

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 100**  
**MAY 1, 2017**

**Roll Call:** Mayor Smith called the meeting to order at 7:00pm. Councilors Rose and Fox were absent.

**A. Acceptance of Minutes**

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

**B. Communications from City Manager**

Doug Howard, Public Works Director, presented an update on Swap Shop Rules and Policies. The Swap Shop is open Sundays in May and is staffed fully by volunteers.

**C. Reports from Boards and Committees**

Beecher reported on the success of the recent Medication Collection on 4/29. Smith attended a recent meeting of the O'Neil Street Facility Reuse Committee; the committee is working towards Phase II. Mayor Smith reminded residents that while Willard Beach is dog-friendly, there are restrictions.

**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 Cohen. The motion passed 5-0.

**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.

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

**3.** ORDER #151-16/17 – Board of Appeals, District At-Large (Henderson), for an unexpired term which expires on 7/23/19. Passage requires majority vote.

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

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

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

**5.** ORDER #180-16/17 – Planning Board, District Three (Rose), for an unexpired term expiring 04/01/18. Passage requires majority vote.

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

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**6. ORDER #181-16/17** – Energy & Recycling Committee, District At- Large (Henderson), appointing **Jessica Williams** for a term expiring 05/05/2020. Passage requires majority vote.

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

**7. ORDER #182-16/17** – Appointing Scott Morelli to the PACTS Policy Committee and Maxine Beecher as Alternate to the PACTS Policy Committee. Passage requires majority vote.

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

**8. ORDER #183-16/17** – Arts & Historic Preservation Committee, District One (Morgan), for an unexpired term expiring 10/20/19. Passage requires majority vote.

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

**F. Consent Calendar**

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

Russ Lunt, Brigham St.  
Caroline Hendry, B St.  
Greg Lewis, Mussey St.  
Albert Dimillo, Colchester Dr.

**H. Public Hearings and Action**

**9. ORDINANCE #16-16/17** – Amending Chapter 27, “Zoning,” regarding the Suburban Commercial District (CS) Zone and a Zone Map change from CPCCR at Clark’s Pond and substantial portions of the property owned by Ocean Properties at Sable Oaks to CS. Amended and passed first reading April 19, 2017. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

The following spoke:

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

Morgan moved for passage, seconded by Cohen. The motion passed 5-0 on a roll call vote.

**10. ORDINANCE #17-16/17** – Amending Chapter 14, “Licenses, Permits and Business Regulations Generally,” regarding Food Trucks. Passed first reading April 19, 2017. ROLL CALL VOTE. Passage requires majority vote.

Cohen moved for passage, seconded by Beecher. The motion passed 5-0 on a roll call vote.

**11. ORDER #184-16/17** – Granting South Portland Urban Air, LLC a Coin-Operated Game Machine License. Passage requires majority vote.

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

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

**12. ORDER #185-16/17** – Accepting miscellaneous donations. Passage requires majority vote.

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

**13. RESOLVE #11-16/17** - Proclaiming the week of May 21, 2017 as Arbor Week in the City of South Portland. Passage requires majority vote.

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

**14. RESOLVE #12-16/17** - Proclaiming the week of May 14, 2017 as Commute Another Way Week in the City of South Portland. Passage requires majority vote.

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

**15. RESOLVE #13-16/17** – Amending Resolve #6-16/17 condemning violence and hate speech, and expressing solidarity with Muslims and all those targeted for their ethnicity, race, or religion. Passage requires majority vote.

Cohen moved to postpone to 5/15/17, seconded by Morgan. The motion passed 5-0.

**16. ORDINANCE #18-16/17**- Amending Chapter 27, “Zoning Ordinance,” regarding extension of moratorium on the land use permitting and development of retail marijuana establishments and marijuana social clubs. First reading. Passage requires majority vote.

The following spoke:

Russ Lunt  
Greg Lewis

Cohen moved for passage, seconded by Beecher. The motion passed 4-1 (Morgan).

**17. ORDINANCE #19-16/17** - Amending Chapter 14, “Licensing”, regarding extension of moratorium on the licensing of retail marijuana establishments and marijuana social clubs. First reading. Passage requires majority vote.

The following spoke:

Greg Lewis  
Russ Lunt

Cohen moved for passage, seconded by Beecher. The motion passed 4-1 (Morgan).

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**18.** ORDER #186-16/17 – Implementing the 2018 Capital Improvement Program. Passage requires majority vote.

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

**19.** ORDER #187-16/17 – Establishing times and locations for operation of food trucks on City property. Passage requires majority vote.

The following spoke:

Greg Lewis

Russ Lunt

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

**20.** ORDER #188-16/17 – Setting the opening time of the consolidated polling location at the South Portland Community Center for 7:00A.M. for the June 13, 2017 State Referendum Special Election, School Budget Validation Referendum and Portland Water District Board of Trustees Special Election. Passage requires majority vote.

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

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

**K. Councilor's Round Robin**

Cohen and Beecher wished the City Clerk and her staff a happy Municipal Clerk's week. Henderson commented on "The Hungry Heart", a movie about the opioid addiction crisis and the importance of Home, Health, Community and Purpose. Smith mentioned that the upcoming event Tri-For-A-Cure is seeking volunteers.

**L. Executive Session**

Morgan moved to adjourn at 9:00pm, seconded by Cohen. The motion passed 5-0.

A TRUE COPY ATTEST



Emily F. Scully