



Tuesday, May 17, 2022
CITY COUNCIL MEETING - BUDGET (REMOTE)

Executive Session Begins: 4:30 P.M.

South Portland Council Chambers

Council will meet in public session to consider entering executive session. If it votes to go into executive session, the executive session is not open to the public.

Meeting Begins: 6:30 P.M.

Regular Meeting Location: Zoom

CLICK THE "VIDEO" LINK TO ENTER THE MEETING.

<https://us06web.zoom.us/j/89686832112>

Or One tap mobile :

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A. EXECUTIVE SESSION

1. Executive session pursuant to 1 M.R.S. Section 405(6)(E) to consult with the Corporation Counsel regarding the City Council's legal rights and duties relating to the Maine general assistance program as well as rent control. ROLL CALL VOTE. Passage requires 3/5's vote of Councilors Present and Voting Required to Enter Executive Session.

B. OPENING OF THE MEETING

1. Roll Call
2. Acceptance of Minutes
3. Petitions and Communications

C. APPOINTMENT CALENDAR

1. ORDER #77A-19/20 – Comprehensive Plan Committee, District Five (Dhalac) for a term that expires September 30, 2025. Postponed since October 29, 2019. Passage requires majority vote.
2. ORDER #119-19/20 – Board of Assessment Review, District At-Large for a term that expires December 31, 2023. Postponed since January 7, 2020. Passage requires majority vote.
3. ORDER #222-20/21 - Waste Reduction Committee, District Three (Pride), for an unexpired term that expires May 5, 2022. Postponed since June 8, 2021. Passage requires majority vote.
4. ORDER #19-21/22 - Board of Appeals, District At-Large for a term that expires July 23, 2024. Postponed since July 27, 2021. Passage requires majority vote.
5. ORDER #139-21/22 - Community Development Advisory Committee, District At-Large for a term that expires January 15, 2025. Postponed since February 15, 2022. Passage requires majority vote.
6. ORDER #25-21/22- Waste Reduction Committee, District Five (Dhalac), for an unexpired term that expires May 5, 2023. Postponed since August 3, 2021. Passage requires majority vote.

7. ORDER #28-21/22 - Landcare Management Advisory Committee, MBPC Licensed Landscape Professional, for an unexpired term that expires January 31, 2023. Postponed since August 17, 2021. Passage requires majority vote.
8. ORDER #41-21/22 - Board of Appeals, District Five (Dhalac), for an unexpired term that expires July 23, 2023. Postponed since September 7, 2021. Passage requires majority vote.
9. ORDER #118- 21/22 - Transit Advisory Committee, District Five (Dhalac), for an unexpired term that expires September 30, 2022. Postponed since January 4, 2022. Passage requires majority vote.
10. ORDER #136-21/22 - Human Rights Commission, District One (Leighton), for an unexpired term that expires October 5, 2024. Postponed since February 1, 2022. Passage requires majority vote.
11. ORDER #152-21/22 - Board of Assessment Review, District Two (Lewis), for a term that expires March 15, 2025. Postponed since March 15, 2022. Passage requires majority vote.
12. ORDER #153-21/22 - Community Development Advisory Committee, District At-Large (Henderson), for an unexpired term that expires January 14, 2023. Postponed since March 15, 2022. Passage requires majority vote.
13. ORDER #154-21/22 - Community Development Advisory Committee, District Five (Dhalac), for an unexpired term that expires January 14, 2024. Postponed since March 15, 2022. Passage requires majority vote.
14. ORDER #173-21/22 - Civil Service Commission, District Five (Dhalac), for an unexpired term that expires February 28, 2026. Postponed since April 19, 2022. Passage requires majority vote.
15. ORDER #199-21/22 - Landcare Management Advisory Committee, Resident Member, for an unexpired term that expires January 30, 2023. Passage requires majority vote.
16. ORDER #200-21/22 - Planning Board, District Three (Pride), for an unexpired term that expires April 1, 2024. Passage requires majority vote.
17. ORDER #201-21/22 - Historic Preservation Committee, District Four (Cohen), for an unexpired term that expires January 31, 2024. Passage requires majority vote.

D. CONSENT CALENDAR

1. ORDER #202-21/22 - Authorizing the temporary street closures of Nutter Road, Mountain View Road, Nelson Road, and half of Highland Avenue between Nutter Road and Mountain View Road, for the 3rd annual South Portland Youth Triathlon on June 25, 2022 with a rain date of June 26, 2022 from 8:30 A.M. to 11:00AM. ROLL CALL VOTE.
2. ORDER #203-21/22 - Authorizing the temporary street closure of Broadway from Southern Maine Community College to Mill Creek Park on May 30, 2022 for the Memorial Day Parade from 10:30 A.M. to 11:00 A.M. ROLL CALL VOTE.
3. ORDER #204-21/22 - Authorizing the temporary street closure of Loveitts Field Road between Ledge Road and Channel Road from 3:00 P.M. - 7:00 P.M. for a neighborhood block party on June 4, 2022 (rain date June 5, 2022). ROLL CALL VOTE.
4. ORDER #205-21/22 - Authorizing the temporary street closure of Hinckley Drive between Ocean Street and Cottage Rd from 10:30 A.M. - 3:30 P.M. on May 21, 2022 for Spring Fest 2022. ROLL CALL VOTE.

E. CITIZEN DISCUSSION (PART I)

1. Citizen Discussion

F. PUBLIC HEARINGS AND ACTION

1. ORDER #206-21/22 - Granting BenRueben's Knishery, 145 Ocean Street, a Use of Public Sidewalk license for Outdoor Seating. Passage requires majority vote.
2. ORDINANCE #19-21/22 - Amending Chapter 27, "Zoning", Sec. 27-766. Space and Bulk Regulations (CCRT). Passed first reading on May 3, 2022. ROLL CALL VOTE. Passage requires five (5) affirmative votes.
3. ORDINANCE #20-21/22 - Amending Chapter 3, "Animals and Fowl", and Chapter 18, "Parks and Recreation", regarding dogs and open spaces. Amended and passed first reading May 3, 2022. ROLL CALL VOTE. Passage requires majority vote.

G. ACTION ON OLD AND NEW BUSINESS

1. ORDINANCE #21-21/22 - Amending Chapter 10, "Health, Welfare and Sanitation Generally" and Chapter 17, "Offenses-Miscellaneous Provisions", regarding Non-inclusive Language. First reading. ROLL CALL VOTE. Passage requires majority vote.
2. RESOLVE #20-21/22 - that \$24,161,319 be expended for Regular Instruction. ROLL CALL VOTE. Passage requires majority vote.
3. RESOLVE #21-21/22 - that \$11,697,907 be expended for Special Education. ROLL CALL VOTE. Passage requires majority vote.
4. RESOLVE #22-21/22 - that \$0 be expended for Career and Technical Education. ROLL CALL VOTE. Passage requires majority vote.
5. RESOLVE #23-21/22 - that \$1,173,013 be expended for Other Instruction. ROLL CALL VOTE. Passage requires majority vote.
6. RESOLVE #24-21/22- that \$3,817,035 be expended for Student and Staff Support. ROLL CALL VOTE. Passage requires majority vote.
7. RESOLVE #25-21/22 - that \$1,800,271 be expended for System Administration. ROLL CALL VOTE. Passage requires majority vote.
8. RESOLVE #26-21/22 - that \$2,819,808 be expended for School Administration. ROLL CALL VOTE. Passage requires majority vote.
9. RESOLVE #27-21/22 - that \$2,461,739 be expended for Transportation and Buses. ROLL CALL VOTE. Passage requires majority vote.
10. RESOLVE #28-21/22 - that \$5,122,187 be expended for Facilities Maintenance. ROLL CALL VOTE. Passage requires majority vote.
11. RESOLVE #29-21/22 - that \$6,066,217 be expended for Debt Service and Other Commitments. ROLL CALL VOTE. Passage requires majority vote.
12. RESOLVE #30-21/22 - that \$566,800 be expended All Other Expenditures. ROLL CALL VOTE. Passage requires majority vote.
13. RESOLVE #31-21/22 - that \$40,162,731.96 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 \$32,653,255.00 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. 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. ROLL CALL VOTE. Passage requires majority vote.
14. RESOLVE #32-21/22 - that \$2,959,357 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 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. 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: SPS 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. ROLL CALL VOTE. Passage requires majority vote.
15. RESOLVE #33-21/22 - that \$11,665,564 be raised and appropriated in additional local funds, which exceed the State's Essential Programs and Services Allocation model by \$11,665,564 as required to fund the budget recommended by the Board of Education. The Board of Education recommends \$11,665,564 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$11,665,564. 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 Lease payments for interactive white boards/displays at the five elementary schools Capital Improvement Projects for Mahoney, Memorial and SPSHS approved by voters on June 9, 2009 Renovation of the Transportation Facility as approved by voters on November 5, 2019 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. ROLL CALL VOTE. Passage requires majority vote.

16. RESOLVE #34-21/22 - that the Board of Education be authorized to expend \$59,686,296 for the fiscal year beginning July 1, 2022 and ending June 30, 2023 from the municipality'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, 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. ROLL CALL VOTE. Passage requires majority vote.

17. RESOLVE #35-21/22 - that the City of South Portland will appropriate \$25,000 for Adult Education and raise \$25,000 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.

18. RESOLVE #36-21/22- that the City of South Portland will raise and appropriate \$485,000 in additional local dollars in support of the food service program. ROLL CALL VOTE. Passage requires majority vote.

19. RESOLVE #37-21/22 - that the Board of Education be authorized to use all or part of additional state subsidy received, if any, to increase expenditures for school purposes in cost center categories approved by the School Board, increase the allocation of finances in a reserve fund approved by the School Board, and/or decrease the local cost share expectation, as defined in Title 20 A, section 15671 A(1)(B), for local property taxpayers for funding public education as approved by the School Board. ROLL CALL VOTE. Passage requires majority vote.

20. RESOLVE #38-21/22 - that the Board of Education be authorized to use all or part of additional state subsidy received, if any, to increase expenditures for school purposes in cost center categories approved by the School Board, increase the allocation of finances in a reserve fund approved by the School Board, and/or decrease the local cost share expectation, as defined in Title 20 A, section 15671 A(1)(B), for local property taxpayers for funding public education as approved by the School Board. ROLL CALL VOTE. Passage requires majority vote.

21. ORDER #207-21/22- Authorizing the Superintendent to implement the FY23 School Department Capital Improvement Plan in the amount of \$301,300 as detailed in the Superintendent's memo and FY22 Proposed CIP Expenditure Summary. ROLL CALL VOTE. Passage requires majority vote.

22. RESOLVE #39-21/22 - Proclamation for Public Works Director Doug Howard. ROLL CALL VOTE. Passage requires majority vote.

23. RESOLVE #40-21/22 - Declaring Racism as a Public Health Crisis. ROLL CALL VOTE. Passage requires majority vote.

24. ORDER #208-21/22 - Accepting a donation of equipment from Operation Underground Railroad to the Police Department. ROLL CALL VOTE. Passage requires majority vote.

25. ORDER #209-21/22 - Instructing City Staff to Repaint Various City Crosswalks with Pride Colors. ROLL CALL VOTE. Passage requires majority vote.

26. ORDER #210- Instructing City Staff to Repaint the Crosswalk at the intersection of Pillsbury Street and Cottage Road green, white, and red in Recognition of DiPietro Market's 50th Anniversary. ROLL CALL VOTE. Passage requires majority vote.

27. RESOLVE #41-21/22 - Statement of Support for safe and legal access to reproductive health. Passage requires majority vote.

H. CITIZEN DISCUSSION (PART II)

1. Citizen Discussion

I. COMMUNICATION FROM THE CITY MANAGER

J. COUNCILOR'S ROUND ROBIN

K. ADJOURNMENT

1. Adjourn

Items may only be introduced after 11:00 p.m. upon a majority vote of Councilors present and voting. Items on a regular meeting agenda not introduced pursuant to this rule shall be placed on the next regular meeting agenda.