

**IN COUNCIL REGULAR MEETING VOL. 79 PAGE 1  
OCTOBER 2, 2017**

**Roll Call:** Mayor Smith called the meeting to order at 7:00pm. All Councilors were present. At the beginning of the meeting, Mayor Smith called for a moment of silence for victims of the recent attack in Las Vegas.

Morgan moved to waive Council Rules to add ORDER #65-17/18 to the agenda, to be read and voted on before ORDINANCE #7. Seconded by Cohen. The motion passed 6-1 (Smith).

**A. Acceptance of Minutes**

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

**B. Communications from City Manager**

**C. Reports from Boards and Committees**

Rose reported that the last Energy & Recycling Committee failed to meet quorum, so no formal action was taken at the meeting, but general updates were discussed.

Smith shared on the progress of the O'Neil Street Facility Re-Use Committee; another public forum will be held; to be scheduled soon.

**D. Petitions and Communications**

**E. Appointment Calendar**

**1.** 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.

**2.** 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 Morgan. The motion passed 7-0.

**3.** ORDER #179-16/17 – Energy & Recycling Committee, District One (Morgan), for a term expiring 05/05/18. Passage requires majority vote.

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

**4.** ORDER #56-17/18 – Arts & Historic Preservation Committee, District At-Large (Beecher), appointing **Doreen Gay** for a term which expires 10/27/20. Passage requires majority vote.

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

**5.** ORDER #57-17/18 – Arts & Historic Preservation Committee, District At-Large (Henderson), appointing **Jessica Kessler** for a term which expires 10/27/20. Passage requires majority vote.

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

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**6.** ORDER #58-17/18 – Appointing **Joshua Pobrislo** as Health Officer for a 3-year term, which will expire on October 2, 2020. Passage requires majority vote.

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

**F. Consent Calendar**

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

Doug Howard, Director of Public Works  
Russ Lunt, Brigham St.  
Robert Sellin, D St.  
John Crowley, Smith St.

**H. Public Hearings and Action**

**7.** ORDINANCE #6-17/18 - Amending Chapter 27, "Zoning," regarding a zone text and zone map change for the West End Avenue Commercial Corridor (WACC), the West End Neighborhood Center (WNC), the West End Residential District (WR) and the IL zone. Passed first reading September 18, 2017. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

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

ORDER #65-17/18, proposed at the beginning of the meeting, was read. ORDER #65-17/18 is a companion ORDER accompanying ORDINANCE #7-17/18 that was discussed and recommended at the last meeting. ORDER #65-17/18 orders that upon passage of ORDINANCE #7, a plan for monitoring traffic in the vicinity of those properties impacted by the rezoning, and that any recommendations shall be brought forward to the City Council no later than March 30, 2018.

Morgan moved for passage, seconded by Cohen. Cohen moved to amend the order to change recommendations brought forward to the Council from proposed date of December 31, 2019 to March 30, 2018. Seconded by Henderson. The amendment passed 7-0. The main motion passed, as amended, by roll call vote of 6-1 (Smith).

**8.** ORDINANCE #7-17/18 – Amending Chapter 27, "Zoning," regarding a zone text and zone map change from Transitional Residential (RT) District and Limited Business (LB) District to Meetinghouse Hill Community Commercial (MHCC) District – 352, 362, 366, 372, 374, 376 and 378 Cottage Road (Tax Map 10, Lots 206, 207, 208, 209, 209A, 210 and 211). Passed first reading September 18, 2017. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

The following spoke on this item:

Katie Cosgrove  
Patricia Whyte, Orchard St.  
Russ Lunt, Brigham St.  
George Corey, Franklin Terrace

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

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**9.** ORDER #59-17/18 – Granting Island Dog Brewing, 125 John Roberts Road, a Special Amusement Permit Without Dancing. Passage requires majority vote.

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

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

**10.** ORDER #60-17/18 – Accepting \$593.00 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:

Kate Lewis, Mussey St.

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

**11.** ORDER #61-17/18 – Accepting \$771.25 under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

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

**12.** ORDINANCE #8 - 17/18 – Amending Chapter 27, “Zoning” regarding Recreational Marijuana Zoning. First reading. Passage requires majority vote.

The following spoke on this item:

Russ Lunt, Brigham St.

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

**13.** ORDINANCE #9 – 17/18 – Amending Chapter 14, “Licensing” regarding Recreational Marijuana Licensing. First reading. Passage requires majority vote.

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

**14.** ORDER #62-17/18 – Accepting miscellaneous donations. Passage requires majority vote.

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

**15.** ORDER #63-17/18 – Adopting the *Complete Streets Policy*. Passage requires majority vote.

The following spoke on this item:

Russ Lunt, Brigham St.

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

**16.** ORDER #64-17/19 – Award of Contracts for the Hot Tub Project at the Community Center. Passage requires majority vote.

The following spoke on this item:

Russ Lunt, Brigham St.

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

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

Patricia Whyte, Orchard St.  
Robert Sellin, D St.

**K. Councilor's Round Robin**

Councilor Morgan and Mayor Smith thanked Councilors for a cooperative meeting.

Councilor Cohen reflected on the recent attacks in Las Vegas and thanked first responders.

**L. Executive Session**

Fox moved to adjourn at 9:05pm, seconded by Morgan. The motion passed 7-0. Meeting was adjourned.



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