

IN COUNCIL REGULAR MEETING VOL. 76 PAGE 16
AUGUST 4, 2014

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

A. Acceptance of Minutes

Councilor Blake moved to accept the minutes from the July 21st meeting. Councilor Beecher seconded. Passed 6-0 (Jalbert absent)

B. Communications from City Manager

The Manager addressed the following item;

- 35th Annual Art in the Park Show – August 9th in Mill Creek Park

C. Petitions and Communications

Swearing in of Police Sergeant Christopher Todd

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 Beecher seconded. The postponement passed 6-0 (Jalbert absent).

2. ORDER #154-13/14 – Civil Service Commission, District Two (Smith), to fill an unexpired term which expires on 03/01/15. Postponed since 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 6-0 (Jalbert absent).

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
David Boyer, Director of the Marijuana Policy Project
Greg Lewis, 153 Mussey Street
Melissa Thomas, 51 Scammon Street

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G. Public Hearings and Action

3. ORDER #10-14/15 – Public hearing and action on a public nuisance complaint regarding 29 Willard Street. Passage requires majority vote.

Ann Thomas and Mary Giggy both provided testimony on this item. The following people addressed this item;

Terry Reager, 43 Willard Street
Russ Lunt, Brigham Street
Jane Cook, 51 Willard Street
Christopher Cook, 51 Willard Street
Arthur Bolton, 22 Willard Street
Josh Groupp, 57 Willard Street
Patricia Whittemore, Anthoine Street

Councilor Smith moved for passage. Councilor Blake seconded. Councilor Blake moved to continue the public hearing at the second meeting in November with the following conditions;

- Consult with DEP regarding air monitoring equipment
- Code Enforcement determine a process to track complaints
- Fire Department and the Health Officer to meet with the home owner

Councilor Beecher seconded. The motion passed 6-0 (Jalbert absent).

H. Action on Old and New Business

4. ORDER #11-14/15 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Pock seconded. The order passed 4-2 (Smith and Blake out of the room and Jalbert absent).

5. CITIZEN INITIATED ORDINANCE #5-14/15 – Initial reading of the citizen initiated proposed use of marijuana by persons 21 years of age or older ordinance and setting the date of the public hearing on the same pursuant to Section 1107 of the City Charter. Passage requires majority vote.

The following people addressed this item;

Russ Lunt, Brigham Street
David Boyer, Director of the Marijuana Policy Project
Patricia Whyte, Orchard Street
Andrew Ratcliff, 11 Hoyt Street
Bob Whyte, Orchard Street
Carter Leighton, 102 Devereaux Circle

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Acting Police Chief, Frank Clark
Kyle Dixon, 65 Hill Street
Scott Gagnon, Smart Approaches to Marijuana
Melissa Thomas, Scammon Street
Rosemarie De Angelis, Pleasantdale

Councilor Smith moved for passage of first reading. Councilor Blake seconded. The ordinance passed first reading 6-0 (Jalbert absent).

6. ORDER #12-14/15 – Award of Bid #30-14 to GWI, of Biddeford, ME, for dark fiber infrastructure. Passage requires majority vote.

There was no public discussion.

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

7. ORDER #13-14/15 – Appealing the denial of the Public Works’ Director for two (2) new curb cuts on Surfside Road for Southern Maine Community College. Passage requires majority vote.

There was no public discussion. Councilor Blake noted that he teaches at SMCC and may be perceived to have a conflict. Councilor Beecher did not feel there was a conflict and moved to allow Councilor Blake to participate. Councilor Pock seconded. The motion passed 5-0 (Blake recessed, Jalbert absent).

Councilor Beecher moved for passage. Councilor Linscott seconded. After a brief presentation Councilor Pock made a motion to refer this to a workshop to allow Council to have a site walk at this location. Councilor Blake seconded. The motion passed 6-0 (Jalbert absent).

8. ORDINANCE #6-14/15 - Bond ordinance to appropriate \$3,500,000 (*) for the Thornton Heights Separation Phases II, III and IV project and to authorize \$3,500,000 (*) principal amount of bonds to finance such appropriations. First reading. Passage requires majority vote.

Councilor Smith moved to have the bond ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0 (Jalbert absent). There was no public discussion.

Councilor Beecher moved for passage. Councilor Pock seconded. The ordinance passed first reading by a vote of 6-0 (Jalbert absent).

9. ORDER #14-14/15 –Appropriating \$81,783 from Undesignated Fund Balance to fund the cost of landscaping and median work in the traffic islands between I-295 Exit 3 and the Western Avenue/Gorham Road intersection through the alternate bid of the Long Creek Watershed District. Passage requires majority vote.

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There was no public discussion.

Councilor Smith moved for passage. Councilor Blake seconded. The order passed 6-0 (Jalbert absent).

10. RESOLVE #2-14/15 – Approving an Appropriation Transfer Resolve for FY 2014. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The resolve passed 6-0 (Jalbert absent).

11. ORDER #15-14/15 – Appropriating \$25,000 from Undesignated Fund Balance to the FY 2013/2014 City Council - Contracted Services Account. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. The order passed 6-0 (Jalbert absent).

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Cohen commented about the success of the "Movies in Bug Light Park."

Councilor Blake said this is the 5th year in a row that the South Portland Corporate Track Team has come in first place. He congratulated Matt Green on his leadership in this venture.

Councilor Pock talked about an event at the Historical Society where they held a program on chocolate making in early times.

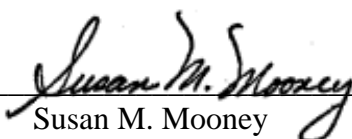
Councilor Smith thanked Police and Public Works for their support with Tri for a Cure. Over 1.3 million dollars was raised this year.

K. Executive Session

Councilor Pock moved to adjourn at 10:28 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney