

**IN COUNCIL INAUGURATION VOL. 79 PAGE 1  
DECEMBER 4, 2017**

**Roll Call:** Mayor Smith called the meeting to order at 4:00pm. Councilor Rose was absent.

Mayor Smith invited Reverend Kenneth Lewis Jr. to give the invocation. Mayor Smith led the pledge of allegiance.

The City Clerk called the roll and announced a quorum was present. Councilor Fox and Mayor Smith shared parting remarks.

City Clerk Scully invited Councilors Elect Dowling, Lewis and Councilor Morgan to the lectern and administered the oath of office.

Smith and Fox came off the Council; Councilors Lewis, Dowling and Morgan took seats at the dais.

City Clerk Scully called for nominations for Mayor for 2017/2018.

Morgan nominated Councilor Cohen, seconded by Beecher. There were no other nominations. The motion passed 6-0 (Rose absent). Councilor Cohen was declared Mayor for 2017/2018.

Mayor Cohen presented parting gifts to former Mayor Smith, and presented the Inaugural Address.

Morgan moved that the Inaugural Address be spread on the records, seconded by Beecher. The motion passed 6-0.

City Clerk Scully read Resolve #18-17/18.

Lewis moved for passage of Resolve #18-17/18, seconded by Dowling. The motion passed 6-0.

Mayor Cohen reminded Councilors that a photo will be taken immediately following the School Board inauguration, and asked for a motion to adjourn.

Morgan moved to adjourn, seconded by Henderson. The motion passed 6-0. The Council adjourned at 4:20pm.



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**IN COUNCIL SPECIAL MEETING VOL. 79 PAGE 1  
DECEMBER 6, 2017**

**Roll Call:** Mayor Cohen called the meeting to order at 7:00pm. All Councilors were present. At the beginning of the meeting, Mayor Cohen called to withdraw item #9 from the agenda, without prejudice.

**A. Acceptance of Minutes**

Morgan moved to accept the minutes, seconded by Rose. The motion passed 7-0.

**B. Communications from City Manager**

Update from Laura Moorehead/O'Neil Street Facility Re-Use Committee regarding the O'Neil Street Property

**C. Reports from Boards and Committees**

Beecher shared an update on the Senior Citizen Advisory Committee; despite a glitch in some of the surveys that were sent out, several hundred have been returned and the committee will soon begin their work on analyzing the results.

Dowling mentioned that the Jetport Noise Committee has been busy this year due to an increase in complaints and noise from the jetport this year, moreso than recent years.

**D. Petitions and Communications**

**E. Appointment Calendar**

**1. ORDER #114-15/16** – Board of Assessment Review, District Two (Lewis), for an unexpired term which expires on 03/16/19. Postponed since 03/21/16. Passage requires majority vote.

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

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

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

**3. ORDER #75-17/18** – Arts & Historic Preservation Committee, District Two (Lewis), for an unexpired term which expires 10/20/18. Passage requires majority vote.

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

**4. ORDER #87-17/18** – Energy & Recycling Committee, District Five (Dowling), for an unexpired term which expires on 05/05/18. Passage requires majority vote.

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

**5. ORDER #93-17/18** – Planning Board, District Two (Lewis) for an unexpired term which expires on 4/1/19. Passage requires majority vote.

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Lewis moved to postpone, seconded by Dowling. The motion passed 7-0.

**6. ORDER #94-17/18** – Arts & Historic Preservation Committee, District Five (Dowling), for an unexpired term which expires on 10/20/19. Passage requires majority vote.

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

**F. Consent Calendar**

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

Russ Lunt, Brigham St.  
John Murphy, Willard St.  
Peter Cook, Thompson St.  
Mike Connolly, Bay View

**H. Public Hearings and Action**

**7. ORDINANCE #10-17/18** – Amending Chapter 27, “Zoning regarding Recreational Marijuana in the Western Avenue Commercial Corridor (WACC); the West End Neighborhood Center (WNC) Zone; the West End Residential District (WR) and the Meeting House Hill Community Commercial (MHCC) Zone. Passed first reading on November 6, 2017. ROLL CALL VOTE. Passage requires five (5) affirmative votes.

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

**8. ORDER #95-17/18** – Granting VanSleep, LLC, d/b/a Tru by Hilton Portland, ME, 369 Maine Mall Road, a Food Establishment/Hotel with Liquor License. Passage requires majority vote.

The following spoke:

Russ Lunt, Brigham St.  
Tex Hauser, Planning Director

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

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

**9. ORDER #81-17/18** – Appealing the denial of the Public Works’ Director for a new curb cut at 851 Main Street for Rolando’s Redemption Center. Postponed on November 20, 2017. Passage requires majority vote.

Morgan moved to withdraw the item from the agenda without prejudice, seconded by Beecher. The motion passed 7-0.

**10. ORDER #96-17/18**- Amending the Drug and Alcohol Testing Policy for Safety Sensitive Positions. Passage requires majority vote.

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

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**11. ORDER #97-17/18** – Award of Bid #31-18 to Pierce Manufacturing, Inc., of Appleton, WI, for the purchase of a Quint Fire Truck for the South Portland Fire Department. Passage requires majority vote.

The following spoke:

Patricia Whyte, Orchard St.  
Russ Lunt, Brigham St.

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

**12. ORDER #98-17/18** – Authorizing the City Manager to sign a contract between the City of South Portland and RANSOM Consulting, Inc., of Portland, ME for the FEMA Map Appeal Phase 1. Passage requires majority vote.

Rose moved to table this item until the end of the agenda, after Council enters Executive Session for consultation with the City's attorney. Seconded by Morgan. The motion to table passed 7-0.

**13. ORDINANCE #11-17/18** – Amending Chapter 27 "Zoning," regarding the CS and PO Zones. First reading. Passage requires majority vote.

The following spoke:

Russ Lunt, Brigham St.  
George Corey, Franklin Terrace

Rose moved to divide the question, separating the map change from the text change. Henderson seconded the motion. The motion passed 7-0.

Rose moved for passage on the map change, to be brought back to Council for second reading at the 2<sup>nd</sup> meeting in January. Seconded by Henderson. The motion passed 7-0.

Morgan moved to postpone the text change to the first meeting in January, seconded by Lewis. The motion passed 6-1 (Henderson).

**14. ORDER #99-17/18** – Accepting miscellaneous donations. Passage requires majority vote.

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

**15. ORDER #100-17/18** – Setting December 18, 2017 as the date for a Public hearing in City Council Chambers to review City Council Standing Rules. Passage requires majority vote.

Morgan moved for passage, seconded by Henderson. Morgan moved to amend ORDER #100 to replace the date of public hearing from 12/18/17 to workshop on 12/27/17, seconded by Beecher. The motion passed 7-0. The order passed as amended 7-0.

Cohen requested a motion to enter into executive session. Morgan moved to enter into executive session, pursuant to 1 MRSA Section 405(6)(E) to confer with the corporation counsel with regard to the rights and duties of the City Council with respect to contract negotiations with RANSOM Consulting, Inc. for professional engineering services. Seconded by Beecher. The motion passed 7-0. Council entered into Executive Session at 9:37pm.

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Morgan moved to come out of executive session at 9:55pm, seconded by Beecher. The motion passed 7-0.

Mayor Cohen removed ORDER #98 from the table.

**12. ORDER #98-17/18** – Authorizing the City Manager to sign a contract between the City of South Portland and RANSOM Consulting, Inc., of Portland, ME for the FEMA Map Appeal Phase 1. Passage requires majority vote.

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

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

**K. Councilor's Round Robin**

Councilors welcomed new and returning Councilors. Lewis thanked the Clerk, City Manager, and Mayor Cohen for support in getting oriented as a new Councilor. Rose thanked Mayor Cohen for excellent handling of parliamentary procedures. Mayor Cohen recognized the Parks department for a wonderful tree lighting in Mill Creek Park.

**M. Adjourn**

Morgan moved to adjourn at 10:00pm, seconded by Dowling. The motion passed 7-0.



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