

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 98
APRIL 23, 2014

Roll Call: Mayor Jalbert called the meeting to order at 7:00 P.M. The City Manager was on vacation. Assistant City Manager, Jon Jennings filled in for the City Manager.

A. Acceptance of Minutes

Motion to accept the minutes from the Special Meetings from March 31st and April 14th and also the April 7th Council meeting was made by Councilor Beecher. Councilor Cohen seconded. The motion passed 7-0.

B. Communications from City Manager

- Parenting in the Age of Legalization – a public forum schedule for April 30th from 7:00 to 8:30
- May 10th and 11th the Ultimate Frisbee Championship will be held on Wainwright Fields

C. Petitions and Communications

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.

There was no public discussion.

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

2. ORDER #132-13/14 – South Portland Housing Authority, Tenant’s Appointment, appointing **Jane Croston** to fill a term to expire on 10/10/2018. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Jane Croston. Councilor Blake seconded. The order passed 7-0. Ms. Croston was then sworn in.

3. ORDER #133-13/14 – Appointing Election Clerks. Passage requires majority vote.

There was no public discussion.

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

E. Consent Calendar

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4. SIGN PERMIT - South Portland Farmers Market is requesting to place signs in various locations to inform of the new day and location for the 2014 season at City Hall parking lot on Sundays - May through November. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Beecher seconded. The permit passed 7-0.

5. STREET CLOSURE – The South Portland Parks, Recreation and Waterfront is requesting the closure of Madison Street for the South Portland Family 4th on July 4th. The closure is from 3:00 P.M. until 10:30 P.M. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. Councilor Beecher moved to amend the street closure to set a rain date of July 5th. Councilor Blake seconded and the motion passed 7-0. The street closure passed as amended 7-0.

F. Citizen Discussion (First Part)

Albert DiMillo, 64 Colchester Drive

Russ Lunt, Brigham Street

Greg L'Heureux, Finance Direct responded to comments made by Mr. DiMillo

G. Public Hearings and Action

6. ORDINANCE #10-13/14 - Amending Chapter 27, "Zoning Ordinance," regarding extension of moratorium on development proposals involving the loading of oil sands/tar sands products onto marine tank vessels docking in South Portland for an additional 180-day period. Passed first reading on 03/17/14. ROLL CALL VOTE. Passage requires five affirmative votes.

There was no public discussion.

Councilor Cohen moved for final passage of the extension of the moratorium. Councilor Linscott seconded. The ordinance passed roll call vote 6-1 (Pock).

H. Action on Old and New Business

7. ORDER #134-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

The following person addressed this item;

Tess Nacelewicz, 25 Robinson Street

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

8. ORDER #135-13/14 – Authorizing a Business Revolving Loan in the amount of \$10,000 to Heirloom Consignment, LLC. Passage requires majority vote.

There was no public discussion.

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

9. ORDINANCE #11-13/14 – Amending Chapter 14, “Licenses, Permits, and Business Regulations Generally,” regarding public sidewalk use. First reading. Passage requires majority vote.

Councilor Blake moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 7-0. There was no public discussion.

Councilor Cohen moved for passage. Councilor Linscott seconded. The ordinance passed first reading 7-0.

10. RESOLVE #4-13/14 – Approving an Appropriation Transfer Resolve for FY 2014 Union Contracts. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Linscott seconded. The resolve passed 7-0.

11. RESOLVE #5-13/14 – Approving an Appropriation Transfer Resolve for the Property Tax Assistance Program. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Pock seconded. Mayor Jalbert moved to amend the resolve to increase the appropriation from \$15,000 to \$25,000. Councilor Linscott seconded. The amendment failed 1-6 (Smith, Cohen, Beecher, Blake, Pock, Linscott). The resolve passed as read 6-1 (Jalbert).

12. ORDER #136-13/14 – Award of Bid to Shaw Brothers Construction, Inc., of Gorham, ME, for the Maine Mall Road sanitary sewer replacement. Passage requires majority vote

Brad Weeks presented background material on this item. The following person addressed this item;

Russ Lunt, Brigham Street

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

13. ORDER #137-13/14 - Accepting \$2,845, or any portion thereof, under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Mayor Jalbert announced that he would be adding an item to the Workshop agenda to discuss procedures after coming out of executive session.

Councilor Pock said he had two words for Mr. DiMillo, "Common Core".

Councilor Smith thanked the folks who turned out for Earth Day cleanup last Saturday. She talked about the reasons for reserves being the imperfect practice of budgeting based on assumptions.

Councilor Linscott sent a reminder that the budget has not been approved yet.

Councilor Cohen remarked about how few houses that there are on the market and that it is an indicator that South Portland is a desirable community to live in.

Councilor Blake followed up on Councilor Cohen's statement with the low statistical ratings for available rentals. He also congratulated the Robotics Team and thanked the folks that showed up for Earth Day cleanup. He noted that there are several projects that did not get completed and anyone interested in helping with those could follow up with him or the Land Trust to get more information.

Councilor Beecher noted that a medication collection day would be held at the Police Department on Saturday from 10:00 A.M. to 2:00 P.M. She thanked Jon Jennings and Greg L'Heureux for their assistance with this meeting.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property.

Councilor Cohen moved to go into executive session at 8:45 P.M. Councilor Linscott seconded. The motion passed 7-0.

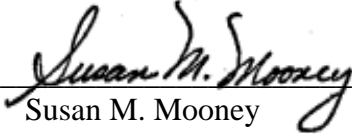
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Councilor Pock moved to come out of executive session at 10:07 P.M. Councilor Smith seconded. The motion passed 7-0.

Councilor Beecher moved to adjourn at 10:08 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST



Susan M. Mooney