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

A. Acceptance of Minutes

Councilor Beecher moved to accept the minutes from the June 15th meeting. Councilor Fox seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;
- The Economic Development Committee is conducting a Community Survey designed to guide the city's future economic development plan
- Tri for the Cure is on July 26th and a reminder that there will be road closures in the eastern part of the City.
- Movie Night starts this Thursday at Bug Light Park with Big Hero 6
- Summer Concerts are in Millcreek Park – Wednesday night will be the Mallett Brothers

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #35-14/15 – Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

   Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

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

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

   Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 7-0.
5. ORDER #121-14/15 – Energy & Recycling Committee, District One (Morgan), for a term which expires on 05/05/18. Postponed since 5/4/15. Passage requires majority vote.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

6. ORDER #1-15/16 – Board of Appeals, District One (Morgan), appointing Edward Kelleher for a term which expires on 7/23/18. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Edward Kelleher for a three year term. Councilor Blake seconded. The order passed 7-0.

7. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Passage requires majority vote.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

8. ORDER #3-15/16 – Board of Appeals, At Large (Beecher), appointing Alexander Anastasoff for a term which expires on 7/23/18. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to appoint Alexander Anastasoff for a three year term. Councilor Smith seconded. The order passed 7-0.

9. ORDER #4-15/16 – Conservation Commission, District Four (Cohen), appointing Scott Wilburn for an unexpired term which expires on 3/3/16. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Scott Wilburn to fill the remainder of this term. Councilor Linscott seconded. The order passed 7-0.

E. Consent Calendar

10. STREET CLOSURE - The Willardfest Committee is requesting the closure of Preble Street at Willow Street, Pillsbury Street up to 444 Preble Street for Willardfest on July 11th with a rain date of July 12th. Passage requires majority vote.

There was no public discussion.
Councillor Morgan moved for passage. Councilor Linscott seconded. The street closure passed 7-0.

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
Greg Lewis, 153 Mussey Street
Rosemarie DeAngelis, Pleasantdale

G. Public Hearings and Action

H. Action on Old and New Business

11. ORDER #5-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #6-15-16 - Authorizing night time work on Main Street for placement of intermediate pavement in conjunction with the Thornton Heights Sewer Separation Phase II project. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

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

13. ORDER #7-15-16 - Award of bid to Autotronics, of Madawaska, ME, for the purchase of an ambulance for the South Portland Fire Department through the cooperative bid process with the City of Portland. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

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

14. ORDER #8-15-16 - Adopting the 2015 Mill Creek Master Plan. Passage requires majority vote.

The following people addressed this item;
Patricia Whyte, Orchard Street
Russ Lunt, Brigham Street
Greg Lewis, Mussey Street
Rosemarie DeAngelis, Pleasantdale
Councilor Morgan moved for passage. Councilor Linscott seconded. The order passed 7-0.

I. Citizen Discussion (Second Part)

Tim Yount, Willardfest Committee Coordinator

J. Councilor’s Round Robin

Councilor Blake invited residents to the Ferry Village Neighborhood Meeting at the Betsy Ross House on Thursday night. He thanked Rosemarie DeAngelis for her comments regarding well run meetings and he said he wished municipalities would reach out to each other better.

K. Executive Session

Councilor Morgan moved to adjourn at 8:51 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST

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

Mayor Cohen requested a motion to postpone item #16, Ordinance #1. The motion passed. See Item #16 for details.

A. Acceptance of Minutes

Councilor Fox moved to accept the minutes from the July 6th meeting. Councilor Smith seconded. The motion passed 6-0 (Beecher absent).

B. Communications from City Manager

The Manager addressed the following items;
- Concerts in the Park – Wednesday night, the Time Pilots
- Movies at Bug Light Park – Thursday night, Toy Story
- Sunday – Tri for a Cure
- August 8th – Art in the Park

C. Petitions and Communications

Department and Committee Reports

D. Appointment Calendar

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

   There was no public discussion.

   Councilor Fox moved to postpone. Councilor Smith seconded. The postponement passed 6-0 (Beecher absent).

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Morgan seconded. The postponement passed 6-0 (Beecher absent).

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   There was no public discussion.
Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Beecher absent).

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Beecher absent).

5. ORDER #121-14/15 – Energy & Recycling Committee, District One (Morgan), appointing **Rich Crowley** for a term which expires on 05/05/18. Postponed since 5/4/15. Passage requires majority vote.

6. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed on 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Beecher absent).

E. **Consent Calendar**

7. STREET CLOSURE - The SoPo Buy Local Group is requesting the closure of Madison Street at Breakwater Drive for the Buy Local Bug Light Festival on August 29th with a rain date of August 30th. The closure will be from 9:00 A.M. to 2:30 P.M. Passage requires majority vote.

The following person addressed this item;
Marilyn Reilly, Augusta Street

Councilor Morgan moved for passage. Councilor Linscott seconded. The street closure passed 6-0 (Beecher absent).

F. **Citizen Discussion (First Part)**

Russ Lunt, Brigham Street
Natalie West, Deake Street

G. **Public Hearings and Action**
8. BUSINESS LICENSE – Guerrero Maya, 449 Westbrook Street, for a Food Establishment Restaurant with Liquor License. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

Councilor Blake moved for passage. Councilor Morgan seconded. The business license passed 6-0 (Beecher absent).

H. Action on Old and New Business

9. ORDER #9-15/16 - Amending RESOLVE #16-14/15, the FY 2016 School Department’s Amounts 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 Amounts to 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. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

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

10. ORDER #10-15/16 - Amending RESOLVE #18-14/15, the FY 2016 School Amounts Raised and Appropriated in Additional Local Funds, which exceed the State’s Essential Programs and Services Allocation model. Passage requires majority vote.

There was no public discussion.

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

11. ORDER #11-15/16 - Amending RESOLVE #23-14/15, the FY 2016 Appropriation Resolve, to increase various estimated revenues by $809,000.00 and General Assistance expenditures by $20,000. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #12-15/16 – Amending the Traffic Schedule regarding stops signs at the intersection of Harriet Street and Sprague Street and on Scamman Street at the intersections of Cooper Street, Hudson Road and Anchor Road – both directions. Passage requires majority vote.
The following people addressed this item;
John Wallace, Scamman Street
Russ Lunt, Brigham Street
Kate Lewis, Mussey Street

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

13. ORDER #13-15/16 – Authorizing the City Manager to sign a Conservation Easement Deed and Indenture for Sawyer Park Open Space. Passage requires majority vote.

The following people addressed this item;
Kate Lewis, Mussey Street
Marilyn Reilly, Augusta Street
Sharon Newman, Fort Road

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

14. ORDER #14-15/16 – Accepting a Target National Night Out Grant for $500.00 to be used by the Police Department. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

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

15. ORDER #15-15/16 - Authorizing the method of sale of tax-acquired property located at 2A Gerry Avenue (Map 53, Block 2A, Lot 85) to be negotiated sale to the holder of the first mortgage on the property, Asset Management Holdings 707, LLC, or its designee. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Linscott seconded. The order failed 3-3 (Linscott, Blake, Fox) (Beecher absent).


There was no public discussion.
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 9
JULY 20, 2015

Councilor Morgan moved to postpone. Councilor Linscott seconded. The ordinance was postponed 6-0 (Beecher absent).

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Blake remarked about how few outstanding committee positions are now on the agenda.

Councilor Smith thanked WEX and the Town of Cape Elizabeth for their support of Tri for a Cure. She said Maine has one of the highest cancer rates in the Country.

Councilor Fox also thank WEX for their support with the community informational meetings at Brick Hill.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), mid-year evaluation of Corporation Counsel.

Councilor Morgan moved to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), mid-year evaluation of Corporation Counsel at 9:34 P.M. Councilor Fox seconded. The motion passed 6-0 (Beecher absent).

Councilor Smith moved to come out of executive session at 10:18 P.M. Councilor Linscott seconded. The motion passed 4-0 (Beecher absent, Blake and Morgan out of the room).

Councilor Fox moved to adjourn at 10:19 P.M. Councilor Linscott seconded. The motion passed 6-0.

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ATTEST

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Susan M. Mooney
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 10
AUGUST 3, 2015

Roll Call: Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott was on vacation and Councilor Smith arrived at 7:52 P.M.

A. Acceptance of Minutes

Councilor Beecher moved to accept the minutes from the July 20th meeting. Councilor Morgan seconded. Councilor Blake moved to amend the minutes to correct the vote on item #15. Councilor Morgan seconded. The amendment passed 5-0. The motion passed as amended 5-0 (Linscott absent and Smith had not arrived yet).

B. Communications from City Manager

The Manager addressed the following items;
- Springpoint 5K 08/09/15
- Don Campbell Band in Mill Creek Park 08/12/15
- South Portland Track Team – Another Championship win this year
- Municipal Facility Ground Breaking 08/10/15
- Art in the Park 08/08/15
- Welcome to new Superintendent Ken Kunin

C. Petitions and Communications

Mayor Cohen announced that the last movie scheduled for the Bug Light Movie Night was rescheduled to this coming Thursday night because of inclement weather. She also reminded folks about the Knightville Festival following Art in the Park and the Parade of Lights in Casco Bay Saturday night. The next Council workshop agenda will cover the following items;
- Tax Acquired Properties
- Polystyrene ordinance
- Single use bags

Lastly she announced that the City Clerk has submitted a letter of resignation. She will stay through the fall election to help through a new hire transition.

D. Appointment Calendar

1. ORDER #35-14/15 – Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 5-0 (Linscott absent and Smith had not arrived yet).
2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 5-0 (Linscott absent and Smith had not arrived yet).

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Morgan seconded. The postponement passed 5-0 (Linscott absent and Smith had not arrived yet).

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 5-0 (Linscott absent and Smith had not arrived yet).

5. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed on 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 5-0 (Linscott absent and Smith had not arrived yet).

6. ORDER #16-15/16 – South Portland Housing Authority, Tenant’s Appointment, appointing Kevin Powell to fill an unexpired term which expires on 10/10/2018. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Kevin Powell. Councilor Beecher seconded. The order passed 5-0 (Linscott absent and Smith had not arrived yet).

E. Consent Calendar

7. STREET CLOSURE - The South Portland Parks, Recreation & Waterfront Department is requesting the closure of Ocean Street at C Street up to D Street, for Knightville Street
Festival on August 8, 2015. The road closure would be from 2:00 pm to 7:30 pm. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the street closure. Councilor Fox seconded. The street closure passed 5-0 (Linscott absent and Smith had not arrived yet).

F. Citizen Discussion (First Part)

Rachel Burger, Churchill Road
Russ Lunt, Brigham Street
Linden Thigpen, Hillside Avenue
Catherine Chapman, Beaufort Street

G. Public Hearings and Action

H. Action on Old and New Business

8. ORDINANCE #1-15/16 - Amending Chapter 27, “Zoning,” regarding a Zone Map change from Residential A to Limited Business LB – 675 Main Street. Postponed on 07/20/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of first reading of the ordinance. Councilor Fox seconded. The ordinance passed first reading 5-0 (Linscott absent and Smith had not arrived yet).

9. ORDER #17-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion. Andy Wallace, the School Technology Director, was available to answer questions.

Councilor Beecher moved for passage of the order. Councilor Morgan seconded. The order passed 5-0 (Linscott absent and Smith had not arrived yet).

10. ORDER #18-15/16 - Award of Bid #22-15 to ePlus Technology, of Portland, ME, for technology upgrades for the School Department. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the order. Councilor Fox seconded. The order passed 5-0 (Linscott absent and Smith had not arrived yet).
11. ORDER #19-15/16 - Award of sole source bid to Apple Computers, of Cupertino, CA, for the purchase of iPads and laptops for the School Department. Passage requires majority vote.

There following person addressed this item;
Russ Lunt, Brigham Street

Councilor Blake moved for passage of the order. Councilor Morgan seconded. The order passed 6-0 (Linscott absent).

12. ORDER #20-15/16 - Award of Bid to Keenan Excavation Co., Inc. of South Portland, ME, for access stairs at Davidson Beach. Passage requires majority vote.

There following person addressed this item;
Russ Lunt, Brigham Street

Councilor Blake moved for passage of the order. Councilor Fox seconded. The order passed 6-0 (Linscott absent).

13. ORDER #21-15/16 - Authorizing the City Manager to sign a Cooperative Agreement with the Maine Department of Transportation for the purchase of two Gillig buses. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage of the order. Councilor Fox seconded. The order passed 6-0 (Linscott absent).

14. ORDER #22-15/16 - Authorizing the purchase of one (1) set consisting of four (4) wireless mobile column lifts from Stertil Koni, of Stevensville, MD, to be used by South Portland Bus Service. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the order. Councilor Blake seconded. The order passed 6-0 (Linscott absent).

15. ORDER #23-15/16 - Award of Bid #03-16 to Blane Casey Building Contractor, Inc., of Augusta, of ME, for the Waste Water Treatment Plant Exterior Addition Project. Passage requires majority vote.

There was no public discussion. City Engineer, Brad Weeks was available to answer questions.

Councilor Beecher moved for passage of the order. Councilor Morgan seconded. The order passed 6-0 (Linscott absent).
I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Beecher said City Clerk Mooney has been an asset to the City.

Councilor Morgan thanked the City Manager and Parks and Recreation Director, Rick Towle, for dealing with the Phragmites in Old Joe’s Pond.

Councilor Blake invited residents to attend the Ferry Village Neighborhood Conservation Association’s 30th anniversary on September 12th. He also congratulated the City track team.

K. Executive Session

A motion may be made to go into executive session pursuant 1 M.R.S.A. §405 (6)((A), discussion or consideration of the appointment of a City Clerk.

Councilor Fox moved to go into executive session pursuant 1 M.R.S.A. §405 (6)((A), discussion or consideration of the appointment of a City Clerk at 8:34 P.M. Councilor Smith seconded. The motion passed 6-0 (Linscott absent)

Councilor Beecher moved to come out of executive session at 9:22 P.M. Councilor Morgan seconded. The motion passed 6-0 (Linscott absent).

Councilor Morgan moved to adjourn at 9:22 P.M. Councilor Smith seconded. The motion passed 6-0 (Linscott absent).

A TRUE COPY

ATTEST

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Susan M. Mooney
Roll Call: Mayor Cohen called the meeting to order at 7:00 P.M.

A. Acceptance of Minutes

Councilor Beecher moved to accept the minutes from the August 3rd meeting. Councilor Fox seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;
- The Maine Outdoor Film Festival in Bug Light Park – August 22nd
- The first phase for the Municipal Services Facility has begun, please use caution when visiting the Transfer Facility. It is an active construction site.
- The next workshop agenda will include;
  - Environmental update on the existing Public Works site
  - Heating plan for the Municipal Services Facility
  - City Council Standing Rules

C. Petitions and Communications

Mayor Cohen presented Caroline Hendry with a Certificate of Appreciation for James Hendry’s contribution of service on the Civil Service Commission.

Department and Committee Reports

D. Appointment Calendar

1. ORDER #35-14/15 – Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.
There was no public discussion.

Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 7-0.

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

5. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

6. ORDER #24-15/16 – Economic Development Committee, At Large (Blake), for an unexpired term which expires on 3/23/17. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

E. Consent Calendar

7. SIGN PERMIT – SOPO/CE Buy Local is requesting to place signs in various locations to advertise and direct traffic for the Bug Light Buy Local Festival and the Maine Seaweed Festival August 29, 2015. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

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

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
Nicholas Fogg, 9 Gerry Ave.
G. Public Hearings and Action

8. ORDINANCE #1-15/16 - Amending Chapter 27, “Zoning,” regarding a Zone Map change from Residential A to Limited Business LB – 675 Main Street. Passed first reading on 08/03/15. Roll call vote. Passage requires five affirmative votes.

There was no public discussion.

Councilor Morgan moved for final passage of Ordinance #1-15/16. Councilor Beecher seconded. The ordinance passed roll call vote 7-0.

H. Action on Old and New Business

9. ORDER #25-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

10. RESOLVE 1-#15/16 - Pursuant to Section 612 of the City Charter determining details of issue of $3,400,000 principal amount of bonds authorized by bond ordinance finally passed and enacted August 18, 2014. Passage requires majority vote.

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

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

11. RESOLVE #2-15/16 – Approving an Appropriation Transfer Resolve for FY 2015 Public Works, General Assistance and City Clerk. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

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

12. ORDER #26-15/16 - Approving the submission of grant applications for traffic, bicycle and pedestrian studies under the PACTS 2016-2017 Unified Planning Work Program. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Smith seconded. The order passed 7-0.
I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Blake expressed disappointment in the fact that the PACTS program in Item #12 did not come to a workshop first. He mentioned that someone stole a hedge trimmer from the Land Trust.

Councilor Beecher thanked the Art In The Park volunteers.

Councilor Smith mentioned that the Portland Tool Exchange might be able to help the Land Trust out regarding their stolen hedge trimmer.

Mayor Cohen thanked all the Parks and Recreation employees for all the events they covered over the summer.

K. Executive Session

Councilor Morgan moved to adjourn at 8:31 P.M. Councilor Linscott seconded. The motion passed 7-0.

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ATTEST

Susan M. Mooney
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 19
SEPTEMBER 9, 2015

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

A. Acceptance of Minutes

Councilor Morgan moved to accept the minutes from the August 17th meeting. Councilor Smith seconded. The motion passed 6-0 (Fox absent).

B. Communications from City Manager

The Manager addressed the following items;
• Monday night workshop items; Dows Woods and parking in city lots during snow storms
• Bug Light Car Show this evening – 230 cars present and some still arriving.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Fox absent).

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Morgan seconded. The postponement passed 6-0 (Fox absent).

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Linscott moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Fox absent).

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.
There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Fox absent).

5. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Fox absent).

6. ORDER #24-15/16 – Economic Development Committee, At Large (Blake), for an unexpired term which expires on 3/23/17. Postponed on 8/17/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Linscott seconded. The postponement passed 6-0 (Fox absent).

E. Consent Calendar

7. STREET CLOSURE - Deborah Bassett, is requesting the closure of 25 Arbutus Avenue through 47 Arbutus Avenue on 09/19/15 from 1:00 P.M. to 8:00 P.M. for a neighborhood block party. Passage requires majority vote.

8. STREET CLOSURE - Ferry Village Neighborhood Conservation Association is requesting the closure of School Street at Monroe Street to Edmund S. Muskie Street on 09/12/15 from 1:00 P.M. to 7:00 P.M. for a FVNCA 30 Year Celebration. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the Consent Calendar. Councilor Linscott seconded. The closures passed 6-0 (Fox absent).

F. Citizen Discussion (First Part)

Frederick Lancaster, Hillside Ave.
Jim Hoy, 77 Hill Street
Russ Lunt, Brigham Street
Albert DiMillo, Colchester Drive
Susan Chase, Parrot Street

G. Public Hearings and Action
9. Connor & Colton, LLC DBA Thatchers, 35 Foden Road, for a Food Establishment Restaurant with Liquor License, Special Amusement with Dancing Permit and Coin Operated Game Machine License. New owners of an existing business. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Councilor Morgan seconded. The license passed 6-0 (Fox absent).

10. TK JAD, LLC DBA Tilted Kilt Pub & Eatery, 200 Gorham Road, for a Food Establishment Restaurant with Liquor License. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Linscott seconded. The license passed 6-0 (Fox absent).

H. Action on Old and New Business

11. ORDER #27-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

12. ORDER #28-15/16 – Amending the City Council Standing Rules and Repealing Order #83-88/89. Passage requires majority vote.

The following person addressed this item;
Albert DiMillo, Colchester Drive

Councilor Blake moved for passage. Councilor Linscott seconded. Councilor Blake moved to amend the Standing Orders to increase citizen input from two to three minutes. Councilor Smith seconded. The amendment failed 2-4 (Morgan, Beecher, Linscott, Cohen).

Councilor Blake moved to amend Standing Rules to delete the School Building Committee and to add the School Consolidation Study Committee. Councilor Morgan seconded. The amendment passed 6-0 (Fox absent).

The order passed as amended 6-0 (Fox absent).

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

   Councilor Morgan moved for passage of first reading of Ordinance #2-15/16. Councilor Linscott seconded. The ordinance passed first reading 6-0 (Fox absent).

14. **ORDINANCE #3-15/16** – Amending Chapter 9, “Garbage and Refuse,” to add provisions regarding single use carry out bags. First reading. Passage requires majority vote.

   Councilor Morgan moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 6-0 (Fox absent). The following people addressed this item; Patricia Whyte, Orchard Street

   Russ Lunt, Brigham Street

   Jim Hoy, Hill Street

   Albert DiMillo, Colchester Drive

   Councilor Morgan moved for passage of first reading of Ordinance #3-15/16. Councilor Linscott seconded.

   Councilor Blake moved to amend the ordinance by replacing “single use carry-out” with “plastic”. Councilor Beecher seconded. The amendment failed 2-4 (Linscott, Morgan, Cohen, Smith).

   The ordinance passed first reading 6-0 (Fox absent).

15. **ORDINANCE #4-15/16** – Amending Chapter 9, “Garbage and Refuse,” to add provisions regarding the ban on use of polystyrene foam. First reading. Passage requires majority vote.

   Councilor Morgan moved to have the ordinance read by title only. Councilor Linscott seconded. The motion passed 6-0 (Fox absent). The following people addressed this item; Patricia Whyte, Orchard Street

   Jim Hoy, Hill Street

   Councilor Morgan moved for passage of first reading of Ordinance #4-15/16. Councilor Blake seconded. The ordinance passed first reading 6-0 (Fox absent).

I. **Citizen Discussion (Second Part)**

J. **Councilor’s Round Robin**
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 23
SEPTEMBER 9, 2015

Councilor Blake said there would be a neighborhood meeting regarding the reuse of land at the public works complex. He also remarked about the Spring Point Shore Walkway and SMCC campus being entirely smoke free.

Mayor Cohen congratulated the South Portland / Cape Elizabeth Buy Local group for a successful “Buy Local Festival”. She said it was nice to see the Buy Local group working together with the organizers of the Seaweed Festival.

K. Executive Session

A motion may be made to go into Executive Session pursuant to 1 M.R.S.A. §405 (6)(d) regarding labor negotiations with the Police Patrol Association, the Police Command and Supervisory Unit and Firefighters IAFF Local 1476.

Councilor Morgan moved to go into executive session pursuant to 1 M.R.S.A. §405 (6)(d) regarding labor negotiations with the Police Patrol Association, the Police Command and Supervisory Unit and Firefighters IAFF Local 1476 at 9:31 P.M.. Councilor Beecher seconded. The motion passed 6-0 (Fox absent).

Councilor Morgan moved to come out of executive session at 11:15 P.M. Councilor Beecher seconded. The motion passed 5-0 (Linscott and Fox absent).

Councilor Morgan moved to adjourn at 11:15 P.M. Councilor Smith seconded. The motion passed 5-0 (Linscott and Fox absent).

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ATTEST______________________________

Susan M. Mooney
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 24
SEPTEMBER 21, 2015

Roll Call: Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott arrived at 7:19 P.M.

A. Acceptance of Minutes

Councilor Smith moved to accept the minutes from the September 9th meeting. Councilor Beecher seconded. The motion passed 6-0 (Linscott had not arrived).

B. Communications from City Manager

The Manager addressed the following items;
- Monday workshop will be a tour of the Thornton Heights project
- The Economic Development Committee will hold a workshop regarding an economic development plan for the city. The public is invited to attend and provide input.
- Jennifer Kirk from the South Portland Boys and Girls Club introduced Cora Boothby-Akilo and Sky Jordan and they presented the City Manager and Mayor with the photos from a photo contest they won awards from.
- Fire Chief, Kevin Guimond, recognized the following Fire Department staff members;
  - Fire Officer of the Year: Lieutenant Paul Salway
  - Call Company Fire Officer of the Year: Lieutenant Justin Maietta
  - Firefighter of the Year: Brian Smart
  - Call Company Firefighter of the Year: Peter Googins
  - EMS Provider of the Year: George Ouillette

C. Petitions and Communications

Department and Committee Reports

D. Appointment Calendar

1. ORDER #35-14/15 – Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

   There was no public discussion.

   Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.
3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

5. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

6. ORDER #24-15/16 – Economic Development Committee, At Large (Blake), for an unexpired term which expires on 3/23/17. Postponed since 8/17/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

7. ORDER #29-15/16 – Voter Registration Appeals Board, Chair, appointing William Dale to fill a term which expires on 09/29/19. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint William Dale. Councilor Blake seconded. The order passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, Brigham Street
Kathy Letendresse, 199 High Street
8. Business license - Guerrero Maya, 449 Westbrook Street, for a Special Amusement without Dancing Permit. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the license. Councilor Smith seconded. The license passed 7-0.

9. Business License - Local Food 2, LLC, DBA B-Good, 200 Gorham Road, for a Food Establishment Restaurant with Malt and Vinous License and a Special Amusement without Dancing Permit. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the license. Councilor Fox seconded. The license passed 7-0.


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

Councilor Morgan moved for final passage of ordinance #2-15/16. Councilor Linscott seconded. The ordinance passed by roll call vote 7-0.

11. ORDINANCE #3-15/16 – Amending Chapter 9, “Garbage and Refuse,” to add provisions regarding single use carry out bags. Passed first reading on 09/09/15. ROLL CALL VOTE. Passage requires majority vote.

Councilor Morgan moved to the ordinance read by title only. Councilor Linscott seconded. The motion passed 7-0. The following people addressed this item;

Russ Lunt, Brigham Street
Patricia Whyte, Orchard Street
Kathy Latendresse, High Street

Councilor Fox moved for final passage of ordinance #3-15/16. Councilor Smith seconded. Councilor Blake moved to refer this ordinance back to a workshop. Councilor Beecher seconded. The motion failed 2-5 (Smith, Fox, Beecher, Cohen, Morgan). The ordinance passed by roll call vote 7-0.
12. ORDINANCE #4-15/16 – Amending Chapter 9, “Garbage and Refuse,” to add provisions regarding the ban on use of polystyrene foam. Passed first reading on 09/09/15. ROLL CALL VOTE. Passage requires majority vote.

Councilor Beecher moved to the ordinance read by title only. Councilor Linscott seconded. The motion passed 7-0. The following people addressed this item:
Russ Lunt, Brigham Street
Patricia Whyte, Orchard Street

Councilor Beecher moved for final passage of ordinance #4-15/16. Councilor Blake seconded. Councilor Beecher moved to amend ordinance section 9-759 as follows;
(a) A fine not exceeding $250 for the first violation following the warning notice in a one-year period;
(b) A fine not exceeding $500 for the second and each subsequent violation following the warning notice in a one-year period.

Councilor Morgan seconded. The amendment passed 7-0. The ordinance passed as amended by roll call vote 7-0.

H. Action on Old and New Business

13. ORDER #30-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

14. ORDER #31-15/16 – Award of Bid #10-16 to W. C. Cressey, of Kennebunk, ME, for the purchase of two (2) school busses for the School Department. Passage requires majority vote.

The following person addressed this item;
Patricia Whyte, Orchard Street

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

15. ORDER #32-15/16 – Adopting the MMA Model Ordinance GA Appendices A - H for the period of October 1, 2015 – September 30, 2016. Passage requires majority vote.

There was no public discussion.

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

16. ORDER #33-15/16 – Authorizing the City Manager to sign a one-year contract extension to the collective bargaining agreement with South Portland Firefighters IAFF Local 1476 for the period of July 1, 2014 to June 30, 2015 and a collective bargaining agreement for the period of July 1, 2015 to June 30, 2018. Passage requires majority vote.
The following person addressed this item;  
Russ Lunt, Brigham Street

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

17. RESOLVE #3-15/16 – Approving an Appropriation Transfer Resolve for FY 2015 for Firefighters IAFF Local 1476 Union Contract wage adjustments. Passage requires majority vote.

There was no public discussion.

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

18. ORDINANCE #5-15/16 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding all night parking. First reading. Passage requires majority vote.

The following person addressed this item;  
Patricia Whyte, Orchard Street

Councilor Smith moved for passage. Councilor Fox seconded. The ordinance passed first reading 7-0.

19. ORDER #34-15/16 – Award of Bid 09-16 to Jordan Equipment Co., of Falmouth, ME., for the purchase of a skid steer for the Public Works Department. Passage requires majority vote.

The following person addressed this item;  
Russ Lunt, Brigham Street

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

I. Citizen Discussion (Second Part)
Patricia Whyte, Orchard Street

J. Councilor’s Round Robin

Councilor Beecher attended a Blue Mass at the Cathedral. The Mass is in recognition of the danger that public safety personnel work with.

Mayor Cohen remarked about the 30th Anniversary event for the Ferry Village Neighborhood Conservation Association, in particular her appreciation to be able to honor Marita Gould, a 101 year old resident who is still teaching piano lessons.

Councilor Morgan followed up on the Mayor remarks commenting on the strong gathering and the food that people brought to share.
Councillor Smith reminded residents that Household Hazardous Waste Day is coming up October 10th at 42 O’Neil Street from 9:00 to 1:00 P.M.

Councillor Blake said that Saturday is National Public Lands Day. He encouraged people to get involved with a South Portland Land Trust project. Information can be found on their web page.

The Mayor provided information about the Bug Light 5K on October 11th and Councillor Beecher reminded people that there is a Medication Collection Day scheduled for this Saturday at the Police Department from 10:00 A.M. to 2:00 PM.

K. Executive Session

Councillor Morgan moved to adjourn at 9:19 P.M. Councillor Linscott seconded. The motion passed 7-0.
Roll Call: Mayor Cohen called the meeting to order at 7:00 P.M. Councilor Linscott was absent.

A. Acceptance of Minutes

Councilor Morgan moved to accept the minutes from the September 21st meeting. Councilor Beecher seconded. The motion passed 6-0 (Linscott absent).

B. Communications from City Manager

The Manager addressed the following items;
- Household Hazardous Waste Day – October 10\textsuperscript{th} from 9:00 a.m. to 1:00 p.m.
- Bug Light 5K Walk/Run – October 11\textsuperscript{th} at 9:00 a.m.
- Workshop – Wednesday, October 14\textsuperscript{th}
  Economic Development Committee presentation
  Fire Code Amendments
- Workshop – Monday, October 26\textsuperscript{th}
  State of the School address – 6:30 p.m. at the High School Lecture Hall

The Mayor said several Councilors will be meeting in Executive Session on Saturday morning to hold City Clerk interviews.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #35-14/15 – Board of Assessment Review, District Five (Fox), for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

   There was no public discussion.

   Councilor Fox moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Linscott absent).

3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.
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OCTOBER 5, 2015

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 6-0 (Linscott absent).

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

5. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Linscott absent).

6. ORDER #24-15/16 – Economic Development Committee, At Large (Blake), for an unexpired term which expires on 3/23/17. Postponed since 8/17/15. Passage requires majority vote.

There was no public discussion.

Councilor Blake moved to postpone. Councilor Morgan seconded. The postponement passed 6-0 (Linscott absent).

7. ORDER #35-15/16 – Conservation Commission, District Four (Cohen), for an unexpired term which expires on 11/20/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

8. ORDER #36-15/16 – Conservation Commission, At Large (Beecher), for an unexpired term which expires on 11/20/16. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved to postpone. Councilor Fox seconded. The postponement passed 6-0 (Linscott absent).
9. ORDER #37-15/16 – Arts & Historic Preservation Committee, District Three (Liscott), appointing Rob Schreiber for a term which expires on 10/20/18. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to appoint Rob Schreiber to this committee. Councilor Beecher seconded. The order passed 6-0 (Linscott absent).

10. ORDER #38-15/16 – Arts & Historic Preservation Committee, representing the South Portland Historical Society, appointing Kathryn DiPhilippo for a term which expires on 10/20/18. Passage requires majority vote.

The following person addressed this item;
Russ Lunt, Brigham Street

Councilor Blake moved to appoint Kathryn DiPhilippo to this committee. Councilor Beecher seconded. The order passed 6-0 (Linscott absent).

11. ORDER #39-15-16 – Energy & Recycling Committee, District Five (Fox), for an unexpired term which expires on 05/05/18. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to postpone. Councilor Blake seconded. The postponement passed 6-0 (Linscott absent).

E. Consent Calendar

12. STREET CLOSING - VFW Post 832, is requesting the closure of Broadway at Benjamin Pickett Street to Mill Creek Park War Memorial Museum for the Veterans Day Parade on Wednesday, November 11, 2015, from 9:00 a.m. to 12:00 p.m.

13. SIGN PERMIT - The Public Works Department is requesting to place a sign in front of the Armory on Broadway and at Megquier and Jones on Broadway from 10/06/15 to 10/10/15 to provide information on the Hazardous Waste Drop-off on 10/10/15 at the Public Works facility.

Passage of Consent Calendar requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage of the Consent Calendar. Councilor Fox seconded. The motion passed 6-0 (Linscott absent).

F. Citizen Discussion (First Part)
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OCTOBER 5, 2015

Russ Lunt, Brigham Street
Michael Pock, 86 Grand Street
Rob Sellin, Deake Street
Andrea McCall, 14 Karynel Drive
Eben Rose, Buchanan Street

G. Public Hearings and Action

14. BUSINESS LICENSE - New Gen Hotels LLC D/B/A Comfort Inn, 90 Maine Mall Road, for a Lodging Establishment License. New owners of an existing business. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Beecher seconded. The license passed 6-0 (Linscott absent).

15. ORDINANCE #5-15/16 – Amending Chapter 15, “Motor Vehicles and Traffic,” regarding all night parking. Passed first reading on 09/21/15. ROLL CALL VOTE. Passage requires majority vote.

Councilor Morgan moved to have the ordinance read by title only. Councilor Beecher seconded. The motion passed 5-1 (Blake). The following people addressed this item; Russ Lunt, Brigham Street
Patricia Whyte, Orchard Street

Councilor Beecher moved for final passage of the ordinance. Councilor Smith seconded. The ordinance passed roll call vote 6-0 (Linscott absent).

H. Action on Old and New Business

16. ORDER #40-15/16 – Authorizing the City Manager to execute and deliver on behalf of the City an easement modification agreement between the City and the Portland Water District relating to property located off the Wythburn Road. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin
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OCTOBER 5, 2015

Councilor Morgan expressed displeasure with businesses that take advantage by placing their signs among political sign groupings the six weeks prior to an election.

Councilor Blake encouraged residents to attend to FVNCA candidate debate on Thursday night at the Betsy Ross House and the South Portland / Cape Elizabeth Chamber debate on October 29th. He thanked the 10 people that showed up to help out at Trout Brook on National Public Lands Day. He also encouraged participation in the Bug Light 5K Run/Walk to benefit the Land Trust and Historical Society.

Councilor Beecher attended a pesticide demonstration at Sable Oaks and said it was a pleasant four hour, eye opening event.

Mayor Cohen invited residents to join her in the Bug Light 5K walk. She asked for thoughts and prayers to all the families with missing loved ones from the cargo ship, El Faro.

K. Executive Session

Councilor Morgan moved to adjourn at 7:50 P.M. Councilor Blake seconded. The motion passed 6-0 (Linscott absent).

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ATTEST

Susan M. Mooney
Roll Call: Mayor Cohen called the meeting to order at 7:00 P.M. She mentioned the passing of Gene Swanson, a long time volunteer fireman from Willard Hose House.

A. Acceptance of Minutes

Councilor Beecher moved to accept the minutes from the October 5th meeting. Councilor Smith seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items;
- Document shredding at the Library 10/31 from 9:00 to 12:00
- Economic Development will hold a second workshop on November 17th at the Community Center at 6:30 P.M. The public is invited to attend to help develop an economic development plan for the city.
- On 10/26 the City Council will attend the State of the School presentation at the South Portland High School Lecture Hall
- The Council Workshop of November 9th will have two items; the caucus for City Council and continued discussion on and LP gas moratorium.

Mayor Cohen announced a meet and greet next Monday for the new City Clerk, Emily Carrington, at the Community Center. Emily is the current Executive Assistant to the President at Kaplan University.

C. Petitions and Communications

D. Appointment Calendar

1. ORDER #35-14/15– Board of Assessment Review, District Five (Fox), appointing Misha Pride for an unexpired term which expires on 12/31/16. Postponed since 10/20/14. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved to appoint Misha Pride. Councilor Blake seconded. The order passed 7-0.

2. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.
3. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

4. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

5. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

6. ORDER #24-15/16 – Economic Development Committee, At Large (Blake), appointing Martha Riehle for an unexpired term which expires on 3/23/17. Postponed since 08/17/15. Passage requires majority vote.

There was no public discussion. Councilor Blake moved to waive Standing Rule 3(e) to have the order added to the agenda. Councilor Morgan seconded. The motion passed 7-0.

Councilor Blake moved to appoint Martha Riehle. Councilor Linscott seconded. The order passed 7-0.

7. ORDER #35-15/16 – Conservation Commission, District Four (Cohen), appointing Joanne Meredith for a term which expires on 11/20/18. Postponed on 10/05/15. Passage requires majority vote.

There was no public comment.

Councilor Linscott moved to appoint Joanne Meredith. Councilor Beecher seconded. The order passed 7-0.
8. ORDER #36-15/16 – Conservation Commission, At Large (Beecher), appointing Joe Pagano for an unexpired term which expires on 11/20/16. Postponed on 10/05/15. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved to appoint Joe Pagano. Councilor Linscott seconded. The order passed 7-0.

9. ORDER #39-15-16 – Energy & Recycling Committee, District Five (Fox), appointing Richard Foss-Lacey for an unexpired term which expires on 05/05/18. Postponed on 10/05/15. Passage requires majority vote.

There was no public comment.

Councilor Fox moved to appoint Richard Foss-Lacey. Councilor Smith seconded. The order passed 7-0.

10. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Passage requires majority vote.

There was no public comment.

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


There was no public discussion.

Councilor Smith moved to appoint Robert Morency as Ward Clerk Pro-Tempore for the November 3rd Election. Councilor Fox seconded. The order passed 7-0.

E. Consent Calendar

12. STREET CLOSING – Melinda Hull of 22 Grand Street is requesting closure of 6 Grand Street to 40 Grand Street for a neighborhood block party, Saturday, October 24, 2015 from 2:00 p.m. to 5:00 p.m. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage of the street closing. Councilor Linscott seconded. The street closing passed 7-0.

F. Citizen Discussion (First Part)
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October 19, 2015

Russ Lunt, Brigham Street
Bob Whyte, Orchard Street
Martha Martenson, Thirlmere Ave.
Patricia Whyte, Orchard Street
Dave Shear, 490 Sawyer Street
Greg Lewis, Mussey Street

G. Public Hearings and Action

H. Action on Old and New Business

13. ORDER #43-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Smith seconded. The order passed 7-0.

14. ORDER #44-15/16 - Setting the time for opening the polls for the November 3, 2015 General Election. Passage requires majority vote.

There was no public discussion.

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

15. ORDER #45-15/16 – Authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Command and Supervisory Unit for the period of July 1, 2015 to June 30, 2018. Passage requires majority vote.

There was no public discussion.

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

16. ORDER #46-15/16 – Authorizing the City Manager to sign a license agreement with Portland Pipe Line Corporation for property used as an access to Kaler School. Passage requires majority vote.

There was no public discussion.

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

17. ORDER #47-15/16 – Amending the Traffic Schedule regarding stop signs on Stanford Street at the intersection with High Street. Passage requires majority vote.

The following person addressed this item:
Russ Lunt, Brigham Street
Councilor Morgan moved for passage. Councilor Linscott seconded. The order passed 7-0.

18. ORDER #48-15/16 – Amending the Traffic Schedule establishing 30-minute parking from 562-568 Main Street. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Councilor Fox seconded. The order passed 7-0.

19. ORDER #49-15/16 – Award of sole source bid to Rubb Building Systems, of Sanford, ME, for the purchase and installation of a temporary storage building for the Fire and Police Departments. Passage requires majority vote.

The following people addressed this item;
Patricia Whyte, Orchard Street
Russ Lunt, Brigham Street

Councilor Morgan moved for passage. Councilor Linscott seconded. The order passed 6-1 (Blake).

20. ORDER #50-15/16 – Authorizing the City’s participation in submitting an application for and accepting a 2016 DriveSober Maine grant in the amount of $10,000 from the Maine Bureau of Highway Safety to be used by the Police Department. Passage requires majority vote.

There was no public discussion.

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

I. Citizen Discussion (Second Part)

J. Councilor’s Round Robin

Councilor Fox remarked about how bad the flu is this year.

Mayor Cohen said that we would benefit from having a young advisor on every board in the city.

Councilor Morgan reflected on Gene Swanson, a former neighbor of his.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager.
Councilor Linscott moved to go into Executive Session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager, at 8:57 P.M. Councilor Beecher seconded. The motion passed 7-0.

Councilor Morgan moved to come out of Executive Session at 10:42 P.M. Councilor Linscott seconded. The motion passed 7-0.

Councilor Morgan moved to adjourn. Councilor Fox seconded. The motion passed 7-0.

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ATTEST

Susan M. Mooney
Roll Call: Mayor Cohen called the Special meeting to order at 6:00 P.M. Councilor Smith was absent.

H. Action on Old and New Business

1. ORDER #51-15/16 – Appointing Emily Carrington as City Clerk/Registrar of Voters. Passage requires majority vote.

   There was no public discussion.

   Councilor Morgan moved to appoint Emily Carrington as City Clerk/Registrar of Voters. Councilor Fox seconded. The order passed 6-0.

   Councilor Morgan moved to adjourn at 6:12 P.M. Councilor Beecher seconded. The motion passed 6-0.

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ATTEST: Susan M. Mooney
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 42
NOVEMBER 2, 2015

**Roll Call:** Mayor Cohen called the meeting to order at 7:00 P.M. All Councilors were present. Mayor Cohen introduced Emily Carrington, City Clerk, and mentioned the passing of Stan Cox.

A. **Acceptance of Minutes**

Councilor Blake moved to accept the minutes from the October 19 & October 26 meetings. Councilor Linscott seconded. The motion passed 7-0.

B. **Communications from City Manager**

The Manager addressed the following items:
- Veteran’s Day Parade at 10am on 11/11, starting at SMCC and ending at Mill Creek Park.
- Upcoming Council Workshop on 11/9 for Mayoral Caucus and continued discussion on LP gas moratorium.
- Upcoming Council Workshop on 11/23 to discuss amending TIF districts, financial assurance, and Dow’s Woods conservation easement.

C. **Petitions and Communications**

The City Clerk made an announcement about Election Day and mentioned the times the polls would open and close and the polling locations for each district.

D. **Appointment Calendar**

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

2. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.
There was no public discussion.

Councilor Morgan moved to postpone. Councilor Linscott seconded. The postponement passed 7-0.

4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

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

5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Passage requires majority vote.

There was no public comment.

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

E. Consent Calendar

6. STREET CLOSURE – South Portland Parks, Recreation and Waterfront and the South Portland/Cape Elizabeth Chamber is requesting the closure of Hinckley Drive for an Annual Holiday Tree Lighting. The Holiday Tree Lighting is scheduled for December 4, 2015 from 4:00 P.M. to 7:30 P.M. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved for passage. Councilor Linscott seconded. The motion passed 7-0.

F. Citizen Discussion (First Part)
   Mary Ann Hill, Condominiums
   Russ Lunt, Brigham Street

G. Public Hearings and Action

7. BUSINESS LICENSE – Fore River Brewing Company LLC DBA Fore River Brewing Company, 45 Huntress Avenue, for a Food Establishment Tavern License. Passage requires majority vote.
The following people addressed this item:
Russ Lunt, Brigham Street

Councilor Smith moved for passage. Councilor Fox seconded. The motion passed 6-0 (Fox was out of the room).

H. Action on Old and New Business

8. ORDER #52-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

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

9. ORDER #53-15/16 – Authorizing the City Manager to sign a collective bargaining agreement with the South Portland Police Patrol for the period of July 1, 2015 to June 30, 2018. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Beecher seconded. The motion passed 7-0.

10. RESOLVE #4 -15/16 – Approving an Appropriation Transfer Resolve for FY 2016 for the South Portland Firefighters IAFF Local 1476 Union Contract, South Portland Police Command and Supervisory Unit Union Contract, South Portland Police Patrol Association Union Contract and Bus Service grant related position wage adjustments. Passage requires majority vote.

There was no public discussion.

Councilor Fox moved for passage. Councilor Smith seconded.

Councilor Linscott moved to amend RESOLVE #4-15/16 - Bus Service – Hourly from “$26,500” to “$26,650”. Councilor Morgan seconded. The amendment passed 7-0. The resolve passed as amended 7-0.

11. ORDER #54-15/16 – Authorizing the City Manager to execute and deliver to Central Maine Power Company an easement for property on Highland Avenue for all actions involved in electric and communication equipment and facilities. Passage requires majority vote.

There was no public discussion.
Councilor Fox moved for passage. Councilor Beecher seconded.

Councilor Blake moved to amend ORDER #54-15/16, adding “underground” to the sentence “granting a utility easement underground, on, and over City-owned property”. Councilor Morgan seconded. The amendment passed 7-0. The order passed as amended 7-0.

12. RESOLVE #5-15/16 - Asking that bells be rung at 11:00 a.m. on Veterans Day. Passage requires majority vote.

The following people addressed this item:
Russ Lunt, Brigham Street

Councilor Beecher moved for passage. Councilor Fox seconded. The motion passed 7-0.

I. Citizen Discussion (Second Part)

Dan Fortin, Thaddeus St.

J. Councilor’s Round Robin
Linscott wished everyone a happy Veterans’ Day and encouraged residents to vote.

Fox spoke on the upcoming meeting of the development of a Community Health Center occurring November 10 from 5-6pm at 100 Brick Hill Drive, 3rd floor.

Blake encouraged residents to vote.

Beecher encouraged residents to vote.

Cohen thanked the Police Department for the recent Halloween party for children, wished the Clerk’s office good luck, and encouraged residents to vote.

Morgan encouraged residents to vote and spoke on the signs unrelated to campaigning that were being erected on public property.

Smith wished everyone a happy Veterans’ Day and encouraged residents to vote.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager.
Councilor Linscott moved to go into executive session pursuant to 1 M.R.S.A., §405 (6)(a), evaluation of City Manager at 8:08 P.M. Councilor Beecher seconded. The motion passed 7-0.

Councilor Beecher moved to come out of executive session at 8:42 P.M. Councilor Morgan seconded. The motion passed 7-0.

Councilor Morgan moved to adjourn at 8:43 P.M. Councilor Smith seconded. The motion passed 7-0.

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ATTEST

Emily F. Carrington
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 47
NOVEMBER 16, 2015

Roll Call: Mayor Cohen called the meeting to order at 7:00 P.M. All Councilors were present.

A. Acceptance of Minutes

Councilor Beecher moved to accept the minutes from the November 2 meeting. Councilor Fox seconded. The motion passed 7-0.

B. Communications from City Manager

The Manager addressed the following items:
- The Transfer Station is open on Sundays in November.
- Leaf bag pick-up is currently underway by Public Works.
- December 7 is the City Council and School Board Inauguration at 4:00pm in City Hall Council Chambers.
- Upcoming Workshops:
  - 11/30: FOIA training, and Ch. 8 Fire Code Amendments
  - 12/14: Goal setting
  - 12/16: School board budget update
- The City Manager recognized Councilor Linscott for her service.

C. Petitions and Communications

The City Manager provided the Council with department & committee reports.

Councilor Blake spoke about a recent meeting with the Superintendent of Schools on the topic of encouraging children to bike and walk to school.

Councilor Fox spoke on the inability of some children being able to walk or bike to school due to the closure of a community school.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   There was no public discussion.

   Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

2. ORDER #89-14/15 – Civil Service Commission, District Three (Linscott), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.
There was no public discussion.

Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved to postpone. Councilor Beecher seconded. The postponement passed 7-0.

4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved to postpone. Councilor Fox seconded. The postponement passed 7-0.

6. ORDER #55-15/16 - Energy & Recycling Committee, District Three (Linscott), for an unexpired term which expires on 05/05/16. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved to postpone. Councilor Morgan seconded. The postponement passed 7-0.

E. Consent Calendar

There were no items.

F. Citizen Discussion (First Part)
   Russ Lunt, Brigham Street
   Eben Rose, Buchanan Street
G. Public Hearings and Action

7. BUSINESS LICENSE – Edward H. Benjamin D/B/A Benjamin Building Wrecking Co., 41 Jackson Street, for an Automobile Graveyard and/or Junkyard License. Passage requires majority vote.

There was no public discussion.

Councilor Morgan moved for passage. Councilor Linscott seconded. The motion passed 7-0.

H. Action on Old and New Business

8. ORDER #56-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public discussion.

Councilor Linscott moved for passage. Councilor Blake seconded. The motion passed 7-0.


The following people commented on this item:
   Greg Lewis

Councilor Blake moved for passage. Councilor Morgan seconded. The motion passed 7-0.

I. Citizen Discussion (Second Part)

Patricia White
Greg Lewis, Mussey Street

J. Councilor’s Round Robin

Councilor Fox had no comments.

Councilor Blake spoke on Wednesday's annual meeting of the South Portland Land Trust, affordability, and wished Chief Kevin Guimond and Councilor Linscott best of luck. Blake reminded the community to keep an eye out for one another and help people in need.

Councilor Beecher spoke on Wednesday's Economic Development Workshop at 6pm, and wished Chief Kevin Guimond and Councilor Linscott best of luck.
Mayor Cohen thanked Susan Mooney, Chief Kevin Guimond and Councilor Linscott for their service and wished them best of luck.

Councilor Morgan thanked Councilor Linscott for her service and wished her best of luck. Councilor Morgan also addressed comments from Adrian Dowling.

Councilor Smith thanked Susan Mooney, Chief Kevin Guimond and Councilor Linscott for their service and wished them best of luck.

Councilor Fox presented an agenda item for the next meeting on the topic of Fire Code Ordinance amendments.

Councilor Linscott thanked everyone for the well wishes and spoke on her service to the community.

K. Executive Session

Councilor Fox moved to adjourn at 7:49 P.M. Councilor Beecher seconded. The motion passed 7-0.

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ATTEST

Emily F. Carrington
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 51
DECEMBER 9, 2015

Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. All Councilors were present.

A. Acceptance of Minutes

Councilor Beecher moved to accept the minutes from the November 16 meeting. Councilor Smith seconded. The motion passed 7-0.

B. Communications from City Manager

There were no communications from the City Manager.

C. Petitions and Communications

There were no petitions from the City Manager. Councilor Cohen recognized Wreaths Across America.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

2. ORDER #89-14/15 – Civil Service Commission, District Three (Rose), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

6. ORDER #55-15/16 – Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 11/16/15. Passage requires majority vote.

7. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Passage requires majority vote.

Motion was made by Councilor Morgan to suspend the rules to postpone agenda items 1-7 by single vote, seconded by Councilor Beecher. The motion carried 6-1 (Cohen). Councilor Morgan moved to postpone agenda items 1-7, seconded by Councilor Fox. There was no public discussion. The motion carried 6-1 (Cohen).
8. ORDER #59-15/16 - Energy & Recycling Committee, District Five (Fox), appointing Andrew Snyder for an unexpired term which expires on 05/05/18. Passage requires majority vote.

There was no public comment.

Councilor Fox moved to appoint Andrew Snyder. Councilor Rose seconded.

The motion passed 7-0.

E. Consent Calendar

9. SIGN PERMIT - The South Portland Farmer's Market is requesting a sign placed on the corner of the intersection at 496 Ocean Street annually from 11/1 to 4/30 for the Winter Farmer's Market.

10. SIGN PERMIT - The South Portland Farmer's Market is requesting a sign placed at the corner of Broadway and 240 Ocean Street annually from 11/1 to 4/30 for the Winter Farmer's Market.

Passage of Consent Calendar requires majority vote.

The following citizens commented on this item:
   Jodie Jordan, Farmers' Market

Councilor Cohen moved for passage of the Consent Calendar. Councilor Rose seconded.

The motion passed 7-0.

F. Citizen Discussion (First Part)

Russ Lunt, Brigham St.
Greg Lewis, Mussey St.
Ross Little, Day St.
Ms. Skerry, Brickhill Ave.
Mike Pock, Grand St.
Peter Stocks, Colchester Dr.
Jeff Selser, Summit St.
Skip Waltz, Buxton
April Curricio, Cash St.
John Wibby, Cash St.

G. Public Hearings and Action

11. ORDER #60-15/16 – Adopting the Seventh Amendment to the Fairchild Semiconductor Tax Increment Financing (TIF) District Development Program, the Second Amendment to the Long Creek TIF District Development Program, the Sixth Amendment to the Texas Instruments TIF District Development Program, and the First Amendment to the Hannaford TIF District Development Program. Passage requires majority vote.
This item was brought before the Council at 7:47pm.

The order was read in full by the City Clerk, and the position paper was summarized by the City Manager. The City Manager requested passage of Order #60-15/16.

Mayor Blake opened the public hearing on the Order.

The following public discussion took place on this item:
- Russ Lunt, Brigham Street, supporting the Order, and asked if broadband access would eventually be expanded to all households within the city.
- Greg Lewis, Mussey Street, asked for an explanation of how TIF financing works, and supportive of GWI as provider and of expanded broadband access.

Mayor Blake closed the public hearing on the Order.

The City Manager addressed the questions from the public in the order they were raised:
1) The current focus is on allowing access through thoroughfares, which would allow for future buildout to residential areas.
2) Confirmed the broadband access provider would be GWI, selected from a bidding process.
3) The City Manager yielded the floor to Shoshana Mueller, TIF Counsel, who responded to the question raised around how TIF financing works by giving an overview of TIFs.

Councilor Morgan asked if additional public hearing notice was required. Shoshana confirmed that this requirement has been met.


Councilor Rose asked a question about captured assessed value. Shoshana responded to Councilor Rose's question.

Councilor Morgan informed the public that the Council held a workshop on this item and discussed the Council's ability to elect to use TIFs to fund or not fund specific items. Morgan asked a question regarding if TIFs can be borrowed against as a form of bond. Shoshana responded to Councilor Morgan's question.

Councilor Blake spoke in favor of passage and called for the vote. The motion to pass Order #60 15/16 carried 7-0.
H. Action on Old and New Business

12. ORDER #61-15/16 - Accepting miscellaneous donations. Passage requires majority vote.

The following citizens commented on this item:
   Jeff Selser, Summit St.
   Mike Pock, Grand St.

Councilor Cohen moved for passage. Councilor Fox seconded. The motion passed 7-0.

13. ORDER #62-15/16 – Award of bid to Rowe Ford, of Westbrook, ME, for the purchase of a service truck for the South Portland Bus Service. Passage requires majority vote.

There was no public discussion.

Councilor Beecher moved for passage. Mayor Blake seconded.

Councilor Beecher commented on the high cost of the service truck. The City Manager explained the model and purpose of the service truck. Arthur Handman, Director of Transportation Department, clarified that the federal government would pay for 80% of the cost of the service truck.

The motion passed 7-0.

14. ORDINANCE #6-15/16 - Amending Chapter 27, “Zoning Ordinance,” regarding moratorium on development proposals involving liquefied petroleum gas (LPG) storage and distribution facilities. First reading. Passage requires majority vote.

The following citizens commented on this item:
   Devin Deane, Thirlmere Ave.
   Mike Waltz, Buxton
   Sue Henderson, E St.
   Bill Fielding, Scarborough
   Mark Johnson, Romano Rd
   Steve Hassan, Breakwater Dr
   Joseph Rose, Louden, NH
   Russ Lunt, Brigham St.
   Greg Lewis, Mussey St.
   Joyce Mendoza, Thirlmere Ave.
   Judy Kline, Breakwater Dr.
   Andrew Snyder, Boysenberry Dr.
   Rachel Burger, 17 Churchill St.
   Charlie Higgins, Ledge Rd.
   Meg Braley, Beech St.
   Jeff Selser, Summit St.
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Peter Stocks, Colchester Dr.
Katherine Chapman, Beaufort St.
Jamie Pie, Portland
George Corey, Franklin Terrace
Pamela Cragen, Smith St.
Bob Klotz, Whitehall Ave.

Councilor Smith moved for passage. Seconded by Councilor Fox.

Councilor Rose called for orders of the day. Mayor Blake declared the business before the assembly in proper order.

Councilor Fox moved to postpone indefinitely. Seconded by Councilor Rose.

Councilor Rose called for point of parliamentary inquiry.

Councilor Morgan called for clarification of the motion on the floor.

Mayor Blake called for the vote to postpone indefinitely. The motion to postpone indefinitely passed 4-3 (Fox, Smith, Blake).

15. ORDER #63-15/16 – Authorizing the City Manager to submit formal requests to the Maine Department of Environmental Protection (MDEP) that it require oil terminal facilities to conduct a site specific post-closure engineering assessment and to increase the facility’s financial responsibility if so warranted by the assessment. Passage requires majority vote.

There was no public discussion.

Councilor Smith moved for passage. Seconded by Councilor Beecher. The motion passed 7-0.

I. Citizen Discussion (Second Part)

There was no discussion.

J. Councilor’s Round Robin

Councilor Beecher shared that the CBDG program was now accepting applications. Mayor Blake recognized Henrietta LaRu who recently passed away, and commented on the Ferry Village sign. Councilor Morgan passed. Councilor Smith passed. Councilor Rose thanked those who supported his election to office and commented on the rules. Councilor Cohen recognized Henrietta LaRue. Councilor Fox passed.
K. Executive Session
Councilor Morgan moved to adjourn at 10:38pm. Seconded by Councilor Cohen. The motion passed 7-0.

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. All Councilors were present.

A. Acceptance of Minutes
Councilor Beecher moved to accept the minutes from the December 9 meeting. Councilor Smith seconded. The motion passed 7-0.

B. Communications from City Manager
1) Sewer Repair on 12/22 from 7am-5pm on Ocean & Sawyer. Residents are advised that traffic may be delayed.
2) City Hall closing at 4:30pm on December 24 and December 31.
3) December 28 will be a Council workshop to discuss Fire Code ordinance amendments.
4) On January 4th, there will be a regular Council meeting.
5) On January 13, at 7pm in Council Chambers, the School Board and Council will be meeting to receive budget guidance.
6) Dog licenses expire December 31 and are currently available for purchase in the City Clerk's office. Residents are advised that dog licenses may be purchased until January 31 to avoid a $25 late fee.

C. Petitions and Communications
1) Department and Committee reports are available on the City's website under Council Agendas & Minutes.

D. Appointment Calendar
1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   Councilor Smith moved to postpone, seconded by Councilor Morgan. The motion passed 7-0.

2. ORDER #89-14/15 – Civil Service Commission, District Three (Rose), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   Councilor Rose moved to postpone, seconded by Councilor Morgan. The motion passed 7-0.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

   Councilor Morgan moved to postpone, seconded by Mayor Blake. The motion passed 7-0.

4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

   Councilor Smith moved to postpone, seconded by Councilor Cohen. The motion passed 7-0.
5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Councilor Smith moved to postpone, seconded by Councilor Cohen. The motion passed 7-0.

6. ORDER #55-15/16 – Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 11/16/15. Passage requires majority vote.

Councilor Rose moved to postpone, seconded by Councilor Morgan. The motion passed 7-0.

7. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Passage requires majority vote.

Councilor Smith moved to postpone, seconded by Councilor Rose. The motion passed 7-0.

8. ORDER #64-15/16 - Energy & Recycling Committee, District Five (Fox), for an unexpired term which expires on 05/05/18. Passage requires majority vote.

Councilor Fox moved to postpone, seconded by Councilor Beecher. The motion passed 7-0.

9. ORDER #65-15/16 – Conservation Commission, District Four (Cohen), for an unexpired term which expires on 03/03/16. Passage requires majority vote.

Councilor Cohen moved to postpone, seconded by Councilor Beecher. The motion passed 7-0.

E. Consent Calendar

There were no items.

F. Citizen Discussion (First Part)
   Russ Lunt, Brigham St.
   Andrea McCaughlin
   Steve Hassan, Breakwater Dr.
   Mike Pock, Grand St.
   Dr. Skerry, Brickhill Ave.
   Jeff Selser, Summit St.
   Andrew Snyder, Boysenberry St.
   Devin Deane, Thirlmere Ave.
   Pam Cragen, Smith St.
   Dan Wood, Alder St.
   Karen Silverman, Churchill Rd.

G. Public Hearings and Action

There were no items.
H. Action on Old and New Business

10. ORDINANCE #6-15/16 - Amending Chapter 27, “Zoning Ordinance,” regarding moratorium on development proposals involving liquefied petroleum gas (LPG) storage and distribution facilities. First reading. Passage requires majority vote.

The vote to indefinitely postpone this item at the 12/9/15 meeting may be reconsidered.

Motion was made by Councilor Morgan to have Ordinance #6-15/16 read by title only, seconded by Councilor Cohen. The motion passed 7-0.

Public comment was closed on this item.

Motion to reconsider the vote to indefinitely postpone was made by Councilor Rose, and seconded by Councilor Fox. The motion passed 4-3 (Morgan, Cohen, Beecher).

Councilor Rose withdrew the second on the motion to postpone indefinitely. Councilor Fox withdrew the motion to postpone indefinitely.

Councilor Fox moved to amend Ordinance #6-15/16 to change the effective date from December 9, 2015 to October 14, 2015, seconded by Councilor Rose. The motion passed 4-3 (Morgan, Cohen, Beecher).

Motion for passage of order as amended made by Councilor Smith, and seconded by Councilor Fox. The motion passed 4-3 (Morgan, Cohen, Beecher).

11. ORDER #66-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved for passage, seconded by Councilor Cohen. The motion passed 7-0.

12. ORDER #67-15/16 – Award of bid #16-16 to Stertil-Koni USA, Inc., of Stevensville, MD, for the purchase of heavy duty mobile column lifts for the School Department. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved for passage, seconded by Councilor Fox. The motion passed 7-0.

13. ORDER #68-15/16 – Authorizing the exchange of deeds with Sable Lodge Retirement Community LLC relating to drainage easements on, over and under a portion of Sable Lodge’s property at 10 and
20 Executive Drive (currently shown as a portion of Assessor’s Map 73, Lots 11A, 11B and 11C). Passage requires majority vote.

The following addressed this item:
Russ Lunt, Brigham St.

Councilor Cohen moved for passage, seconded by Councilor Beecher. The motion passed 7-0.

14. ORDER #69-15/16 – Appealing the denial of the Public Works’ Director a curb cut on Postal Service Way for F. W. Webb Company. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved for passage, seconded by Councilor Fox. The motion passed 7-0.

15. ORDER #70-15/16 – Authorizing the expenditure of $140,000 from the Land Bank for the City to acquire third party enforcement rights in a conservation easement from HW Land Company, LLC to be imposed on approximately 9.3 acres of land located at or near 590 Highland Avenue (said property to be called the “Dow’s Wood’s Nature Preserve”). Passage requires majority vote.

The following addressed this item:
Kay Loring, Bluff Rd.
Russ Lunt, Brigham St.
Steve Jocker, Highland Ave.

Councilor Morgan moved to amend Order #70-15/16 to correct error stating "9.3 acres" to "9.2 acres", seconded by Councilor Cohen. Motion passed 7-0.

Councilor Beecher moved for passage of the order as amended, seconded by Councilor Fox. Motion passed 7-0.

I. Citizen Discussion (Second Part)
George Corey, Franklin Terrace.

J. Councilor’s Round Robin
Councilor Blake spoke on York’s recent public vote on the banning of plastic bags, and recognized Frederick Jeffries who passed away, thanking him for his service to his country and city. Councilor Rose wished everyone Happy Holidays and commented on the success of the goal setting workshop.
Councilor Cohen recognized Frederick Jeffries, and wished everyone Happy Holidays. Councilor Beecher expressed appreciation to Parks & Rec and Public Works for their work on the Mill Creek Park tree lighting and wished everyone Happy Holidays. Councilor Smith & Councilor Fox wished everyone Happy Holidays.
K. Executive Session

Councilor Smith moved to adjourn at 8:55pm, seconded by Councilor Fox. Motion to adjourned passed 7-0.

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. Councilor Beecher and Councilor Morgan were absent.

A. Acceptance of Minutes

Councilor Smith moved for acceptance, seconded by Councilor Fox. Motion passed 5-0.

B. Communications from City Manager

1) Budget guidance workshop on 1/13 with City Council and School Board
2) Winterfest starting on 1/29 at Mill Creek Park from 4-8pm
3) Public Works is collecting Christmas trees. Residents are asked to leave their trees curbside, without ornaments.
4) Waterfront ad-hoc committee and temporary off-premise signs to be discussed at the upcoming City Council Workshop on 1/11.

C. Petitions and Communications

1) Board of Appeals Attendance Report
2) The City Clerk read excerpts from The Current where the South Portland Marching Band was recognized for a gold medal for the 10th consecutive year.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two(Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

   Councilor Smith moved to postpone, seconded by Councilor Rose. The motion passed 5-0.

2. ORDER #89-14/15 – Civil Service Commission, District Three(Rose), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   Councilor Rose moved to postpone, seconded by Councilor Cohen. The motion passed 5-0.

3. ORDER #114-14/15 – Conservation Commission, District One(Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

   Councilor Cohen moved to postpone, in Councilor Morgan's absence, seconded by Councilor Smith. The motion passed 5-0.
4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

Councilor Smith moved to postpone, seconded by Councilor Fox. The motion passed 5-0.

5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Councilor Smith moved to postpone, seconded by Councilor Fox. The motion passed 5-0.

6. ORDER #55-15/16 – Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 11/16/15. Passage requires majority vote.

Councilor Rose moved to postpone, seconded by Councilor Cohen. The motion passed 5-0.

7. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Councilor Smith moved to postpone, seconded by Councilor Cohen. The motion passed 5-0.

8. ORDER #64-15/16 - Energy & Recycling Committee, District Five (Fox), for an unexpired term which expires on 05/05/18. Postponed since 12/21/15. Passage requires majority vote.

Councilor Fox moved to postpone, seconded by Councilor Rose. The motion passed 5-0.

9. ORDER #65-15/16 – Conservation Commission, District Four (Cohen), appointing Joe Greeley, for an unexpired term which expires on 03/03/16. Postponed since 12/21/15. Passage requires majority vote.

There was no public comment.

Councilor Cohen moved for passage, seconded by Councilor Smith. The motion passed 5-0.

10. ORDER #71-15/16- Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Passage requires majority vote.
Councillor Smith moved to postpone, in Councillor Morgan’s absence, seconded by Councillor Cohen. The motion passed 5-0.

11. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Passage requires majority vote.

Councillor Fox moved to postpone, seconded by Councillor Rose. The motion passed 5-0.

E. Consent Calendar

12. SIGN PERMIT - The Greater Portland Sustainability Council is requesting to place temporary signs in various locations on city property from January 27 to February 8 to notify South Portland residents about the Home Energy Fair on February 6.

The following people addressed this item:
   Jeff Edelstein, Greater Portland Sustainability Council
   Jim Hoy, Hill St.

Councillor Smith moved for passage, seconded by Mayor Blake. The motion passed 5-0.

F. Citizen Discussion (First Part)

Russ Lunt, Brigham St.
Jim Hoy, Hill St.
Bob Whyte, Orchard St.
Albert DiMillo, Colchester Dr.
Devin Deane, Thirlmere Ave.
Patricia Whyte, Orchard St.
Greg Lewis, Mussey St.

G. Public Hearings and Action

H. Action on Old and New Business

13. ORDER #73-15/16 - Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Councillor Cohen moved for passage, seconded by Councillor Rose. The motion passed 5-0.
14. ORDER #74-15/16 – Authorizing the City Manager to sign a Certificate of Title and Project Acceptance with Portland Water District to complete the main and service installations at 929 Highland Avenue. Passage requires majority vote.

The following people addressed this item:
   Russ Lunt, Brigham St.

Councilor Smith moved for passage, seconded by Councilor Fox. The motion passed 5-0.

15. ORDER #75-15/16 – Authorizing the City Manager to sign a contract with Unitil for the installation of gas service at 929 Highland Avenue. Passage requires majority vote.

The following people addressed this item:
   Albert DiMillo, Colchester Dr.

Councilor Fox moved for passage, seconded by Councilor Cohen. The motion passed 5-0.

16. ORDER #76-15/16 – Authorizing the City Manager to sign a GPCOG Brownfields Program Subgrant Agreement regarding a Brownfields Cleanup Revolving Loan Fund Capitalization grant from the U. S. Environmental Protection Agency. Passage requires majority vote.

The following people addressed this item:
   Russ Lunt, Brigham St.

Councilor Cohen moved for passage, seconded by Councilor Fox. The motion passed 5-0.

17. ORDER #77-15/16 – Authorizing the City Manager to sign a Memorandum of Agreement between the U.S. Environmental Protection Agency and the Maine State Historic Preservation Officer regarding the South Portland Armory. Passage requires majority vote.

The following people addressed this item:
   David Letou, Property Holdings

Councilor Fox moved for passage, seconded by Councilor Smith. The motion passed 5-0.

18. ORDER #78-15/16 – Award of Request for Proposal to Credere Associates, of Westbrook, ME, to provide environmental professional services for the South Portland Armory Brownfields Grant. Passage requires majority vote.
The following people addressed this item:
   Russ Lunt, Brigham St.
   Patricia Whyte, Orchard St.

Councilor Smith moved for passage, seconded by Councilor Cohen. The motion passed 5-0.

19. ORDER #79-15/16 – Award of Request for Proposal to M. Gaertner, Historic Building Consultant, of Portland, ME, to provide historic documentation services for the South Portland Armory Brownfields Grant. Passage requires majority vote.

There was no public comment.

Councilor Rose moved for passage, seconded by Councilor Fox. The motion passed 5-0.

I. Citizen Discussion (Second Part)

   George Corey, Franklin Terrace

J. Councilor's Round Robin

   Councilor Smith wished everyone a happy new year.

   Councilor Rose thanked Mayor and the public for their comments and commented on the tone and candor of the workshop on 1/28.

   Councilor Cohen Announced vacancies on the CDAC and Energy & Recycling Committee and addressed a comment about serving on the Chamber board.

   Councilor Fox shared an e-mail from citizen Sarah Malley on the LP gas issue. Commented that he would like to see the Chapter 8 Fire Code amendment that was discussed in a recent workshop on the next Council agenda.

   Mayor Blake recognized public comments and encouraged more participation from the community and addressed the process for how conflicts of interest are handled within the Council.

K. Executive Session

   Councilor Smith made a motion to adjourn at 8:56pm, seconded by Councilor Fox. The motion passed 5-0.
Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. All Councilors were present.

A. Acceptance of Minutes

Beecher moved for acceptance of the minutes, seconded by Cohen. Motion passed 7-0.

B. Communications from City Manager

The City Manager shared that applications are now being taken for the Tax Program; applications are due April 15. January 29-30 is the weekend for this year's Winterfest celebration. While the winter parking ban is in effect, this year the City is allowing parking at Bug Light and Waterman Drive. Dog licenses must be renewed by January 31 to avoid a $25.00 late fee. The City now has a City of South Portland Facebook page managed by the City Clerk.

C. Petitions and Communications

Morgan shared that he recently attended a meeting of the Waterfront Alliance.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

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

2. ORDER #89-14/15 – Civil Service Commission, District Three (Rose), appointing Katie Montgomery, for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

Rose moved to withdraw this item from the agenda, as the applicant resides outside of district three. Seconded by Morgan. The motion passed 7-0.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

Morgan moved to postpone, seconded by Smith. The motion passed 7-0.
4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. The motion passed 7-0.

5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Smith moved to postpone, seconded by Fox. The motion passed 7-0.

6. ORDER #55-15/16 – Energy & Recycling Committee, District Three (Rose), appointing Nathan Davis, for an unexpired term which expires on 05/05/16. Postponed since 11/16/15. Passage requires majority vote.

There was no public comment.

Rose moved for passage, seconded by Morgan. The motion passed 7-0.

7. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Smith moved to postpone, seconded by Fox. The motion passed 7-0.

8. ORDER #64-15/16 - Energy & Recycling Committee, District Five (Fox), for an unexpired term which expires on 05/05/18. Postponed since 12/21/15. Passage requires majority vote.

Fox moved to postpone, seconded by Smith. The motion passed 7-0.

9. ORDER #71-15/16- Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Morgan moved to postpone, seconded by Cohen. The motion passed 7-0.

10. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Fox moved to postpone, seconded by Cohen. The motion passed 7-0.
11. ORDER #80-15/16 - Energy & Recycling Committee, District Four (Cohen), appointing Scott Lever, for an unexpired term which expires on 05/05/16. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 7-0.

12. ORDER #81-15/16 - Community Development Advisory Committee, District Four (Cohen), appointing Sharon Ricci, for an unexpired term which expires on 01/15/19. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Smith. The motion passed 7-0.

13. ORDER #82-15/16 - Community Development Advisory Committee, District Three (Rose), appointing Richard Rottkov, for an unexpired term which expires on 01/15/19. Passage requires majority vote.

There was no public comment.

Rose moved for passage, seconded by Fox. The motion passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

James Hoy, Hill St.
Russ Lunt, Brigham St.
Greg Lewis, Mussey St.
Albert DiMillo, Colchester Dr.
Jeff Selser, Summit St.
Peter Stocks, Colchester Dr.
Dan Morin, Skillin St.

G. Public Hearings and Action

Cohen moved to forgo the reading of Ordinance #6 in full and have the item summarized by the City Manager. Seconded by Beecher. The motion passed 7-0.

The following commented on this item:
- Russ Lunt, Brigham St.
- Greg Lewis, Mussey St.
- Devin Deane, Thirlmere Ave.
- Patricia Whyte, Orchard St.
- Peter Stocks, Colchester Dr.
- Susan Henderson, E St.
- Nathan Davis, Elm St.
- Jeff Selser, Summit St.
- Steve Hassan, Breakwater Dr.

Fox moved for passage, seconded by Smith. Roll Call vote was taken and the motion failed to carry: 4-3 (Morgan, Cohen, Beecher).

H. Action on Old and New Business

15. ORDER #83-15/16 - Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Fox. The motion passed 7-0.

16. ORDER #84-15/16 – Accepting a 2016 Water Bottle Filling Station Grant of up to $5000 from Portland Water District to purchase a water bottle filling station for the Wainwright Recreation Complex. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Fox. The motion passed 7-0.

17. ORDER #85-15/16 – Accepting a 2016 Water Bottle Filling Station Grant of up to $500 from Portland Water District to purchase a retrofit water bottle filling station for the Redbank Community Center. Passage requires majority vote.

There was no public comment.

Fox moved for passage, seconded by Beecher. The motion passed 7-0.

18. ORDER #86-15/16 – Award of sole source bid to Apple Inc., of Cupertino, CA, for the purchase of 40 laptops for the School Department. Passage requires majority vote.
The following addressed this item:
Russ Lunt, Brigham St.
Patricia Whyte, Orchard St.
Andy Wallace, Director of Technology for South Portland School District

Beecher moved for passage, seconded by Fox. The motion passed 6-1 (Morgan).

19. ORDER #87-15/16 – Award of Bid #20-16 to Yankee Ford, of South Portland, ME, for the purchase of four (4) cruisers for the South Portland Police Department. Passage requires majority vote.

The following addressed this item:
Russ Lunt, Brigham St.
Patricia Whyte, Orchard St.
Ed Googins, Police Chief

Cohen moved for passage, seconded by Fox. The motion passed 7-0.

20. ORDER #88-15/16 – Amending and extending the service agreement between Casella Organics and the City for the disposal of biosolids. Passage requires majority vote.

There was no public comment.

Fox moved for passage, seconded by Beecher. The motion passed 7-0.

21. ORDER #89-15/16 - Award of Bid #12-16 to Eastern Excavation, of Westbrook, ME, for the Multi-Use Path Lighting and Drainage Project on Main Street. Passage requires majority vote.

The following addressed this item:
Russ Lunt, Brigham St.

Beecher moved for passage, seconded by Fox. The motion passed 7-0.

I. Citizen Discussion (Second Part)

Patricia Whyte, Orchard St.

J. Councilor’s Round Robin

Rose remarked on the laws and processes of the Council in regards to appointments to City Committees and Boards.

Cohen encouraged residents to attend Winterfest.

Beecher encouraged residents to attend Winterfest.
Blake, Morgan, and Smith passed.

Fox was absent for Round Robin.

**K. Executive Session**

A motion was made to go into Executive Session pursuant to 1 M.R.S.A. §405 (6)(D) regarding labor negotiations with the AFSCME Local # 481, Parks and Public Works Unit by Morgan at 10:20pm, seconded by Cohen. The motion passed 6-0 (Fox absent).

A motion was made by Morgan to come out of Executive Session at 10:33pm, seconded by Beecher. The motion passed 6-0.

A motion was made by Morgan to adjourn at 10:34pm, seconded by Cohen. The motion passed 6-0.

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Emily F. Carrington

ATTEST

Emily F. Carrington
**IN COUNCIL SPECIAL MEETING VOL. 77 PAGE 74**
**JANUARY 25, 2016**

**Roll Call:** Mayor Blake called the meeting to order at 6:30pm. Councilor Cohen was absent.

**H. Action on Old and New Business**

1. **ORDER #90-15/16** - Award of bid to EnviroVantage, of Westbrook, ME, for environmental remediation work at the South Portland Armory. Passage requires majority vote.

The following addressed this item:
   Russ Lunt, Brigham St.

Morgan moved for passage, seconded by Fox. The motion passed 6-0.

Beecher moved to adjourn at 6:39pm. seconded by Fox. The motion passed 6-0.

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ATTEST  

Emily F. Carrington
**Roll Call:** Mayor Blake called the meeting to order at 7:00pm. All Councilors were present.

**A. Acceptance of Minutes**

Beecher moved to accept the minutes from the January 20, 2016 and January 25, 2016 meetings. Seconded by Fox. The motion passed 7-0.

**B. Communications from City Manager**

The City Manager thanked Lisa Thompson and the Parks and Recreation department for their assistance in organizing the Winterfest celebration.

A reminder that the Senior Tax Assistance Program is going on now until April 15. Residents are encouraged to contact the Treasury Specialist for more information.

The City Manager introduced the Finance Director and auditor to present the 2016 Financial Audit Presentation.

The City Manager commented on the Fire Department's Squad 4 and Engine 5 fire trucks.

The City Manager thanked resident Russ Lunt for the photos of the City.

**C. Petitions and Communications**

The City Clerk mentioned the numerous petitions that had come into the office and thanked clerk staff for their excellent work to meet the deadline. The Clerk reminded residents of how they can register to vote and information about the upcoming party caucuses.

Mayor Blake noted that he recently attended an Executive Committee GPCOG meeting, and a community leader substance abuse prevention meeting aimed at curbing substance abuse for 15-19 year olds. He also attended the Transfer Facility Ribbon Cutting Ceremony and noted that the new Transfer Facility would be open on Tuesday, February 2. The Mayor also reminded Councilors of Council Rule #28 which addresses how many times Councilors may speak on any one item.
D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

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

2. ORDER #89-14/15 – Civil Service Commission, District Three (Rose), for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

   Rose moved to postpone, seconded by Morgan. The motion passed 7-0.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

   Morgan moved to postpone, seconded by Cohen. The motion passed 7-0.

4. ORDER #2-15/16 – Board of Appeals, District Two (Smith), appointing Bob Whyte, for a term which expires on 7/23/18. Postponed since 07/06/15. Passage requires majority vote.

   There was no public comment.

   Smith moved for passage, seconded by Fox. The motion passed 7-0.

5. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

   Smith moved to postpone, seconded by Fox. The motion passed 7-0.

6. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

   Smith moved to postpone, seconded by Fox. The motion passed 7-0.
7. ORDER #64-15/16 - Energy & Recycling Committee, District Five (Fox), appointing David Cote, for an unexpired term which expires on 05/05/18. Postponed since 12/21/15. Passage requires majority vote.

There was no public comment.

Fox moved for passage, seconded by Beecher. The motion passed 7-0.

8. ORDER #71-15/16 - Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Morgan moved to postpone, seconded by Cohen. The motion passed 7-0.

9. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Fox moved to postpone, seconded by Beecher. The motion passed 7-0.

10. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Passage requires majority vote.

Smith moved to postpone, seconded by Fox. The motion passed 7-0.

E. Consent Calendar

11. STREET CLOSING - The Color Run is requesting the closure of various streets for a 5K race on June 26, 2016 from 9:00 A.M. to 12:00 A.M.

12. STREET CLOSING - Tri For A Cure is requesting the closure of Fort Road, Benjamin Pickett Street, Surfsite Road, and the northbound lane of Preble Street from Elsmere Avenue to Willard Square, from 6:00 A.M. to 12:30 P.M. for a triathlon on July 17, 2016.

The following commented on the items on the Consent Calendar:
   Russ Lunt, Brigham St.

Cohen moved for passage of the Consent Calendar, seconded by Fox. The motion passed 7-0.
F. Citizen Discussion (First Part)

Patricia Whyte, Orchard St.
Russ Lunt, Brigham St.
Greg Lewis, Mussey St.
Julie Rosenbach, Sustainability Coordinator

G. Public Hearings and Action

H. Action on Old and New Business

13. ORDER #92-15/16 – Authorizing the City Manager to sign a collective bargaining agreement with AFSCME Local 481, Council 93 Public Works and Parks from July 1, 2015 to June 30, 2018. Passage requires majority vote.

The following commented:
Russ Lunt, Brigham St.

Cohen moved for passage, seconded by Fox. The motion passed 7-0.

14. ORDER #93-15/16 – Award of Bid 23-16 to Eastern Excavation, Inc., of Westbrook, ME, for excavation work at the South Portland Municipal Services Facility. Passage requires majority vote.

The following commented:
Russ Lunt, Brigham St.

Beecher moved for passage, seconded by Fox. The motion passed 7-0.

15. RESOLVE #7-15/16 - Resolve in support of revising and improving Maine's laws and regulations governing solar distributed generation. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Cohen. The motion passed 7-0.
16. **ORDINANCE #7-15/16 – Amending Chapter 8, “Fire Protection and Prevention,”**  
First reading. Passage requires majority vote.

Cohen made a motion to forgo reading of Ordinance #7-15/16 in its entirety and have the item summarized, seconded by Morgan. The motion passed 6-1 (Blake).

The following commented on this item:
- Devin Deane, Thrilmere Ave.
- Bob Whyte, Orchard St.
- Russ Lunt, Brigham St.
- Patricia Whyte, Orchard St.
- Joyce Mendoza, Thornton Heights
- Mary Jane Ferrier, School St.
- Cathy Chapman, South Portland
- Jeff Selser, Summit St.
- George Corey, Franklin Terrace
- Patricia Skerry, Breakwater Dr.
- Rachel Burger, Churchill St.

Rose moved to amend Ordinance #7-15/16 to remove Sec. 8-4-15 (h), seconded by Fox. The motion failed 1-6 (Blake, Cohen, Fox, Beecher, Morgan, Smith).

Cohen moved for passage of first reading and postponement until March 7, seconded by Morgan. The motion passed 7-0.

I. **Citizen Discussion (Second Part)**

Marilyn Reilly, Augusta St.

J. **Councilor’s Round Robin**

Cohen thanked the South Portland/Cape Elizabeth Rotary Club for a successful and fun Winterfest.  
Fox wished everyone a happy Spring.  
Beecher commented on the success of Winterfest and apologized for not recognizing Julie Rosenbach, Sustainability Coordinator, in discussion of Resolve #7-15/16.  
Blake commented on the success of Winterfest and the impressive fireworks display.  
Smith commented that the fireworks at Winterfest were great.  
Rose commented that he enjoyed the fireworks and view of South Portland from the ice rink at Thompson's Point in Portland.
K. Executive Session

Morgan moved to adjourn at 10:35pm, seconded by Cohen. The motion passed 7-0.

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:20pm. Councilors Rose and Smith were absent.

A. Acceptance of Minutes

Beecher moved for acceptance of the minutes, seconded by Cohen. Motion passed 5-0.

B. Communications from City Manager

The City Manager reminded citizens about the Polystyrene Ban Ordinance and Reusable Bag Ordinance going into effect March 1st.

C. Petitions and Communications

The City Clerk mentioned the Board & Committee Recognition event on Thursday, February 25, 2016 at the Snow Squall Restaurant from 5:30pm to 8:00pm to recognize members of the volunteer city boards & committees. The City Clerk also mentioned recent updates to the website.

Councilor Morgan spoke on recent attendance of the Waterfront Alliance and the important and growing industry of aquaculture.

Mayor Blake commented on recent attendance of a TAG (Trail Advisory Group) meeting.

Councilor Beecher reminded citizens that parking will be discussed at the upcoming Comprehensive Plan Implementation Committee meeting.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

Councilor Cohen moved to postpone, seconded by Morgan. The motion passed 5-0.
2. ORDER #89-14/15 – Civil Service Commission, District Three (Rose), appointing **Rosemarie DeAngelis**, for an unexpired term which expires on 03/01/19. Postponed since 03/02/15. Passage requires majority vote.

The following spoke on this item:

Rosemarie DeAngelis
Russ Lunt

Morgan motioned for passage, seconded by Cohen.

Fox motioned for postponement. No second received. The motion to postpone failed.

The motion for passage carried 5-0.

3. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

Morgan moved to postpone, seconded by Cohen. The motion passed 5-0.

4. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Beecher moved to postpone, seconded by Cohen. The motion passed 5-0.

5. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Cohen moved to postpone, seconded by Blake. The motion passed 5-0.

6. ORDER #71-15/16- Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Morgan moved to postpone, seconded by Cohen. The motion passed 5-0.
7. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Fox moved to postpone, seconded by Beecher. The motion passed 5-0.

8. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Passage requires majority vote.

Cohen moved to postpone, seconded by Beecher. The motion passed 5-0.

9. ORDER #94-15/16 – Long Creek Watershed Management District Board of Directors appointing Brian Goldberg, Mike Vail, Ed Palmer, Craig Gorris, and Fred Dillon, for terms which expire on 02/15/19. Passage requires majority vote.

Cohen moved for passage, seconded by Beecher.

Cohen moved to amend the order to add "Thomas Blake, municipal official" to the list of appointees. Seconded by Morgan. The motion passed 5-0.

The motion for passage carried 5-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

The following spoke:
Bob Whyte, Orchard St.
Russ Lunt, Brigham St.
Rosemarie DeAngelis
William Laidley

G. Public Hearings and Action

10. BUSINESS LICENSE - Trimen Enterprises Inc., DBA Heidi’s Brooklyn Deli, 415 Philbrook Avenue, for a food establishment restaurant with malt & vinous license. Passage requires majority vote.

The following spoke:
Russ Lunt

Beecher moved for passage, seconded by Cohen. The motion passed 5-0.
11. ORDER #95-15/16 – Action on Payam Yazdanpanah/Yaz Towing’s Appeal of City Clerk’s January 6, 2016 decision to suspend Towing/Wrecker Business License. Passage requires majority vote.

Cohen moved to postpone to March 21st. Seconded by Morgan. The motion passed 5-0.

H. Action on Old and New Business

12. ORDER #96-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Morgan. The motion passed 5-0.

13. ORDER #97-15/16 – Authorizing a CATV franchise agreement with Time Warner Cable. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Cohen. The motion passed 5-0.

14. ORDER #98-15/16 - Authorizing the method of sale of tax-acquired property located at 2A Gerry Avenue (Map 53, Block 2A, Lot 85) as offering for sale by public bid pursuant to Sec. 2-171(2)(a) of the Code of Ordinances and authorizing the City Manager to take any and all such further action necessary to proceed with sale of the property. Passage requires majority vote.

The following spoke:
   Russ Lunt

Morgan moved for passage, seconded by Cohen. The motion passed 5-0.

15. ORDER #99-15/16 - Authorizing the method of sale of tax-acquired property located at 757 Main Street (Map 63, Block 29A, Lot 113) as offering for sale by public auction pursuant to Sec. 2-171(2)(a) of the Code of Ordinances and authorizing the City Manager to take any and all such further action necessary to proceed with sale of the property. Passage requires majority vote.

The following spoke:
   William Laidley
Beecher moved for passage, seconded by Fox. The motion passed 5-0.

16. ORDER #100-15/16 - Allowing construction trucks used by Eastern Excavation in conjunction with the excavation work being at the new Municipal Services Facility to travel on Evans Street between the hours of 7 a.m. and 5:00 p.m. from February 18, 2016 to May 1, 2016. Passage requires majority vote.

The following spoke:
   Russ Lunt
   Patricia Whyte

Cohen moved for passage, seconded by Beecher. The motion passed 5-0.

I. Citizen Discussion (Second Part)

Patricia Whyte, Orchard St.

J. Councilor's Round Robin

All Councilors passed.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405(6)(E) to discuss a pending litigation matter, Portland Pipe Line Corporation, et al. v. City of South Portland, et al., with the City’s legal counsel.

Morgan moved to go into Executive Session at 9:11pm; seconded by Cohen. The motion passed 5-0.

Morgan moved to come out of Executive Session at 10:12pm; seconded by Beecher. The motion passed 4-0 (Fox out of room).

Morgan moved to adjourn at 10:13pm; seconded by Cohen. The motion passed 4-0 (Fox out of room).

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 6:00pm. Councilor Smith was absent.

Councilor Morgan made a motion to go into executive session to discuss a pending litigation matter, Portland Pipe Line Corporation, et al. v. City of South Portland, et al., with the City's legal counsel.

Seconded by Councilor Cohen.

The motion passed 6-0.

Councilor Morgan motioned to come out of executive session at 7:00pm, seconded by Councilor Cohen. The motion passed 6-0 (Fox out of the room).

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:00pm. All Councilors were present. Agenda Item #14 was postponed at the start of the meeting.

A. Acceptance of Minutes

Morgan moved for the acceptance of the minutes from February 17 & February 29, seconded by Beecher. The motion passed 7-0.

B. Communications from City Manager

The City Manager shared that department budget reviews would take place March 28, March 30, and April 11 from 5-9pm in Council Chambers. A public hearing on the budget is scheduled for April 6.

The City Manager announced the new Parks, Recreation and Waterfront Director, Kevin Adams, and welcomed him to his new position.

C. Petitions and Communications

There were no items.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. Motion passed 7-0.

2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

Morgan moved to postpone, seconded by Smith. Motion passed 7-0.
3. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for a term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Smith moved to postpone, seconded by Beecher. Motion passed 7-0.

4. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. Motion passed 7-0.

5. ORDER #71-15/16 - Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Morgan moved to postpone, seconded by Beecher. Motion passed 7-0.

6. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Fox moved to postpone, seconded by Morgan. Motion passed 7-0.

7. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. Motion passed 7-0.

8. ORDER #101-15/16 – Civil Service Commission, District Five (Fox), appointing Deqa Dhalac, for a term which expires on 03/01/21. Passage requires majority vote.

The following commented on this item:
   Carl Selberg
   Kathleen Hanson
   Brink Lee
   Caroline Hendry
   Rosemarie DeAngelis
   Saharla Farlah
The City Clerk read into the record an e-mail from Phillip LaRou.

Fox moved for passage, seconded by Rose.

Cohen moved to amend Order #101-15/16, replacing Deqa Dhalac with Phillip LaRou. Seconded by Morgan. The amendment carried 5-2 (Fox, Rose).

The order passed, as amended, 5-2 (Fox, Rose).

*Councilor Fox left the meeting.*

9. ORDER #102-15/16 - Conservation Commission, District Four (Cohen), appointing Megan Sheehan, for a term which expires on 03/03/19. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion carried 6-0 (Fox out of the room).

10. ORDER #103-15/16 - Conservation Commission, District Three (Rose), for a term which expires on 03/03/19. Passage requires majority vote.

Rose moved to postpone, seconded by Morgan. The motion carried 6-0 (Fox out of the room).

11. ORDER #104-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Passage requires majority vote.

Rose moved to postpone, seconded by Beecher. The motion carried 6-0 (Fox out of the room).

**E. Consent Calendar**

There were no items.
F. Citizen Discussion (First Part)

Russ Lunt, Brigham St.
Greg Lewis, Mussey St.
Timothy Hewes
Carl Selberg
Lee Harvey
Rosemarie DeAngelis

G. Public Hearings and Action

12. BUSINESS LICENSE - Verbena Eat Right Now, 103 Ocean Street, for use of public sidewalk for outdoor seating license. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Beecher. The motion carried 6-0 (Fox out).

13. BUSINESS LICENSE – ESPO LLC, DBA Yankee Ford Sales, 165 Waterman Drive for a Used Car Lot License, new owners of an existing business. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Cohen. The motion carried 6-0 (Fox out).

14. ORDINANCE #7-15/16 – Amending Chapter 8, “Fire Protection and Prevention”. Passed first reading on 02/01/16. ROLL CALL VOTE. Passage requires majority vote.

Councilor Cohen moved to postpone, seconded by Beecher. The motion passed 7-0.

H. Action on Old and New Business

15. ORDER #105-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Morgan.
Cohen moved to amend to correct the Order number as written on the Order (typo), from #104 to #105, seconded by Smith. The motion passed 6-0 (Fox out).
Order #105-15/16 passed as amended, 6-0 (Fox out).
16. ORDER #106-15/16 - Authorizing the City Manager to submit a 2016 Drug-Free Communities (DFC) Support Program grant application for funding to be used by the Police Department to prevent youth substance use. Passage requires majority vote.

The following spoke on this:
   Megan Welter, Principal at Memorial Middle School
   Russ Lunt, Brigham St.
   Chief Googins, Police Chief

Beecher moved for passage, seconded by Smith. The motion carried 6-0 (Fox out).

17. ORDER #107-15/16 - Award of Bid #22-16 to Shaw Brothers Construction, of Gorham, ME, for Phase 3 of the Thornton Heights Sewer Separation Project. Passage requires majority vote.

The following commented on this item:
   Russ Lunt, Brigham St.

Beecher moved for passage, seconded by Cohen. The motion carried 6-0 (Fox out).

18. ORDER #108-15/16 - Accepting a Municipal Partnership Initiative Grant in the amount of $325,000 from the Maine Department of Transportation to be used for the Calvary Pond Drainage Improvements. Passage requires majority vote.

The following commented on this item:
   Russ Lunt, Brigham St.

Cohen moved for passage, seconded by Beecher. The motion carried 6-0 (Fox out).

19. ORDER #109-15/16 - Amending the "Traffic Schedule", regarding removing one way from E Street to D Street on Ocean Street. Passage requires majority vote.

There were 38 speakers on this topic:
   Jeannie Dunnigan
   Ann Morrill
   Ed Millet
   April Cohen
   Donna Snow
   Susan Conley
Kay Mishkin
Beth Millet
Sharon Pratt
James Patten
Paul Trusani
Heidi Rosalyn-Grand
Caroline Hendry
Alex Saffron
Melanie Wiker
Phil Notice
Susan Holland
Susan Kramer
James Herrara
Adam Cardinal
Ron Hall
Katie Merrow
Peter Robbins
Don Hall
Sarah Whitney
Dan Hugh
Jim Brown
Linda Boudreau
Joe Walker
John Jennings
Russ Lunt
Patricia Whyte
Alan Cardinal
Rosemarie DeAngelis
Sylvia Mousse
Bill Dunnigan
Barbara Sikas
Michael Drinan

Morgan moved for passage, seconded by Smith.

Morgan moved to amend the order, to hold a Council Workshop one year after project completion for review. Seconded by Rose.

Morgan withdrew the amendment. Rose withdrew the second on the amendment.

The motion for passage carried 4-2 (Blake, Cohen). Fox out of the room.
20. ORDER #110-15/16 - Authorizing the City Manager to execute and deliver to Portland Water District an easement for property on Highland Avenue for water utilities. Passage requires majority vote.

The following spoke on this item:
Russ Lunt, Brigham St.

Smith moved for passage, seconded by Beecher. The motion carried 6-0 (Fox out).

I. Citizen Discussion (Second Part)
Patricia Whyte, Orchard St.

J. Councilor’s Round Robin
Smith commented on the Civil Service Commission appointment process.
Rose commented on the Civil Service Commission appointment process.
Cohen commented on the balance of rules and common courtesy.

K. Executive Session
A motion may be made to go into executive session pursuant to 1 M.R.S.A. § 405(6)(E) to discuss the pending litigation matters of Portland Pipe Line Corporation, et al. v. City of South Portland, et al. and City of South Portland, et al. v. Maine Municipal Association Property & Casualty Pool with the City’s legal counsel.

Smith motioned to go into executive session at 12:10am, seconded by Morgan. The motion passed 6-0 (Fox out).

Morgan motioned to come out of executive session at 12:44am, seconded by Rose. The motion carried 6-0 (Fox out).

Morgan motioned to adjourn at 12:45am, seconded by Beecher. The motion carried 6-0 (Fox out).

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ATTEST

Emily F. Carrington
ROLL CALL: Mayor Blake called the meeting to order at 6:02pm. All Councilors were present.

Councilor Morgan made a motion to go into executive session pursuant to 1 M.R.S.A. §405(6)(E) to discuss a pending litigation matter, Portland Pipe Line Corporation, et al. v. City of South Portland, et al., with the City’s legal counsel. Seconded by Councilor Cohen.

The motion passed 7-0.

The Council came out of Executive Session at 7:04pm.

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:04pm. All Councilors were present.

A. Acceptance of Minutes

Councilor Cohen moved for passage, seconded by Fox. Motion passed 7-0.

B. Communications from City Manager

The City Manager shared the dates of the City Budget Reviews by City Council taking place on March 28, March 30, and April 11 in Council Chambers from 5:00pm to 9:00pm.

The City Manager welcomed Jim Thomas as the new City Assessor.

The City Manager reminded citizens of the Tax Assistance Program available to residents age 70+. Applications are due April 15.

C. Petitions and Communications

The City Clerk announced that residents may now request absentee ballots for the June 14 State Primary election.

The City Manager noted that the Council Packet contained committee reports & minutes.

D. Appointment Calendar

1.ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

Motion to postpone made by Councilor Smith, seconded by Councilor Beecher. Motion passed 7-0.
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2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

Motion to postpone made by Councilor Morgan, seconded by Councilor Cohen. Motion passed 7-0.

3. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for an unexpired term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Motion to postpone made by Councilor Smith, seconded by Councilor Beecher. Motion passed 7-0.

4. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Motion to postpone made by Councilor Smith, seconded by Councilor Morgan. Motion passed 7-0.

5. ORDER #71-15/16 - Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Motion to postpone made by Councilor Morgan, seconded by Councilor Beecher. Motion passed 7-0.

6. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Passage requires majority vote.

Motion to postpone made by Councilor Fox, seconded by Councilor Beecher. Motion passed 7-0.

7. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

Motion to postpone made by Councilor Smith, seconded by Councilor Fox. Motion passed 7-0.
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8.ORDER #103-15/16 - Conservation Commission, District Three (Rose), appointing Chad MacLeod, for an unexpired term which expires on 03/03/19. Passage requires majority vote.

There was no public comment.

Councilor Rose moved for passage, seconded by Cohen. The motion passed 7-0.

9.ORDER #104-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 03/07/16. Passage requires majority vote.

Motion to postpone made by Councilor Rose, seconded by Councilor Cohen. Motion passed 6-0 (Morgan out of room).

10.ORDER #111-15/16 - Economic Development Committee, District Three (Rose), appointing Ross Little, for a term which expires on 03/23/19. Passage requires majority vote.

There was no public comment.

Councilor Rose moved for passage, seconded by Councilor Cohen. The motion passed 7-0.

11.ORDER #112-15/16 - Economic Development Committee, District Four (Cohen), appointing Peter Stocks, for a term which expires on 03/23/19. Passage requires majority vote.

The following spoke on this item:
   Ross Little

Councilor Cohen moved for passage, seconded by Morgan. The motion passed 7-0.

12.ORDER #113-15/16 - Community Development Advisory Committee, District Four (Cohen), appointing David Wedick, for an unexpired term which expires on 01/15/19. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 7-0.
13.ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Passage requires majority vote.

Motion to postpone made by Councilor Smith, seconded by Councilor Beecher. Motion passed 7-0.

14.ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Passage requires majority vote.

Motion to postpone made by Councilor Rose, seconded by Councilor Beecher. Motion passed 7-0.

15.ORDER #116-15/16 – Appointing members to the Affordable Housing Ad-Hoc Committee. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.
   Albert DiMillo, Colchester Dr.

Councilor Morgan moved for passage, seconded by Fox. The motion passed 7-0.

E. Consent Calendar

There were no items.

F. Citizen Discussion (First Part)

The following spoke:
   Russ Lunt, Brigham St.
   Greg Lewis, Mussey St.
   Andrew Snyder, Boysenberry Dr.
   Albert DiMillo, Colchester Dr.
   Rosemarie DeAngelis

G. Public Hearings and Action

16.ORDER #95-15/16 – Action on Payam Yazdanpanah/Yaz Towing’s Appeal of City Clerk’s January 6, 2016 decision to suspend Towing/Wrecker Business License. Postponed on 2/17/16. Passage requires majority vote.

Councilor Morgan motioned to proceed with the hearing on an appellate basis, seconded by Beecher. The motion passed 7-0.
Councilor Morgan motioned to waive the 5 minute speaking rule for legal counsel, seconded by Cohen. The motion passed 7-0.

The following members of the public commented on this item:
Rachel Burger, Churchill St.
Devin Deane, Thirlmere Ave.

Councilor Morgan motioned to close the hearing, seconded by Cohen. The motion passed 7-0.

Councilor Morgan moved to affirm the City Clerk's decision, seconded by Cohen. The motion passed 7-0.

Councilor Cohen moved to accept Counsel's recommended amendment to include "Sec. 14-8" to Order #95, seconded by Fox. The motion passed 7-0.

Councilor Morgan moved to accept Counsel's recommended amendment to include "Sec. 14-13" to Order #95, seconded by Beecher. The motion passed 7-0.

Councilor Beecher moved to accept the Findings of Fact, seconded by Fox. The motion passed 7-0.


Rose motioned to table Ordinance #7-15/16 until after consideration of Agenda Item 21 (Ordinance #8-15/16), seconded by Fox. The motion passed 4-3 (Morgan, Cohen, Beecher).

18. BUSINESS LICENSE - Cia Cafe, 72 Ocean Street, for a Use of Public Sidewalk For Outdoor Seating license. Passage requires majority vote.

The following commented on this item:
Patricia Whyte, Orchard St.
Russ Lunt, Brigham St.
Ross Little, Economic Development Committee

Councilor Cohen moved for passage, seconded by Beecher. The motion passed 7-0.
H. Action on Old and New Business

19. ORDER #117-15/16 - Approving the construction of a restaurant building by Port Harbor Marine at 1 Spring Point Drive. Passage requires majority vote.

The following commented on this item:
Russ Lunt, Brigham St.
Jim Garland, Spring Point
Sherry Green, Breakwater
Judy Kline, Breakwater
Patricia Corey, Breakwater

Motion for passage made by Councilor Cohen, seconded by Beecher. The motion passed 7-0.


The following commented on this item:
Ross Little, Economic Development Committee
Ed Palmer
Russ Lunt, Brigham St.
Albert DiMillo, Colchester Dr.
Craig Piper
Greg Perry

Councilor Cohen moved for passage, seconded by Morgan. The motion passed 7-0.


Councilor Cohen moved to have Ordinance #8-15/16 read by title only and summarized, seconded by Morgan. The motion passed 7-0.

The following commented on this item:
Devin Deane, Thirlmere Ave.
Peter Stocks
Russ Lunt, Brigham St.
Kelly Bouchard, Portland Press Herald
Judy Kline, Breakwater
George Corey, Franklin Terrace
Russ Pierce, Norman Hanson & DeTroy
Councilor Rose moved for passage, seconded by Fox. The motion passed 4-3 (Morgan, Cohen, Beecher).

Rose moved to take from the table "Agenda Item 17, ORDINANCE #7-15/16. Amending Chapter 8, “Fire Protection and Prevention Ordinance.” First reading. Passage requires majority vote.", seconded by Fox. The motion passed 6-1 (Morgan).

Fox moved to postpone Ordinance #7-15/16 indefinitely, seconded by Rose. The motion passed 5-2 (Morgan, Cohen).

22.ORDER #119-15/16 - Setting April 6, 2016 as the date for Public Hearing in City Council Chambers for the Proposed FY 2017 Municipal Budget. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved for passage, seconded by Cohen. The motion passed 7-0.

I. Citizen Discussion (Second Part)

The following spoke:
   Bob Whyte, Orchard St.
   Patricia Whyte, Orchard St.
   Jeff Selser, Summit St.

J. Councilor’s Round Robin

Councilor Rose addressed transparency and due process in governance and the need for moving towards a respectful culture.

Councilor Cohen commented on the history and purpose of Round Robin and wished everyone Happy Easter.

Councilor Beecher commented on respect for community and each other in conduct.

Councilor Blake apologized for the confusion of process in the meeting's proceedings.
K. Executive Session

Councilor Fox moved to adjourn at 12:35am, seconded by Smith. The motion passed 7-0.

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:00pm. All Councilors were present.

A. Acceptance of Minutes

Councilor Beecher moved for acceptance of the minutes, seconded by Councilor Smith. The motion passed 7-0.

B. Communications from City Manager

The City Manager reminded everyone of the holiday on April 18. The Council meeting will be held on Wednesday, April 20.

On April 6, the Budget Hearing is scheduled for 7:00pm in Council Chambers.

On April 11, the Council will be finishing department budget review sessions.

On April 25, the School Board and Council will come together for a joint budget workshop and CIP presentations.

Mr. Gailey welcomed several new businesses to South Portland.

C. Petitions and Communications

D. Appointment Calendar

_Councilor Fox moved to postpone items 1-10, in the interest of time. Seconded by Councilor Rose. The motion passed 4-3 (Cohen, Morgan, Beecher). Items 1-10 were read by the City Clerk._

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

3. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), for an unexpired term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.
4. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

5. ORDER #71-15/16 - Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

6. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

7. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

8. ORDER #104-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 03/07/16. Passage requires majority vote.

9. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

10. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 03/21/16. Passage requires majority vote.

11. ORDER #120-15/16 - Planning Board, District One (Morgan), appointing Linda Boudreau for a term which expires on 04/01/19. Passage requires majority vote.

The following spoke on this item:
   Greg Lewis, Mussey St.
   Russ Lunt, Brigham St.

Councilor Morgan moved for passage, seconded by Councilor Cohen. The motion passed 7-0.

12. ORDER #121-15/16 - Conservation Commission, At-Large (Blake), appointing Dan Hogan for an unexpired term which expires on 03/03/17. Passage requires majority vote.
The following spoke on this item:
Andy Jones, Falmouth
Karen Silverman, Churchill St.

Mayor Blake moved for passage, seconded by Councilor Smith. The motion passed 7-0.

13. ORDER #122-15/16 - Planning Board, At-Large (Beecher), appointing Taylor Neff for a term which expires on 04/01/19. Passage requires majority vote.

The following spoke on this item:
Russ Lunt, Brigham St.

Councilor Beecher moved for passage, seconded by Councilor Fox. The motion passed 7-0.

14. ORDER #123-15/16 - South Portland Housing Authority, District One (Morgan), appointing Mary Jo Jakab for a term which expires on 03/25/21. Passage requires majority vote.

There was no public comment.

Councilor Morgan moved for passage, seconded by Councilor Beecher. The motion passed 7-0.

E. Consent Calendar

15. STREET CLOSURE - South Portland Parks, Recreation & Waterfront is requesting the closure of Madison Street Ext. at Madison Street for the Bug Light Family 4th on July 4th, 2016 from 4:30 P.M. to 10:15 P.M. Passage requires majority vote.

There was no public comment.

Councilor Beecher moved for passage, seconded by Councilor Fox. The motion passed 7-0.
F. Citizen Discussion (First Part)

The following spoke:
   Russ Lunt, Brigham St.
   Albert DiMillo, Colchester Dr.
   Greg Lewis, Mussey St.
   Dr. Priscilla Skerry, ND

G. Public Hearings and Action

16. ORDINANCE #8-15/16 - Amending Chapter 8, “Fire Protection and Prevention”. Passed first reading on 03/21/16. Second reading. Passage requires majority vote. ROLL CALL VOTE.

The following spoke on this item:
   Bob Whyte, Orchard St.
   George Corey, Franklin Terrance
   Russ Lunt, Brigham St.
   Andy Jones, Falmouth
   Patricia Whyte, Orchard St.
   Katherine Chapman
   Russell Pierce, Norman, Hanson & DeTroy

Councilor Fox moved for passage, seconded by Councilor Rose.

Councilor Rose moved to incorporate the recommended infrastructure changes, seconded by Fox. The motion passed 6-1 (Morgan).

Roll call vote was taken on the main motion. The motion passed 4-3 (Cohen, Morgan, Beecher).

17. SPECIAL AMUSEMENT PERMIT - TK JAD, LLC DBA Tilted Kilt Pub & Eatery, 200 Gorham Road, for a Special Amusement Without Dancing Permit. Passage requires majority vote.

There was no public comment.

Councilor Cohen moved for passage, seconded by Councilor Beecher. The motion passed 6-0 (Fox out of the room).

H. Action on Old and New Business

18. ORDER #124-15/16 - Accepting miscellaneous donations. Passage requires majority vote.
There was no public comment.

Councilor Beecher moved for passage, seconded by Councilor Smith. The motion passed 7-0.

19. ORDER #125-15/16 - Authorizing the City Manager to submit the FY 2016-2017 Community Development Block Grant Annual Action Plan to the Cumberland County Community Development Program. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.
   Maeve Pistrang, CDBG

Councilor Fox moved for passage, seconded by Councilor Morgan. The motion passed 7-0.

20. ORDER #126-15/16 - Appealing the denial of the Public Works' Director a curb cut on Wermuth Road for Yaz Automotive Repair & Towing. Passage requires majority vote.

The parties were absent.

Councilor Morgan moved to postpone Order #126-15/16 until May 2, 2016 and seek the attendance of City Counsel. Seconded by Councilor Beecher. The motion passed 7-0.


Councilor Cohen moved to have Ordinance #9-15/16 read by title only and summarized by the City Manager. Seconded by Councilor Beecher. The motion passed 6-0 (Fox out of the room).

The following spoke on this item:
   Julie Rosenbach, Sustainability Coordinator
   Andy Jones, Falmouth
   Russ Lunt, Brigham St.
   Albert DiMillo, Colchester Dr.
   John Thibodeau, Portland
   Dr. Priscilla Skerry, ND
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Chris O’Neil, NEPMA
Bob Whyte, Orchard St.
Al Hardy, Gorham
Jim Cohen, Verrill Dana
Jesse O’Brien, Portland
Rachel Burger, Churchill St.
David DanDrea, Sable Oaks
Phil Roberts, Broadway Gardens
Charles McNutt, Conservation Commission
Bob Sorrell, Kennebunkport
George Corey, Franklin Terrace
Kevin Doyle, New Hampshire
John Hanscome, Cape Elizabeth
Greg Lewis, Golf Course
Tom Estabrook, Estabrook Greenhouses
Patricia Whyte, Orchard St.
Katherine Chapman
George Eckbert
Chip Osgood

Councilor Morgan moved for passage, seconded by Councilor Rose. The motion passed 7-0.

I. Citizen Discussion (Second Part)

The following spoke:
    Patricia Whyte, Orchard St.
    Bob Whyte, Orchard St.

J. Councilor’s Round Robin

Councilor Rose thanked everyone for their comments.

K. Executive Session

Councilor Morgan moved to adjourn at 11:50pm, seconded by Councilor Cohen. The motion passed 7-0.

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ATTEST ____________________________

______________________________
Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 7:00 P.M. All Councilors were present.

A. Presentation of the Superintendant of Schools and City Manager’s proposed FY2017 Budgets.

Superintendant Kunin presented the School budget.

City Manager Gailey presented the City budget.

The following citizens commented on this item:
   Russ Lunt, 133 Brigham Street
   Mary House, 131 Elderberry Drive
   Al Dimillo, 64 Colchester Drive
   Richard Matthews, 17 Boothby Ave
   William Laidley, 12 Taylor Street

Mr. Gailey answered some of the questions asked by the citizens at this time.

All Councilors spoke briefly on the presented budgets.

Councilor Morgan motioned to adjourn at 8:40pm and Councilor Smith seconded. The motion passed 7-0.

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ATTEST

Jessica B. Hanscombe
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Roll Call: Mayor Blake called the meeting to order at 7:00pm. Councilor Morgan was absent. Assistant City Manager Joshua Reny sat in for City Manager Jim Gailey. Mayor Blake announced at the start of the meeting that Item #13 would be postponed to June 20, following a workshop on the proposed Pesticide Use Ordinance tentatively scheduled for June 13.

A. Acceptance of Minutes

Councilor Beecher moved for acceptance of the minutes, seconded by Fox. The motion passed 6-0.

B. Communications from City Manager


C. Petitions and Communications

Councilor Beecher attended “Beyond Pesticides” event at USM.

Councilor Smith attended a city recycling and sustainability meeting.

Councilor Rose spoke on recent attendance to a MMA Workshop on the roles of elected officials in Presque Isle, ME on 4/7.

Mayor Blake attended a Mother Earth fair addressing pesticides while visiting Asheville, NC.

D. Appointment Calendar

1.ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

Smith moved to postpone, seconded by Fox. The motion passed 6-0.

2.ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.
Blake moved to postpone, seconded by Smith. The motion passed 6-0.

3. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), appointing Liz Salamone for an unexpired term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

Smith moved to postpone, seconded by Beecher. The motion passed 6-0.

4. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Smith moved to postpone, seconded by Cohen. The motion passed 6-0.

5. ORDER #71-15/16- Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Blake moved to postpone, seconded by Beecher. The motion passed 6-0.

6. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Fox moved to postpone, seconded by Beecher. The motion passed 6-0.

7. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

Smith moved to postpone, seconded by Rose. The motion passed 6-0.

8. ORDER #104-15/16 - Energy & Recycling Committee, District Three (Rose), appointing Tyler Gleason for an unexpired term which expires on 05/05/16. Postponed since 03/07/16. Passage requires majority vote.

There was no public comment.

Rose moved for passage, seconded by Cohen.

Cohen moved to amend Order #104-15/16 to add an additional term, expiring 05/05/19. Seconded by Rose. The motion passed 6-0.
The main motion passed 6-0.

9. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

Smith moved to postpone, seconded by Beecher. The motion passed 6-0.

10. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 03/21/16. Passage requires majority vote.

Rose moved to postpone, seconded by Cohen. The motion passed 6-0.

11. ORDER #127-15/16 - Planning Board, District Two (Smith), for an unexpired term which expires on 04/01/19. Passage requires majority vote.

Smith moved to postpone, seconded by Beecher. The motion passed 6-0.

12. ORDER #128-15/16 - Appointment of Democratic, Republican, Green Independent and Unenrolled Election Clerks. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 6-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

Russ Lunt, Brigham St.
Steve Marsten, Hillside Ave.
Albert DiMillo, Colchester Dr.
Kelley Bouchard, Portland Press Herald

G. Public Hearings and Action

13. ORDINANCE #9-15/16 – Amending the Code of Ordinances establishing Chapter 32, “Pesticide Use Ordinance”. Passed first reading 04/04/16. ROLL CALL VOTE. Passage requires majority vote.
Cohen moved to postpone to June 20, seconded by Rose. Motion passed 6-0.

H. Action on Old and New Business

14. ORDER #129-15/16 - Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 6-0.

15. RESOLVE #8-15/16 – Endorsing Portland Area Comprehensive Transportation System (PACTS) projects for traffic signal improvements at the intersections of Broadway at Evans Street and Broadway at Lincoln Street and constructing a multi-use path extension on Main Street through Cash Corner. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.

Smith moved for passage, seconded by Beecher. The motion passed 6-0.

16. ORDER #130-15/16 – Appropriating $53,665 from Undesignated FundBalance and award of Bid #25-16 to Freightliner of Maine, of Portland, ME, for the purchase of a roll off truck to be used by the Public Works Department. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.

Beecher moved for passage, seconded by Fox. The motion passed 6-0.

The Council was asked to provide guidance on a citizen’s suggestion to paint the roll off truck pink for breast cancer awareness. Councilors Smith, Rose, Blake, and Fox spoke in support; Councilors Cohen and Beecher spoke in concern for consistency and setting precedent for different causes.
17. ORDER #131-15/16 – Authorizing the submission of a grant application to the Maine Bureau of Highway Safety under the 2016 Young Driver Safety Mini Grant Program and accepting awarded funds to be used by the Police Department. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Fox. The motion passed 6-0.

18. ORDER #132-15/16 – Authorizing the submission of a grant application to the Maine Bureau of Highway Safety under the 2016 Distracted Driving Enforcement Program and accepting awarded funds to be used by the Police Department. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.
   Patricia Whyte, Orchard St.
   Steve Marsten, Hillside Ave.

Beecher moved for passage, seconded by Fox. The motion passed 6-0.

19. ORDER #133-15/16 – Authorizing the submission of a grant application to the Maine Bureau of Highway Safety under the 2016 Click It or Ticket/BuckleUp No Excuses Enforcement and Education Program and accepting awarded funds to be used by the Police Department. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 6-0.

20. ORDER #134-15/16 - Authorizing the City Manager to execute and deliver to Northern Utilities, Inc. d/b/a Unitil a temporary construction access easement agreement and a permanent easement agreement for gas facilities within a portion of Thomas Knight Park (a portion of Assessor’s Map 15, Lot 89-A). Passage requires majority vote.

The following spoke on this item:
   Matt Doughty, Unitil
   Peggy McGee, Unitil legal counsel

Cohen moved for passage, seconded by Beecher. The motion passed 6-0.
21. ORDER #135-15/16 – Accepting a grant in the amount of $1,500 from the Casco Bay Estuary Partnership (CBEP) under its 2016 Casco Bay Community Program to be used by the South Portland Conservation Commission. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Fox. The motion passed 6-0.

22. ORDER #136-15/16 - Authorizing the City Manager to accept delivery of an easement deed from Central Maine Power Company (CMP) for a 25 foot wide roadway access on CMP’s land off Broadway (a portion of Assessor’s Map19, Lot 157A). Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 6-0.

I. Citizen Discussion (Second Part)

Patricia Whyte, Orchard St.

J. Councilor’s Round Robin

Blake commented on Earth Day (April 22) and mentioned that a city Land Trust clean-up will be organized soon.

Rose mentioned that MMA has a workshop on drones, following up on citizen’s comment regarding FFA regulations and drones at Bug Light Park.

K. Executive Session

A motion may be made to go into executive session pursuant to 1 M.R.S.A. §405(6)(a), evaluation of City Clerk.

Cohen motion to go into executive session at 8:40pm, seconded by Beecher. The motion passed 6-0.

Cohen motioned to come out of executive session at 9:15pm, seconded by Fox. The motion passed 6-0. Blake motioned to adjourn at 9:16pm, seconded by Smith. The motion passed 6-0.
Roll Call: Mayor Blake called the meeting to order at 7:00pm. All Councilors were present.

A. Acceptance of Minutes

Smith moved for passage, seconded by Fox. The motion passed 7-0.

B. Communications from City Manager

The Transfer Facility will be open on Sundays in May.

The City Manager welcomed new businesses in South Portland.

C. Petitions and Communications

Mayor Blake attended a Trail Advisory Group meeting to work on a collaborative project between Portland and South Portland.

Councilor Fox attended a recent jetport noise advisory committee and welcomed citizens to reach out to the committee if they have concerns.

Councilor Morgan spoke on looking forward to the completion of Spring Point Harbor lease negotiations.

D. Appointment Calendar

1.ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

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

2.ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

Morgan moved to postpone, seconded by Beecher. The motion passed 7-0.
3. ORDER #41-15/16 – Arts & Historic Preservation Committee, District Two (Smith), appointing Liz Salamone for an unexpired term which expires on 10/20/18. Postponed since 10/19/15. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Beecher. The motion passed 7-0.

4. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. The motion passed 7-0.

5. ORDER #71-15/16 - Library Advisory Board, District One (Morgan), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Morgan moved to postpone, seconded by Cohen. The motion passed 7-0.

6. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/18. Postponed since 01/04/16. Passage requires majority vote.

Fox moved to postpone, seconded by Beecher. The motion passed 7-0.

7. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. The motion passed 7-0.

8. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

Smith moved to postpone, seconded by Morgan. The motion passed 7-0.

9. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for an unexpired term which expires on 05/05/16. Postponed since 03/21/16. Passage requires majority vote.
Rose moved to postpone, seconded by Cohen. The motion passed 7-0.

10. ORDER #127-15/16 - Planning Board, District Two (Smith), for an unexpired term which expires on 04/01/19. Postponed since 04/20/16. Passage requires majority vote.

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

11. ORDER #137-15/16 – Arts & Historic Preservation Committee, District Three (Rose), for an unexpired term which expires on 10/20/18. Passage requires majority vote.

Rose moved to postpone, seconded by Morgan. The motion passed 7-0.

E. Consent Calendar

12. ORDER #138-15/16 – Authorizing the temporary closure of Cummings Road between Running Hill Road and Payne Road for a 17-day period during the month of September 2016 in conjunction with the Cummings Road Rehabilitation Project. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.
   Doug Howard, Director of Public Works
   Steve Sawyer, Sebago Technics

Morgan moved for passage, seconded by Cohen. The motion passed 7-0.

F. Citizen Discussion (First Part)

The following spoke:
   Russ Lunt, Brigham St.

G. Public Hearings and Action

13. ORDER #126-15/16 - Appealing the Public Works Director’s denial for a curb cut on Wermuth Road for Yaz Automotive Repair & Towing. Postponed on 04/04/16. Passage requires majority vote.

Mayor Blake opened the hearing.
Beecher moved to waive the five minute speaking time limit for Yaz Towing and the Public Works Director, seconded by Morgan. The motion passed 7-0.

The following spoke on this item:
- Shawn Frank, Sebago Technics
- Amy Berry, Deputy Chief of Police
- Patricia Whyte, Orchard St.
- Max, Rollins Way
- Jo Rodriguez, Redbank
- Makara Meng, Redbank
- Emilio Rodriguez, Redbank

Morgan moved to affirm the Public Works Director’s decision and deny the curb cut appeal. Seconded by Fox. The motion passed 7-0.

Councilor Cohen moved for passage of Order #126-15/16, seconded by Fox.

Councilor Morgan moved to amend Order #126-15/16 as read and recommended by Corporation Counsel. Seconded by Cohen. The motion passed 7-0.

The motion for passage of Order #126-15/16, as amended, carried 7-0.

14. ORDER #139-15/16 – Soap Bar, 33 A Street, for a Food Establishment/Restaurant with Liquor License. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 7-0.

H. Action on Old and New Business

15. ORDER #140-15/16 - Authorizing the City Manager to accept delivery of drainage easement deeds granting the City drainage rights in certain easement areas located at 2 Kenneth Road, 4 Kenneth Road, 6 Kenneth Road, 8 Kenneth Road, and on a portion of Jamestown Court Owners Association’s property on the southerly side of Broadway. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 7-0.
16. ORDER #141-15/16 – Appropriating $95,000 from Unassigned Fund Balance and award of Bid #28-16 to Great Falls Construction, of Gorham, ME, for the construction of the South Portland Municipal Facility. Passage requires majority vote.

The following spoke on this item:
   Owens McCullough, Sebago Technics

Beecher moved for passage, seconded by Smith. The motion passed 7-0.

17. ORDER #142-15/16 - Authorizing the Police Chief to execute an agreement between the City and Cumberland County relating to the terms and conditions under which certain police officers may be appointed as Cumberland County sheriff’s deputies. Passage requires majority vote. Passage requires majority vote.

The following spoke on this item:
   Frank Clark, South Portland Police Department

Morgan moved for passage, seconded by Cohen. The motion passed 7-0.

18. ORDER #143-15/16 – Implementing the 2017 Capital Improvement Program. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.

Smith moved for passage, seconded by Fox. The motion passed 7-0.

19. ORDER #144-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Fox. The motion passed 6-0 (Beecher out).

Councilor Beecher was absent for the rest of the meeting.

20. ORDER #145-15/16 – Authorizing the Code Enforcement Officer to execute a consent agreement between Alison N. Eckert and the City relating to a side setback encroachment at 29 Channel Road (Map 1, Lot 27). Passage requires majority vote.

The following spoke on this item:
   Patricia Doucette, Code Enforcement Director
Cohen moved for passage, seconded by Morgan.

Cohen moved to amend Order #145-15/16 to waive the $500.00 fine, seconded by Morgan. The motion passed 6-0 (Beecher out).

The motion for passage of Order #145-15/16, as amended, carried 6-0 (Beecher out).

21. PROCLAMATION #1-15/16 – Proclaiming the week of May 9, 2016 as Women’s Lung Health Week in the City of South Portland. Passage requires majority vote.

The following spoke on this item:
   Patricia Whyte, Orchard St.

Morgan moved for passage, seconded by Rose. The motion passed 6-0. (Beecher out).

22. PROCLAMATION #2-15/16 - Proclaiming the week of May 15, 2016 as Arbor Week in the City of South Portland. Passage requires majority vote.

The following spoke on this item:
   Patricia Whyte, Orchard St.
   Russ Lunt, Brigham St.

Morgan moved for passage, seconded by Fox. The motion passed 6-0 (Beecher out).

I. Citizen Discussion (Second Part)

The following spoke:
   Patricia Whyte, Orchard St.

J. Councilor’s Round Robin

Smith shared details of a plant sale located at the American Legion Hall on May 21. Doors open at 8:00 AM to Land Trust members; 9:00am for the general public. The plant sale ends at 1:00pm.

Cohen wished the City Clerk and the Clerk’s office a happy Municipal Clerk’s week.
K. Executive Session

A motion may be made to go into Executive Session pursuant to 1 M. R. S. A.§405 (6) (A), City Manager’s Contract.

Morgan motioned to go into executive session at 9:55pm, seconded by Cohen. The motion passed 6-0.

Cohen motioned to come out of executive session at 10:07pm, seconded by Morgan.

Cohen motioned to adjourn at 10:08pm, seconded by Morgan. The motion passed 6-0 (Beecher out).

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ATTEST

Emily F. Carrington
Roll Call: The Mayor called the meeting to order at 7:00pm. Councilor Morgan arrived late.

A. Acceptance of Minutes

Beecher moved for acceptance of the minutes, seconded by Fox. The motion passed 6-0 (Morgan absent).

B. Communications from City Manager

The City Manager reminded residents that the Transfer Station is open on Sundays in May. Public Works is scheduled to re-stripe Ocean Street between D & E streets on May 31, weather permitting. The City will sell the Armory on 5/14. The City Manager welcomed the new City Assessor, Jim Thomas.

C. Petitions and Communications

Beecher commented on attending the adult education graduation ceremony. The Mayor attending a ribbon cutting ceremony for Prudential. The City Manager and Mayor attended a Propeller Club luncheon at the Maritime Academy honoring the crew of El Faro.

D. Appointment Calendar

Councilor Rose moved to have Items 1-3 and 5-12 read and voted as one item. Seconded by Smith. The motion passed 5-1 (Cohen opposed; Morgan absent).

Councilor Rose moved to postpone items 1-3 and 5-12, seconded by Smith. The motion passed 6-0 (Morgan absent).

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.
3. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

4. ORDER #71-15/16 - Library Advisory Board, District One (Morgan), appointing Debora Schofield for an unexpired term which expires on 01/01/19. Postponed since 01/04/16. Passage requires majority vote.

There was no public comment.

Fox moved for passage, seconded by Beecher. The motion passed 6-0 (Morgan absent).

5. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/19. Postponed since 01/04/16. Passage requires majority vote.

6. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

7. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

8. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for a term which expires on 05/05/19. Postponed since 03/21/16. Passage requires majority vote.

9. ORDER #127-15/16 - Planning Board, District Two (Smith), for an unexpired term which expires on 04/01/19. Postponed since 04/20/16. Passage requires majority vote.

10. ORDER #137-15/16 – Arts & Historic Preservation Committee, District Three (Rose), for an unexpired term which expires on 10/20/18. Postponed since 05/02/16. Passage requires majority vote.
11.ORDER #146-15/16 – Energy & Recycling Committee, District Four (Cohen), for a term which expires on 05/05/19. Passage requires majority vote.

12.ORDER #147-15/16 - Energy & Recycling Committee, District Four (Cohen), for a term which expires on 05/05/19. Passage requires majority vote.

E. Consent Calendar

F. Citizen Discussion (First Part)
   Russ Lunt, Brigham St.
   Paul Trusiani, Ocean St.
   Greg Lewis, Mussey St.

G. Public Hearings and Action

13.ORDER #148 – Diamond Dogs DBA Chicago Dogs, 671 Main Street, for a Food Establishment/Restaurant with Malt & Vinous license. Passage requires majority vote.

The following commented on this item:
   Russ Lunt, Brigham St.
   Joe Palmoni

Cohen moved for passage, seconded by Beecher. The motion passed 6-0 (Morgan absent).

H. Action on Old and New Business

14.PROCLAMATION #3-15/16 – Regarding Memorial Day, and directing that flags be placed on the graves of veterans.

There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 6-0 (Morgan absent).

15.ORDER #149-15/16 – Setting the time for opening the polls for the June 14, 2016 State Primary Election and School Budget Validation Referendum.

The following spoke on this item:
   Greg Lewis, Mussey St.

Cohen moved for passage, seconded by Rose. The motion passed 7-0.
Councilor Morgan arrived.

16.ORDER #150-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 7-0.

17.ORDER #151-15/16 – Award of Bid #33-16 to GovConnection, of Merrimack, NH, for office and email solution for the Information Technology Department. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Fox. The motion passed 7-0.

18.ORDER #152-15/16 – Authorizing the City Manager to sign a Use Agreement between the City of South Portland and the Town of Scarborough for placement of a bus shelter on Gallery Boulevard in the Town of Scarborough. Passage requires majority vote.

The following commented on this item:
   Russ Lunt, Brigham St.

Fox moved for passage, seconded by Beecher. The motion passed 7-0.

19.ORDER #153-15/16 – Appropriating $24,985 from the Sewer User Fund Reserves and award of Bid #36-16 to Gorham Sand & Gravel, of Buxton, ME, for sewer repair work on Ocean Street. Passage requires majority vote.

The following commented on this item:
   Russ Lunt, Brigham St.

Smith moved for passage, seconded by Fox. The motion passed 7-0.

20.ORDER #154-15/16 – Amending ORDER #87-15/16 regarding the award of bid for the purchase of police cruisers. Passage requires majority vote.

The following spoke on this item:
   Greg Lewis, Mussey St.
Morgan moved for passage, seconded by Cohen. The motion passed 7-0.

_Councilor Cohen moved to have items 21-31 read together and voted on as one unit. Seconded by Fox. The motion passed 7-0._

The following commented on this item:
Albert DiMillo, Colchester Dr.
Greg Lewis, Mussey St.

21.RESOLVE #9-15/16 - That $18,397,844 be expended for RegularInstruction. Passage requires majority vote.

22.RESOLVE #10-15/16 - That $8,892,384 be expended for SpecialEducation. Passage requires majority vote.

23.RESOLVE #11-15/16 - That $290,559 be expended for Career andTechnical Education. Passage requires majority vote.

24.RESOLVE #12-15/16 - That $913,774 be expended for Other Instruction. Passage requires majority vote.

25.RESOLVE #13-15/16 - That $3,842,182 be expended for Student and StaffSupport. Passage requires majority vote.

26.RESOLVE #14-15/16 - That $1,398,085 be expended for SystemAdministration. Passage requires majority vote.

27.RESOLVE #15-15/16 - That $2,410,127 be expended for SchoolAdministration. Passage requires majority vote.

28.RESOLVE #16-15/16 - That $1,947,029 be expended for Transportationand Buses. Passage requires majority vote.

29.RESOLVE #17-15/16 - That $4,247,233 be expended for FacilitiesMaintenance. Passage requires majority vote.
30. RESOLVE #18-15/16 - That $4,881,765 be expended for Debt service and Other Commitments. Passage requires majority vote.

31. RESOLVE #19-15/16 - That $438,312 be expended for All Other Expenditures. Passage requires majority vote.

Councilor Cohen moved for passage of items 21-31. Seconded by Fox. The motion passed 7-0.

32. RESOLVE #20-15/16 - That $35,699,041.29 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 $29,420,871.67 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. Passage requires majority vote.

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.

There was no public comment.

Councilor Cohen moved for passage, seconded by Beecher.

Councilor Rose requested to have Sec. 27-1562 of the Code of Ordinances read by the City Clerk. Mayor Blake denied Councilor Rose’s request on the basis that it was not in order. Councilor Rose motioned to appeal the decision of the Chair. Councilor Cohen motioned to uphold the decision of the Chair, seconded by Morgan. The motion passed 7-0.

The main motion passed 7-0.
33. RESOLVE #21-15/16 - That $4,160,074 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. Passage requires majority vote.

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:

- SPHS Auditorium/Cafeteria Construction, approved by voters on November 8, 1994
- Elementary Schools Construction and Renovation, approved by voters on November 6, 2001
- SPHS Addition and Renovation, approved by voters on November 2, 2010

There was no public comment.

Morgan motioned for passage, seconded by Fox. The motion passed 7-0.
34.RESOLVE #22-15/16 - That $6,120,073.33 be raised and appropriated in additional local funds, which exceed the State’s Essential Programs and Services Allocation model by $5,339,960.52 as required to fund the budget recommended by the Board of Education. Passage requires majority vote.

The Board of Education recommends $6,120,073.33 for additional local funds and gives the following reasons for exceeding the State’s Essential Programs and Services funding model by $5,339,960.52.

- Pension Obligation Debt Service, approved by voters November 4, 2003
- 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
- Purchase of two 88 passenger school buses
- Payment of one-half of MLTI iPad lease payments
- Capital Improvement Projects for Mahoney, Memorial and SPHS approved by voters on June 9, 2009

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.

The following commented on this item:
  Russ Lunt, Brigham St.
  Albert DiMillo, Colchester Dr.

Fox moved for passage, seconded by Smith. The motion passed 7-0.
35. RESOLVE #23-15/16 – That the Board of Education be authorized to expend $47,659,294 for the fiscal year beginning July 1, 2016 and ending June 30, 2017 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. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 7-0.

*Cohen moved to have items 36-38 read together and voted on as one unit. Morgan seconded. The motion passed 7-0.*

36. RESOLVE #24-15/16 - That the City of South Portland will appropriate $20,000 for Adult Education and raise $20,000 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.
37. RESOLVE #25-15/16 - That the City of South Portland will raise and appropriate $430,000 in additional local dollars in support of the food service program. Passage requires majority vote.

38. RESOLVE #26-15/16 – That the Board of Education be authorized to expend such other sums as may be received for state and federal grants or programs or other sources during the fiscal year for school and/or adult education purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated. Passage requires majority vote.

The following spoke on this item:
   Rafe Forland, Finance Director SPSD

Cohen moved for passage, seconded by Morgan. The motion passed 7-0.

39. ORDER #155-15/16 – Authorizing the Superintendent to implement the FY17 School Department Capital Improvement Plan in the amount of $1,103,048 as detailed in the Superintendent’s memo and FY17 Proposed CIP Expenditure Summary. Passage requires majority vote.

The following spoke on this item:
   Albert DiMillo, Colchester Dr.

Morgan moved for passage, seconded by Beecher. The motion passed 7-0.

40. ORDER #156-15/16 - Authorizing the Mayor to sign the City Manager’s Employment Agreement. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.

Beecher moved for passage, seconded by Smith. The motion passed 7-0.

41. RESOLVE #27-15/16 - Pursuant to §612 of the City Charter determining details of issue of $14,000,000 principal amount of bonds authorized by bond ordinance finally passed and enacted June 17, 2013. Passage requires majority vote.
The following spoke on this item:
   Albert DiMillo, Colchester Dr.
   Russ Lunt, Brigham St.

Councilor Cohen moved to have RESOLVE #27-15/16 read by title only. Seconded by Beecher. The motion passed 7-0.

Councilor Beecher moved for passage, seconded by Morgan. The motion passed 7-0.

I. Citizen Discussion (Second Part)
   Albert DiMillo, Colchester Dr.

I. Councilor’s Round Robin

   Councilor Morgan apologized for arriving late.

K. Executive Session

   Councilor Morgan motioned to adjourn at 9:45pm, seconded by Cohen. The motion passed 7-0.

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ATTEST

Emily F. Carrington
IN COUNCIL REGULAR MEETING VOL. 77 PAGE 135
JUNE 6, 2016

Roll Call: The Mayor called the meeting to order at 7:00pm. All Councilors were present.

A. Acceptance of Minutes

Beecher moved for acceptance of the minutes from May 16, 2016, seconded by Smith. The motion passed 7-0.

B. Communications from City Manager

The City Manager discussed the topics of the next two upcoming Council Workshops. On June 13, the Council is taking a field trip to the City’s water bodies. The bus leaves at 6:30pm at City Hall on 6/13 for any of the public that would like to attend.

On June 27, the Council will be having its first Diversity Training workshop. The workshop is anticipated to last approximately two hours. Open-space check-in is also on the agenda for the workshop on 6/27.

The City Manager welcomed new businesses who have received their Certificates of Occupancy.

Sen. Millett presented Legislative Sentiment to Ellen Thayer, owner of Love Rocks ME, for Best Home-Based Business of the Year Award.

Sen. Millett presented Legislative Sentiment to Sleek Frazee for her immigration work with new Maine citizens.

C. Petitions and Communications

The City Clerk reminded residents of the State Primary & School Budget Election taking place Tuesday, June 14.

Councilor Smith attended a recent sustainability planning meeting. Rose attended a recent Energy & Recycling Committee meeting and a recent meeting of the Yacht Club as they are preparing to host the “Atlantic Cup” event. Mayor Blake attended with the City Clerk the first meeting of the Youth Involvement Committee.

D. Appointment Calendar

Rose made a motion to vote on Items 1-7 & 12 as a group. Seconded by Fox. The motion passed 6-1 (Morgan).
Rose motioned to postpone Items 1-7 & 12. Seconded by Fox. The motion passed 7-0.

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

3. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

4. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), for an unexpired term which expires on 01/01/19. Postponed since 01/04/16. Passage requires majority vote.

5. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

6. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

7. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for a term which expires on 05/05/19. Postponed since 03/21/16. Passage requires majority vote.

8. ORDER #127-15/16 - Planning Board, District Two (Smith), appointing Adrian Dowling for an unexpired term which expires on 04/01/19. Postponed since 04/20/16. Passage requires majority vote.

There was no public comment.

Smith moved for passage, seconded by Rose. The motion passed 7-0.
9. ORDER #137-15/16 – Arts & Historic Preservation Committee, District Three (Rose), appointing Hannah Holmes for an unexpired term which expires on 10/20/18. Postponed since 05/02/16. Passage requires majority vote.

There was no public comment.

Rose moved for passage, seconded by Smith. The motion passed 7-0.

10. ORDER #146-15/16 – Energy & Recycling Committee, District Four (Cohen), appointing Stephanie Schneider for a term which expires on 05/05/19. Postponed since 05/16/16. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Beecher. The motion passed 7-0.

11. ORDER #147-15/16 - Energy & Recycling Committee, District Four (Cohen), appointing Chris Rauscher for a term which expires on 05/05/19. Postponed since 05/16/16. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Smith. The motion passed 7-0.

12. ORDER #157-15/16 – Energy & Recycling Committee, District One (Morgan), for an unexpired term which expires on 05/05/18. Passage requires majority vote.

E. Consent Calendar

There were no items.

F. Citizen Discussion (First Part)

The following spoke:
   Russ Lunt, Brigham St.
   Barbara Psichos, B St.

G. Public Hearings and Action

13. ORDER #158-15/16 – Maine Kenworth, LLC, 42 Wallace Avenue, for a Used Car Lot license. Passage requires majority vote.
There was no public comment.

Beecher moved for passage, seconded by Fox. The motion passed 7-0.

14. ORDER #159-15/16 - TK JAD, LLC DBA Tilted Kilt Pub & Eatery, 200 Gorham Road, for a Coin-Operated Game Machine license. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Morgan. The motion passed 7-0.

15. ORDER #160-15/16 – TK JAD, LLC DBA Tilted Kilt Pub & Eatery, 200 Gorham Road, for a Special Amusement Permit for Dancing and Entertainment. Passage requires majority vote.

There was no public comment.

Cohen moved for passage, seconded by Morgan. The motion passed 7-0.

**H. Action on Old and New Business**

16. ORDER #161-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.

Beecher moved for passage, seconded by Morgan. The motion passed 7-0.


The following spoke on this item:
   Russ Lunt, Brigham St.

Fox moved to have Ordinance #10-15/16 read by title only. Seconded by Morgan. The motion passed 7-0.

Morgan moved for passage, seconded by Cohen. The motion passed 7-0.
18. ORDER #162-15/16 - Accepting $1,575 and $1,139 or any portions thereof, under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

The following spoke on this item:
   Barbara Psichos, B Street.
Morgan moved for passage, seconded by Smith. The motion passed 7-0.

19. ORDER #163-15/16 – Award of Bid #30-16 to R. J. Grondin & Sons, Inc., of Gorham, ME, for the rehabilitation of Cummings Road. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.
Fox moved for passage, seconded by Beecher. The motion passed 7-0.

20. ORDER #164-15/16 - Accepting and allocating revenue from the sale of the former Armory to South Portland Property Holdings, LLC, of Topsham, ME. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.
   Patricia Whyte, Orchard St.
   Greg Lewis, Mussey St.
   Greg L’ Heureux, Finance Director
Cohen moved for passage, seconded by Smith. The motion passed 7-0.

21. ORDER #165-15/16 – Amending the Agreement between the City of Portland and the City of South Portland regarding dispatch services. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Beecher. The motion passed 7-0.

22. ORDER #166-15/16 – Award of Bid #34-16 to Runyon, Kersteen and Ouellette, of South Portland, ME, for professional auditing services. Passage requires majority vote.

There was no public comment.
Beecher moved for passage, seconded by Cohen. The motion passed 7-0.

I. Citizen Discussion (Second Part)

The following spoke:
Patricia Whyte, Orchard St.
Greg Lewis, Mussey St.

J. Councilor’s Round Robin
Beecher shared that residents should call Public Works if they are interested in participating in the Swap Shop.

Blake recognized the Conservation Commission, City of Portland, and volunteers for their recent clean-up of Barberry Creek.

Smith asked about when non-conforming lots would return on a Council workshop agenda. Information is still being sought from staff, and this workshop is expected to take place sometime after June.

Rose recognized recent college and high school graduates and wished members of the Muslim community a happy Ramadan.

Cohen congratulated the High School class of 2016.

Fox noted that residents of Westbrook Street are looking forward to having their road paved now that the water work is complete.

K. Executive Session

Morgan motioned to adjourn at 8:55pm, seconded by Cohen. The motion passed 7-0.

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ATTEST

Emily F. Carrington
Roll Call: Mayor Blake called the meeting to order at 6:00PM. All Councilors were present.

K. Executive Session
A motion may be made to go into executive session, pursuant to 1 M.R.S.A. §405(6)(a), for discussion of public employee’s employment status.

Councilor Morgan made a motion to go into Executive Session pursuant to 1 M.R.S.A. §405(6)(a), for discussion of public employee’s employment status. Seconded by Cohen. The motion passed 7-0.

Councilor Morgan made a motion to come out of Executive Session at 6:55pm, seconded by Beecher. The motion passed 4-0 (Fox, Rose, Blake out of room).

Councilor Morgan made a motion to adjourn the special meeting at 6:56pm, seconded by Cohen. The motion passed 6-0 (Smith out of the room).

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ATTEST

Emily F. Carrington
Roll Call: The Mayor called the meeting to order at 7:00 PM. All Councilors were present.

A. Acceptance of Minutes

Beecher moved for the acceptance of the minutes, seconded by Morgan. The motion passed 6-0 (Smith out of the room).

B. Communications from City Manager

The City Manager and Mayor recognized the two winners from the recent Boys & Girls Club Photo Contest. Shamus Jennings was the recipient of the Mayor’s Choice Award for his photo titled “Red Rock”. Sierra Roux was the recipient of the City Manager’s Choice Award for her photo titled “Underneath”.

The City Manager recognized Joe Coluucci, Public Works foreman, who recently passed away.

Councilor Rose attended recent Energy & Recycling Committee meetings and thanked Bob Foster, chair of the Energy & Recycling Committee for the welcome.

Councilor Beecher commented on recent attendance of a Trail Advisory Group meeting and Comp Plan Implementation Committee meeting.

Councilor Blake commented on recent attendance of the first Youth Involvement Committee meeting and GPCOG meeting.

The Mayor held a moment of silence for victims of the recent Orlando shooting.

C. Petitions and Communications

The Council packet contained monthly reports from departments. The City Clerk commented on the results of the election and thanked citizens for voting.

D. Appointment Calendar

1. ORDER #86-14/15 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/17. Postponed since 02/18/15. Passage requires majority vote.

Councilor Smith moved for postponement, seconded by Beecher. The motion passed 7-0.
2. ORDER #114-14/15 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 3/3/18. Postponed since 4/22/15. Passage requires majority vote.

Councilor Morgan moved for postponement, seconded by Cohen. The motion passed 7-0.

3. ORDER #58-15/16 - Conservation Commission, District Two (Smith), for an unexpired term which expires on 11/20/18. Postponed since 12/21/15. Passage requires majority vote.

Councilor Smith moved for postponement, seconded by Beecher. The motion passed 7-0.

4. ORDER #72-15/16 - Library Advisory Board, District Five (Fox), appointing Emilio Rodriguez, for an unexpired term which expires on 01/01/19. Postponed since 01/04/16. Passage requires majority vote.

There was no public comment.

Councilor Fox moved for passage, seconded by Beecher. The motion passed 7-0.

5. ORDER #91-15/16 - Energy & Recycling Committee, District Two (Smith), for an unexpired term which expires on 05/05/18. Postponed since 02/01/16. Passage requires majority vote.

Councilor Smith moved for postponement, seconded by Morgan. The motion passed 7-0.

6. ORDER #114-15/16 - Board of Assessment Review, District Two (Smith), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

Councilor Smith moved for postponement, seconded by Beecher. The motion passed 7-0.

7. ORDER #115-15/16 - Energy & Recycling Committee, District Three (Rose), for a term which expires on 05/05/19. Postponed since 03/21/16. Passage requires majority vote.

Councilor Rose moved for postponement, seconded by Morgan. The motion passed 7-0.
8. ORDER #157-15/16 – Energy & Recycling Committee, District One (Morgan), for an unexpired term which expires on 05/05/18. Postponed since 06/06/16. Passage requires majority vote.

Councilor Morgan moved for postponement, seconded by Cohen. The motion passed 7-0.

E. Consent Calendar

F. Citizen Discussion (First Part)

The following spoke:
   Russ Lunt, Brigham St.
   Joan Gilrichards, Kingswood Park
   Rosemarie DeAngelis, Pleasantdale

G. Public Hearings and Action


There was no public comment.

Cohen moved to postpone this item to 8/15, after the scheduled workshop on 8/8. Seconded by Morgan. The motion passed 6-1 (Smith opposed).


There was no public comment.

Beecher moved to have Ordinance#10-15/16 read by title-only, seconded by Morgan. The motion passed 7-0.

Fox moved for passage, seconded by Beecher. The motion passed 7-0.

11. ORDER #167-15/16 - UNO Pizzeria and Grill, 280 Maine Mall Road, for a Special Amusement Permit Without Dancing. Passage requires majority vote.
There was no public comment.

Councilor Morgan moved for passage, seconded by Cohen. The motion passed 6-0 (Fox out of the room).

12. ORDINANCE #11-15/16 – Amending Chapter 14, “Licenses, Permits and Business Regulations Generally”. First reading. Passage requires majority vote.

There was no public comment.

Councilor Cohen moved to have Ordinance #11-15/16 read by title only and summarized by the City Clerk. Seconded by Morgan. The motion passed 7-0.

Councilor Beecher moved for passage, seconded by Fox.

Councilor Rose moved to amend Ordinance #11-15/16 to repeal garage sale permits. The motion did not receive a second.

Councilor Rose moved to amend Ordinance #11-15/16 to add language requiring street closures come before Council for block parties. Seconded by Fox. The motion failed 1-6 (Fox, Blake, Cohen, Morgan, Beecher, Smith opposed).

The main motion passed 7-0.

13. ORDER #168-15/16 – Accepting miscellaneous donations. Passage requires majority vote.

There was no public comment.

Motion for passage made by Councilor Morgan, seconded by Cohen. The motion passed 7-0.

14. ORDER #169-15/16 — Authorizing the City’s participation in submitting an application and accepting a 2016 Edward Byrne Memorial Justice Assistance Grant in the amount of $17,276 to be used by the Police Department. Passage requires majority vote.

There was no public comment.

Councilor Fox moved for passage, seconded by Beecher. The motion passed 7-0.
15. RESOLVE #28-15/16 – Approving the FY 2017 Appropriation Resolve. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Cohen. The motion passed 7-0.

16. ORDER #170-15/16 – Appropriating $615,000 from Unassigned Fund Balance to the Municipal Services Facilities Account. Passage requires majority vote.

The following spoke on this item:
   Russ Lunt, Brigham St.

Cohen moved for passage, seconded by Beecher. The motion passed 7-0.

17. ORDER #171-15/16 – Transferring $700,000 from Unassigned Fund Balance to the Property Tax Stabilization Reserve Account. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Beecher. The motion passed 7-0.

18. ORDER #172-15/16 – Authorizing the Finance Director to accept prepayment of FY 2017 property taxes. Passage requires majority vote.

There was no public comment.

Fox moved for passage, seconded by Morgan. The motion passed 7-0.

19. ORDER #173-15/16 - Authorizing the Finance Director to release city interest in any real estate in the City of South Portland by quitclaim deed. Passage requires majority vote.

There was no public comment.

Morgan moved for passage, seconded by Rose. The motion passed 7-0.

20. ORDER #174-15/16 – Authorizing a 2% percent cost of living adjustment for non-union municipal employees. Passage requires majority vote.
The following commented on this item:
   Patricia Whyte, Orchard St.
   Russ Lunt, Brigham St.
   Greg Lewis, Mussey St.

Cohen moved for passage, seconded by Rose. The motion carried 7-0.

21. ORDER #175-15/16— Setting the street opening fees for FY 2017. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Rose. The motion passed 7-0.

22. ORDER #176-15/16 – Setting the sewer user fees for Fiscal Year 2017. Passage requires majority vote.

There was no public comment.

Beecher moved for passage, seconded by Morgan. The motion passed 7-0.

I. Citizen Discussion (Second Part)

The following spoke:
   Patricia Whyte, Orchard St.

J. Councilor’s Round Robin

Mayor Blake, Councilors Morgan, Smith, Fox and Beecher commented on the City Manager’s upcoming departure. Councilor Cohen thanked the City Clerk for a successful election and commented on the turnout for the school budget validation vote.

L. Executive Session

Councilor Morgan motioned to go into Executive Session pursuant to 1 M.R.S.A. §405 (6)(E), consultation with legal counsel – Port Harbor Marine at 9:15pm, seconded by Beecher. The motion passed 7-0.

Councilor Morgan motioned to come out of Executive Session at 9:48pm, seconded by Fox. The motion passed 7-0.
Councilor Morgan motioned to adjourn at 9:49pm, seconded by Cohen. The motion passed 7-0.

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Emily F. Carrington