

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 69
JANUARY 18, 2017**

Roll Call: Mayor Smith called the meeting to order at 7:00pm. All Councilors were present.

A. Acceptance of Minutes

Morgan moved for acceptance of the minutes, seconded by Beecher. The motion passed 7-0.

B. Communications from City Manager

Presentation from Fred Dillon, Stormwater Coordinator – Stormwater Permit Compliance.

The City Manager reminded the public of the meet & greet hosted at the Community Center on January 25 to meet the finalist candidates for the City Manager position.

C. Reports from Boards and Committees

Mayor Smith reported on recent attendance of the GPCOG Executive Committee.

D. Petitions and Communications

City Clerk Scully announced the District Four School Board vacancy and timeline for accepting applications. The Council will interview candidates on February 22.

E. Appointment Calendar

Councilor Rose moved to vote on items 1, 3, 4 & 5 as a whole, seconded by Morgan. The motion passed 7-0. Items 1, 3, 4 & 5 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.

3. ORDER #37-16/17 – Conservation Commission, District Two (Smith), for an unexpired term which expires on 03/03/18. Postponed since 09/07/16. Passage requires majority vote.

4. ORDER #38-16/17 – Conservation Commission, District Three (Rose), for an unexpired term which expires on 03/03/19. Postponed since 09/07/16. Passage requires majority vote.

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 70
JANUARY 18, 2017**

5. ORDER #48-16/17 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 11/20/17. Postponed since 09/19/16. Passage requires majority vote.

Morgan moved to postpone items 1, 3, 4 & 5, seconded by Rose. The motion passed 7-0.

2. 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 7-0.

6. ORDER #61-16/17 – Arts & Historic Preservation Committee, District One(Morgan), for a term which expires 10/20/19. Postponed since 10/17/16. Passage requires majority vote.

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

7. ORDER #109-16/17 – Library Advisory Board, District Two (Smith), for a term which expires 12/31/19. Postponed since 1/4/17. Passage requires majority vote.

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

8. ORDER #110-16/17 – Board of Assessment Review, At-Large (Beecher), for a term which expires 12/31/19. Postponed since 1/4/17. Passage requires majority vote.

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

9. ORDER #112-16/17 – Board of Assessment Review, District Five (Fox), for a term which expires 12/31/19. Postponed since 1/4/17. Passage requires majority vote.

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

10. ORDER #113-16/17 – Energy & Recycling Committee, District Two (Smith), for a term which expires 05/05/18. Postponed since 1/4/17. Passage requires majority vote.

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

11. ORDER #114-16/17 – Energy & Recycling Committee, At-Large (Beecher), for a term which expires 05/05/17. Postponed since 1/4/17. Passage requires majority vote.

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

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 71
JANUARY 18, 2017**

12. ORDER #117-16/17 – Energy & Recycling Committee, At-Large (Henderson), for a term which expires 05/05/17. Passage requires majority vote.

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

F. Consent Calendar

G. Citizen Discussion (First Part)

The following spoke:

Russ Lunt, Brigham St.
Greg Lewis, Mussey St.

H. Public Hearings and Action

13. ORDINANCE #10-16/17 – Amending Chapter 27, “Zoning”, regarding 14 E Street – Specialized Housing, Inc. (SHI) SP 2016 House Associates, LLC. Passed first reading 1/4/17. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

Cohen moved to have ORDINANCE #10 read by title only, seconded by Beecher. The motion passed 7-0.

The following spoke on this item:

Peter Roth, SHI
Lisa Page, Portland

Morgan moved for passage, seconded by Beecher. The motion passed 7-0 by roll call vote.

I. Action on Old and New Business

14. ORDER #118-16/17 – Accepting miscellaneous donations. Passage requires majority vote.

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

15. ORDINANCE #11-16/17 – Amending Chapter 27, “Zoning,” regarding Non-Conforming Residential lots Passage requires majority vote.

The following spoke on this item:

Ralph Cabana, South Portland

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 72
JANUARY 18, 2017**

Mark Loring, South Portland
Greg Lewis, Mussey St.
Will Cabana, Portland
Kathy Cabana, South Portland
Russ Lunt, Brigham St.
Peter Plummer, Portland

Cohen moved to have ORDINANCE #11 read by title only, seconded by Morgan. The motion passed 7-0.

Cohen moved for passage, seconded by Morgan.

Councilor Henderson moved to amend ORDINANCE #11 to add a sunset clause causing ORDINANCE #11 to expire after one year, seconded by Rose. The motion failed 1-6 (Cohen, Henderson, Smith, Morgan, Fox, Beecher).

The main motion passed 6-1 (Rose).

Councilor Cohen motioned to add an addendum ORDER regarding ORDINANCE #11 addressing revisiting this topic two years from date of final passage to be heard and voted on at the February 6, 2017 meeting; seconded by Fox.

Rose moved to amend the motion to include alignment with the Comprehensive Plan. The amendment failed to receive a second and failed.

The motion passed 7-0.

16. ORDER #119-16/17 – Amending RESOLVE #1-10/11 regarding members of the Sustainability Committee. Passage requires majority vote.

Cohen moved to have ORDER #119 read by title only; seconded by Beecher. The motion passed 7-0.

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

J. Citizen Discussion (Second Part)

The following spoke:

Will Cabana, Portland
Kathy Cabana, South Portland

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 73
JANUARY 18, 2017**

K. Councilor's Round Robin

Councilors Rose and Henderson commended Mayor Smith on her leadership and thanked fellow Councilors for a civil discussion.

Councilor Cohen reminded the public about Winterfest taking place January 27-28. Councilor Fox announced that Maine Medical Center performs 1,400 heart surgeries a year and advocated for taking care of one's health.

L. Executive Session

Morgan moved to adjourn at 9:20pm, seconded by Cohen. The motion passed 7-0.

A TRUE COPY ATTEST



Emily F. Scully