

**IN COUNCIL REGULAR MEETING VOL. 78 PAGE 89  
MARCH 20, 2017**

**Roll Call:** Mayor Smith called the meeting to order at 7:00pm. Councilor Morgan was absent.

**A. Acceptance of Minutes**

Beecher moved for acceptance of the minutes, seconded by Henderson. The motion passed 6-0.

**B. Communications from City Manager**

City Manager Scott Morelli was welcomed to his first Council meeting. The City Manager distributed copies of the FY2018 proposed budget book to members of the Council.

**C. Reports from Boards and Committees**

Cohen recapped conference details of the National League of Cities meeting in Washington, DC.

Beecher shared an update on the ecomaine Board of Directors end of year recognition celebration.

Fox shared an update on the Comprehensive Plan Implementation Committee in respect of the West End Planning project.

**D. Petitions and Communications**

**E. Appointment Calendar**

Smith moved to consider items #1, 3, 4, 5, 7, 8 and 9 as a whole, seconded by Cohen. The motion passed 6-0.

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.

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.

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.

7. ORDER #122-16/17 – Conservation Commission, District Five (Fox), for an unexpired term which expires on 11/20/19. Postponed since 2/6/17. Passage requires majority vote.

8. ORDER #123-16/17 – Conservation Commission, District At-Large (Henderson), for an unexpired term which expires on 11/20/19. Postponed since 2/6/17. Passage requires majority vote.

9. ORDER #131-16/17 – Conservation Commission, District One (Morgan), for an unexpired term which expires on 03/03/18. Postponed since 02/22/17. Passage requires majority vote.

Smith moved to postpone indefinitely items #1, 3, 4, 5, 7, 8 and 9, seconded by Cohen. The motion passed 6-0.

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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 Cohen. The motion passed 6-0.

6. 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 6-0.

10. ORDER #146-16/17 – Civil Service Commission, District Four (Cohen), appointing **Louie Maietta** for a term expiring 3/1/2022. Postponed since 3/6/17. Passage requires majority vote.

Cohen moved for passage, seconded by Beecher. The motion passed 6-0.

11. ORDER #150-16/17 – Economic Development Committee, District At-Large (Beecher) appointing **Steve Bushey** for a term ending 3/23/20. Passage requires majority vote.

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

12. 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 6-0.

13. ORDER #152-16/17 – Economic Development Committee, District At-Large (Henderson), appointing **Martha Riehle** for a term ending 3/23/20. Passage requires majority vote.

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

14. ORDER #153-16/17 – Appointing Scott T. Morelli to the ecomaine Board of Directors effective March 13, 2017. Passage requires majority vote.

Beecher moved for passage, seconded by Cohen. The motion passed 6-0.

15. ORDER #154-16/17 – Appointing an Ad-Hoc Committee to develop reuse proposals involving the Public Works facility located on O'Neil Street. Passage requires majority vote.

Smith moved for passage, seconded by Beecher. The motion passed 6-0.

**F. Consent Calendar**

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

Greg Lewis, Mussey St.  
Rosemarie DeAngelis, Pleasantdale

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**H. Public Hearings and Action**

**16. ORDINANCE #14-16/17** – Amending Chapter 27 re: Solar Ordinance. Passed first reading 3/6/17. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

Cohen moved to postpone to 4/3/17, as this item requires Planning Board hearing; seconded by Beecher. The motion passed 6-0.

Councilor Rose moved to take item #19 out of order, seconded by Fox. The motion passed 6-0. Item #19 was read by the City Clerk.

**19. ORDER #157-16/17** – Accepting miscellaneous donations. Passage requires majority vote.

The following spoke:

Ellen Fraser  
Roberta Zuckerman  
Abby Huntoon  
Curt Whitehead

Rose moved for passage, seconded by Cohen. The motion passed 6-0.

**17. ORDER #155 - 16/17** – Adopting the Second Amendment to the Hannaford Tax Increment Financing (TIF) District Development Program and the Fourth Amendment to the Cummings Road Business Park TIF District Development Program. Passage requires majority vote.

The following spoke on this item:

George Corey, Franklin Terrace  
Greg Lewis, Mussey St.

Beecher moved for passage, seconded by Cohen. The motion passed 6-0.

**18. ORDER #156 - 16/17** – Adopting the the Third Amendment to the Long Creek TIF District Development Program. Passage requires majority vote.

The following spoke on this item:

George Corey, Franklin Terrace

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

**Action on Old and New Business**

**20. ORDER #158-16/17** – Award of Bid #23-17 to Keenan Excavating Co., Inc, of South Portland, ME, for manhole castings adjustments. Passage requires majority vote.

Beecher moved for passage, seconded by Rose. The motion passed 6-0.

**21. ORDER #159-16/17-** Accepting \$819.00 under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

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The following spoke:

Greg Lewis, Mussey St.  
George Corey, Franklin Terrace

Cohen moved for passage, seconded by Beecher. The motion passed 6-0.

**22. ORDINANCE #15-16/17** - Amending Chapter 27, "Zoning," regarding a Zone Map change from Residential A to Residential District G – 1337, 1343, 1351, 1350 and 1354 Broadway (Tax Map 32 Lots 168 and 169 and Tax Map 41 Lots 1, 27 and 27B). First reading. Passage requires majority vote.

The following spoke:

Joplin Thompson  
Greg Lewis  
Linda Kelley

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

**23. ORDER #160-16/17**– Setting April 5, 2017 as the date for a Public Hearing in City Council Chambers for the Proposed FY 2018 Municipal Budget. Passage requires majority vote.

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

**24. ORDER #161-16/17** –Setting April 3, 2017 as the date for a Public hearing in City Council Chambers to amend City Council Standing Rules. Passage requires majority vote.

Cohen moved for passage, seconded by Beecher. Cohen moved to amend ORDER #161-16/17 to include clarification to Rule #5, seconded by Fox. The amendment passed 6-0.

The main motion passed 6-0.

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

**K. Councilor's Round Robin**

Henderson gave an update on the South Portland Food Cupboard; thanked Protect South Portland for the generous \$10,000 donation for the Clear Skies Ordinance Defense Fund.

Smith wished everyone Happy Spring.

Rose referred to a current court case on zoning in response to questions of why zoning exists.

Cohen announced a basketball fundraiser for the Class of '19 being held on 4/2.

**L. Executive Session**

Cohen moved to adjourn at 9:30pm, seconded by Fox. The motion passed 6-0.

A TRUE COPY ATTEST



Emily F. Scully