. Postponement is not required, and the Council may take up agenda items after 11:00 P.M. Any items postponed to the next meeting will normally be scheduled ahead of subsequently scheduled agenda items.