

IN COUNCIL SPECIAL MEETING VOL. 75 PAGE 91
MARCH 31, 2014

Roll Call: Mayor Jalbert called the meeting to order at 5:25 P.M. Councilor Linscott was absent.

H. Action on Old and New Business

1. PROCLAMATION #3-13/14 – Proclaiming April 1, 2014, as National Service Recognition Day. Passage requires majority vote.

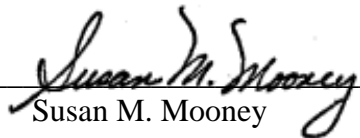
There was no public discussion.

Councilor Cohen moved for passage. Councilor Beecher seconded. The proclamation passed 6-0.

Councilor Cohen moved to adjourn at 5:35 P.M. Councilor Smith seconded. The motion passed 6-0.

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Susan M. Mooney

IN COUNCIL REGULAR MEETING VOL. 75 PAGE 92
APRIL 7, 2014

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

A. Acceptance of Minutes

Motion to accept the minutes from the March 17th Council meeting was made by Councilor Cohen. Councilor Pock seconded. The motion passed 7-0.

B. Communications from City Manager

- The City Manager announced there was one week left to apply for the City's tax relief program for seniors.
- There will be a Budget Public Hearing on the 9th in Council Chambers.

C. Petitions and Communications

Harbor Commission rule changes.

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 made the motion to postpone and it was seconded by Councilor Blake. Postponed 7-0.

2. ORDER #118-13/14 – Board of Assessment Review, District Four (Cohen), appointing **Paul Cloutier** for a term which expires on 03/16/17. Passage requires majority vote.

There was no public discussion.

Councilor Cohen made the motion to appoint Paul Cloutier. Councilor Linscott seconded. The order passed 7-0.

3. ORDER #119-13/14 – Civil Service Commission, District Three (Linscott), appointing **James Hendry** for a term which expires on 03/01/19.

There was no public discussion.

Councilor Linscott made the motion to appoint James Hendry and it was seconded by Councilor Pock. The order passed 7-0.

4. ORDER #120-13/14 – Planning Board, District Four (Cohen), appointing **Erick Giles** for a term which expires on 04/01/17. Passage requires majority vote.

There was no public discussion.

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Councilor Cohen made the motion to appoint Erick Giles and it was seconded by Councilor Linscott. The order passed 7-0.

5. ORDER #121-13/14 – Planning Board, District Five (Jalbert), appointing **Kathleen Phillips** for a term which expires on 04/01/17. Passage requires majority vote.

There was no public discussion.

Mayor Jalbert made the motion to appoint Kathleen Phillips and it was seconded by Councilor Cohen. The order passed 7-0.

6. ORDER #122-13/14 – Economic Development Committee, At Large (Beecher), appointing **Steven Bushey** for a term which expires on 03/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Beecher made the motion to appoint Steven Bushey and it was seconded by Councilor Blake. The order passed 7-0.

7. ORDER #123-13/14 – Economic Development Committee, At Large (Blake), appointing **John Schwartzman** for a term which expires on 03/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake made the motion to appoint John Schwartzman and it was seconded by Councilor Cohen. The order passed 7-0.

E. Consent Calendar

Item #16 was taken out of order.

16. STREET CLOSING - The City of South Portland is requesting the closure of Carignan Avenue, McLean Street, Gerry Avenue, Wilson Street, Tremont Street, Union Street, Grandview Avenue and Sunset Avenue as needed as part of the Thornton Heights Sewer Separation Phase I Project. Passage requires majority vote.

There was no Public discussion.

Councilor Blake made the motion to approve the Street closing and it was seconded by Councilor Beecher. The street closing passed 7-0.

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street

Meg Braley, 33 Beach Street of Protect South Portland had local children distribute “Please pass the Ordinance” thank you cards to the Council.

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Al DiMillo, Colchester Drive addressed the school fund balance accounting and passed out a spreadsheet with the information.

G. Public Hearings and Action

8. BUSINESS LICENSE - LB Maine Mall LLC., DBA Linda Beans Maine Lobster Boat Café, 364 Maine Mall Road, for a Food Establishment Restaurant with Malt & Vinous License. Passage requires majority vote.

There was no Public Discussion.

Councilor Cohen made the motion for passage and it was seconded by Councilor Linscott. The license passed 7-0.

9. ORDINANCE #11-13/14 - Amending Chapter 2, "Purchasing," Regarding the Sale of City-owned Property. Passed first reading 03/17/14. ROLL CALL VOTE. Passage requires majority vote.

The following person addressed this item;

Al DiMillo, Colchester Drive

Councilor Cohen motioned for passage and it was seconded by Councilor Linscott. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

10. ORDER #124-13/14 – Accepting miscellaneous donations. Passage requires majority vote.

There was no Public Discussion.

Councilor Beecher motioned for passage and it was seconded by Councilor Blake. The order passed 7-0.

11. ORDER #125-13/14 - Authorizing the City Manager to submit the FY 2014/2015 Community Development Block Grant Annual Action Plan to the Cumberland County Community Development Program. Passage requires majority vote.

There was no Public Discussion.

Councilor Beecher motioned for passage and it was seconded by Councilor Pock. The order passed 6-1 (Blake opposed).

12. ORDER #126-13/14 – Accepting a 2013 Homeland Security Grant of \$164,090.79 from the Maine Emergency Management Agency. Passage requires majority vote.

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There was no Public discussion.

Councilor Beecher motioned for passage and it was seconded by Councilor Linscott. The order passed 6-0 (Jalbert out)

13. ORDER #127-13/14 – Award of Bid #24-14 to Combat Support Products, Inc. Fuquay Varina, NC, for the purchase of a foam/water monitor for the Fire Department. Passage requires majority vote.

There was no Public discussion.

Councilor Blake motioned for passage and it was seconded by Councilor Pock. The order passed 7-0.

14. ORDER #128-13/14 – Implementing the FY2015 Capital Improvement Program. Passage requires majority vote.

There following person addressed this item;

Al DiMillo, Colchester Drive

Councilor Smith motioned for passage and it was seconded by Councilor Beecher. Mayor Jalbert motioned to amend the order to take \$9401.00 from CDBG and add it to the Transportation Capital Reserve Fund. The amendment passed 7-0. The main motion passed as amended 7-0

15. ORDER #129-13/14 - Authorizing night time work in the section of Broadway from Cash Corner to Wescott Road to replace a drain pipe in conjunction with the Thornton Heights Sewer Separation Phase I project. Passage requires majority vote.

There was no public discussion.

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

17. PROCLAMATION #4-13/14 – Proclaiming June 3, 2014, as SS Harriet Tubman Liberty Ship Day. Passage requires majority vote.

There was no Public discussion.

Councilor Beecher motioned for passage. Councilor Smith seconded. The proclamation passed 7-0.

18. ORDER #130-13/14 – Establishing the South Portland Growth Area Development Tax Increment Financing District. Passage requires majority vote.

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Councilor Cohen motioned to have the order read by title only and was seconded by Councilor Pock. Passed 7-0

Shana Cook Mueller of Bernstein Shur explained the tax shift benefits.

There was no Public discussion.

Councilor Smith motioned for passage. Councilor Beecher seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

J. Councilor's Round Robin

Councilor Blake asked the City Manager to get a legal opinion concerning Mr. DiMillo's earlier statement regarding State funding. He also invited the Public to attend the Ferry Village Conservation Association meeting at the Betsy Ross House on Thursday, 04/10/14. He then invited the Public to attend the Land Trust's Earth Day clean up at Mill Creek Park on Saturday April 19th at 8:30 A.M. He also led a moment of silence for Bob Williams, a Firefighter who passed away the previous week.

Councilor Beecher recognized the talent of the SPSHS Marching Band, the Jazz Ensemble, The Color Guard, the Robotics Team and the Shrek performance. All were enjoyed by a great many residents.

Mayor Jalbert announced that the Long Creek Watershed plan was passed by the EPA and is working well.

Councilor Pock invited the Public to attend the Ferry Village Neighborhood Association meeting.

Councilor Smith thanked Protect South Portland for the cards.

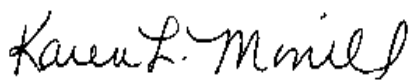
Councilor Linscott acknowledged the thank you cards from Protect South Portland.

Councilor Cohen gave her condolences to the family of Bob Williams.

K. Executive Session

Councilor Pock moved to adjourn at 10:05 P.M. Councilor Linscott seconded. The motion passed 7-0.

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Karen Morrill

IN COUNCIL SPECIAL MEETING VOL. 75 PAGE 97
APRIL 14, 2014

Roll Call: Mayor Jalbert called the special meeting to order at 6:15 P.M. Councilor Linscott arrived at 6:18 P.M.

H. Action on Old and New Business

1. ORDER #131-13/14 – Appropriating funds from the Legal Reserve Fund Contractual Services Account to pay an award of attorney’s fees in the Callaghan litigation. Passage requires majority vote.

The following people addressed this item;

Al DiMillo, Colchester Drive
Rosemarie DeAngelis, Pleasantdale

Councilor Beecher moved for passage. Councilor Cohen seconded. The order passed by a vote of 6-1 (Smith)

Councilor Blake motioned to adjourn at 6:38 P.M. Councilor Beecher seconded. The motion passed 7-0.

K. Executive Session

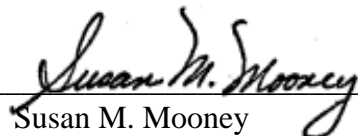
A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405 (6)(e), discussion with Corporation Counsel regarding city-owned property.

At the conclusion of the workshop Councilor Cohen moved to go into executive session at 9:09 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 9:27 P.M. Councilor Cohen seconded. The motion passed 7-0.

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Susan M. Mooney