

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 69
JANUARY 22, 2014

Roll Call: Councilor Jalbert called the meeting to order at 7:00 P.M. The meeting was held at the High School Lecture Hall because of an asbestos issue in the Information Technology Dept. which caused their offices to be temporarily moved to Council Chambers.

A. Acceptance of Minutes

Motion to accept the minutes from the January 6th Council meeting was made by Councilor Cohen. Councilor Linscott seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following;

- Monday Workshop will be at the Community Center due to the asbestos issue
- ecomaine's annual eco-Excellence Award – currently looking for nominations
- Winterfest – January 31st and February 1st
- The Annual Report for 2012/2013 is now available

C. Petitions and Communications

Monthly Attendance & Committee Reports

D. Appointment Calendar

1. ORDER #70-12/13 – Conservation Commission, District Two (Smith), for a term which expires on 11/20/14. Postponed since 12/17/12. Passage requires majority vote.

There was no public comment.

Councilor Smith moved to postpone. Councilor Beecher seconded. The motion passed 7-0.

2. ORDER #88-12/13 – Community Development Advisory Committee, District Three (Linscott), for a term which expires on 01/15/16. Postponed since 01/23/13. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to postpone. Councilor Pock seconded. The motion passed 7-0.

3. 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 comment.

Councilor Smith moved to postpone. Councilor Blake seconded. The motion passed 7-0.

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4. ORDER #85-13/14 – Library Advisory Board, District Four (Cohen) appointing **Bradley Rau** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public comment.

Councilor Cohen moved to appoint Bradley Rau of 114 Bonnybriar Road. Councilor Linscott seconded. The motion passed 7-0.

5. ORDER #87-13/14 – Board of Assessment Review, District Five (Jalbert) appointing **Chris Kovacs** to fill a term which expires 12/31/16. Passage requires majority vote.

There was no public comment.

Mayor Jalbert moved to appoint Chris Kovacs of 64 Sandy Hill Road Road. Councilor Beecher seconded. The motion passed 7-0.

6. ORDER #92-13/14 – Community Development Advisory Committee, At Large (Beecher), appointing **Don Legere** for a term which expires on 01/15/17. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved to appoint Don Legere of 58 Candlebrook Lane. Councilor Blake seconded. The motion passed 7-0.

7. ORDER #93-13/14 – Community Development Advisory Committee, At Large (Blake), Appointing **Matthew Gilbert** for a term which expires on 01/15/17. Passage requires majority vote.

There was no public comment.

Councilor Blake moved to appoint Matthew Gilbert of 26 Checkerberry Circle. Councilor Beecher seconded. The motion passed 7-0.

8. ORDER #94-13/14 – South Portland Housing Authority, Tenant’s Appointment, appointing **Lolita Ball** to fill a term to expire on 10/10/2018. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved to appoint Lolita Ball of 1700 Broadway. Councilor Blake seconded. The motion passed 7-0.

9. ORDER #95-13/14 – Appointing a Draft Ordinance Committee to address development proposals involving oil sands/tar sands products. Passage requires majority vote.

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The following people addressed this item;

Chris Owen, Steep Falls
Priscilla Skerry, Portland
Elliot Stanley, Portland
Catherine Chapman, Beaufort Street
Bob White, Orchard Street
Brian Lundquist, Pine Street
Michael Anthony, Portland

Councilor Cohen moved for passage. Councilor Beecher seconded. The motion passed 7-0. Councilor Cohen moved to amend the order to read;

“**ORDERED**, that the Draft Ordinance Committee is hereby established to advise the City Council on an *ad hoc* basis on development proposals involving oil sands/tar sands products and that the following three people be and hereby are appointed to the Draft Ordinance Committee:

Name	Residence
Michael J. Conathan	South Portland
Russell B. Pierce Jr.	Portland
David Critchfield	South Portland”

Councilor Beecher seconded. The amendment passed 7-0. The order passed as amended 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Patricia White, Orchard Street
Russ Lunt, Brigham Street
Eben Rose, Buchanan Street
Greg Lewis, Mussey Street

G. Public Hearings and Action

10. ORDINANCE #4-13/14 – Amending Chapter 27, “Zoning,” for a zone map change from IL to PO – 324, 332 and 336 Cummings Road and 324 Gannett Drive. Passed first reading on 01/06/14. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

There was no public discussion.

Councilor Beecher moved for final passage of Ordinance #4-13/14. Councilor Pock seconded. The ordinance passed roll call vote 7-0.

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11. BUSINESS LICENSE - Thatchers, 35 Foden Road for a Food Establishment Restaurant with liquor license. New owners of an existing business. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved for passage. Councilor Cohen seconded. The license passed 7-0.

H. Action on Old and New Business

12. ORDER #96-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Cohen seconded. The order passed 7-0.

13. ORDER #97-13/14 – Award of RFQ #20-14 to Edelstein Associates, East Waterboro, ME, for facilitation services for the Draft Committee. Passage requires majority vote.

The following people addressed this item;

Russ Lunt, Brigham Street
Bob White, Orchard Street

Councilor Beecher moved for passage. Councilor Cohen seconded. The order passed 7-0.

14. ORDER #98-13/14 – Authorizing the Code Enforcement Officer to execute a consent agreement between Thelma P. DiPierro and the City relating to a rear yard setback encroachment at 63 Carignan Avenue (Map 63, Lot 1C). Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded.

Councilor Blake offered that there could be a perceived conflict of interest because of his personal relationship with the DiPierro family and the fact that he had given Thelma DiPierro a gift a year ago. He said he felt he could be fair in this matter. Councilor Cohen moved to allow Councilor Blake to vote on this item. Councilor Linscott seconded. The motion passed 6-0 (Blake recused). Councilor Linscott moved for passage. Councilor Pock seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

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Councilor Smith extended an invitation to the public to attend a forum on tar sands at USM on January 31st and to Winterfest on January 31st and February 1st. She also mentioned a lottery on February 2nd for Tri for a Cure.

Councilor Linscott remarked about one of the biggest challenges on her first year as a Councilor was learning all the various acronyms.

Councilor Cohen thanked the School Department for hosting the meeting and also the city crews for their care of the roads. She also encouraged participation in Winterfest.

Councilor Blake asked for public feedback on things we could be doing better. He said he had received complaints about snow removal.

Councilor Beecher expressed similar thanks to the School Department and encouraged attendance at Winterfest.

Mayor Jalbert also weighed in with thanks to the School. He mentioned being quoted in the Portland Press Herald on his stand that it would be irresponsible to our youth to advocate to legalize marijuana.

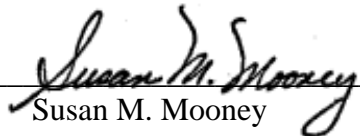
Councilor Pock said he is looking forward to the chili and chowder fest.

K. Executive Session

Councilor Blake moved to adjourn at 9:00 P.M. Councilor Pock seconded. The motion passed 7-0.

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ATTEST _____


Susan M. Mooney