



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, May 12, 2020

6:30 PM

Council Chambers

To join the meeting remotely, use this link: <https://zoom.us/s/82946916012>. You may also call 1-646-558-8656 and enter meeting ID: 829 4691 6012. Participant ID 497912

In accordance with Public Law Chapter 617 adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and signed into effect by Governor Mills, 1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19.

Zoom will be the meeting platform used by both the Council and the public. Information about using Zoom is available at <https://support.zoom.us/hc/en-us/articles/115004954946-Joining-and-participating-in-a-webinar-attendee->.

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*Please note that members of the public will need to use the raise your hand feature in Zoom or type *9 on the phone to be called on and heard during the public testimony portion of the agenda.*

If you prefer, you may also email the Council at TownCouncil@windhammaine.us prior to the meeting with your thoughts on an issue and if you would like, please note that you would like the email read into the record during public participation or during that agenda item. Please keep in mind we request stated comments to be three minutes or less.

The meeting will be recorded and broadcast live on TV-7 (Channel 1303) and the Town's Facebook page.

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 20-119](#)

To approve the Minutes from the April 28, 2020 Council meeting.

Attachments:

[Minutes-Town Council-4-282020](#)

IV. Public Participation.

The public is invited to address the Council on any item of business not on the agenda for tonight's meeting.

NOTE TO CITIZENS: Citizens have the right and are encouraged to speak during public participation regarding items not on the agenda, or regarding an item when it comes up on the agenda.

All comments and questions during public participation or on an agenda item must be directed to the Chair and be limited to not more than three (3) minutes per speaker; except that the Chair may grant another three (3) minutes at his/her discretion.

Persons present at Council meetings are requested not to applaud or otherwise express, other than verbally, their approval or disapproval of any statements made or actions taken at such meeting.

Anyone who has already addressed the Council during public participation, on an agenda item, or during a public hearing will be asked to wait until all others have spoken before being recognized a second time.

V. Discussion with State Officials - COVID-19 Impacts to Municipality, State Revenue Funding & Business Impacts.

[CD 20-122](#) Discussion Points.

Attachments: [Discussion points for State Reps 5.12.20](#)

VI. Councilors' Comments.

VII. PUBLIC HEARINGS.

[20-047](#) To postpone the receipt of public comment and action on a proposed Marijuana Business Licensing Ordinance, Chapter 160 of the Code of the Town of Windham to July 28, 2020.

Attachments: [20-047 Cover Sheet](#)
[Marijuana Licensing Ordinance 021220](#)
[Draft -Marijuana-Licensing-Ordinance_revised 030620](#)
[Marijuana Business License Application rev 030620](#)
[Windham marijuana licensing ordinance 031020](#)
[Marijuana Licensing Ordinance 031820](#)
[Marijuana Licensing Ordinance 031820 \(clean\)](#)

Legislative History

2/25/20	Town Council	postponed
3/10/20	Town Council	postponed
3/24/20	Town Council	postponed

[20-048](#) To postpone the receipt of public comment and action on proposed amendments to Chapter 140, Land Use Ordinance, Sections 300, 400, 500 and to Chapter 199, Sections 199-14, related to the regulation of medical and adult-use marijuana to July 28, 2020.

Attachments: [20-048 Cover Sheet](#)
[TC packet PB recommend Marijuana 02-13-20 A](#)
[Marijuana Section 500 Performance Standards KMC edit 030620](#)
[School ChildCare Corr Buffer3](#)
[Current Medical Marijuana Facilities and Setbacks](#)
[Marijuana Section 500 Performance Standards KMC edit 031820](#)

Legislative History

2/25/20	Town Council	postponed
3/10/20	Town Council	postponed
3/24/20	Town Council	postponed

[20-109](#) To adopt an ordinance extending the existing moratorium on marijuana cultivation facilities ending on May 12, 2020 to May 26, 2020.

Attachments: [20-109 Cover Sheet](#)
[Moratorium Ordinance Regarding Marijuana Cultivation Facilities](#)

[20-099](#) To receive comment and approve a municipal services budget for fiscal year 2020-2021.

Attachments: [20-099 Cover Sheet](#)
[Budget 2020 Presentation](#)
[Finance Committee Budget FY21](#)
[CAPITAL FY 21 4-28-20](#)

VIII. UNFINISHED BUSINESS & GENERAL ORDERS.

[20-100](#) To approve the warrant for the 2021 annual town meeting.

Attachments: [20-100 Cover Sheet](#)
[FY2021 Warrant](#)

[20-104](#) To decommission the Private Roads ad hoc Committee, and to express the Council's profound gratitude and appreciation on behalf of the town and its residents for the work of the committee and all of its members.

Attachments: [20-104 Cover Sheet](#)

[20-105](#) To approve an application submitted by Central Maine Power to locate one (1) utility pole and cables and wires there on Roosevelt Trail, approximate 200 feet +/- West of the Corner of Enterprise Drive and Roosevelt Trail.

Attachments: [20-105 Cover Sheet](#)
[Roosevelt Tr Pole Loc.-CMP](#)

[20-106](#) To approve an application submitted by Rustler's Steakhouse located at 754 Roosevelt Trail for a renewal Special Amusement permit.

Attachments: [20-106 Cover Sheet](#)
[Rustlers Steakhouse-Sp.Amusement](#)

[20-107](#) To set the Council's meeting schedule for June, July and August.

Attachments: [20-107 Cover Sheet](#)
[Memo to Council - Council Summer Meeting Schedule](#)

IX. Town Manager's Report.

[CD 20-120](#) Municipal Facilities "Soft Opening"

Attachments: [Memo to Council - ReOpening Municipal Facilities](#)

[CD 20-121](#) Annual Town Meeting.

Attachments: [Memo to Council - Annual Town Meeting](#)

X. Council Correspondence.

[CD 20-117](#) Windham Public Library Newsletter

Attachments: [Check It Out - April 29 2020](#)
[Check It Out - May 6 2020](#)

[CD 20-125](#) Gray - Route 26 Road Work - Expected Traffic Delay.

Attachments: [MDOT timeline for project02282020](#)
[MDOT02282020](#)

XI. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee.
3. Windham Economic Development Corporation
4. Highland Lake Leadership Team.
5. Natural Resources Advisory Committee.
6. Public Easement Advisory Committee.

XII. Discussion Items.

[CD 20-123](#) Draft Memorandum of Understanding (MOU) concerning a North Windham Sewer District with Portland Water District (PWD).

The opportunity for a wastewater treatment system in a defined North Windham district area is possible. The attached map outlines the proposed service area with a possible phased in approach. The MOU agreement allows the Town and Portland Water District to explore a solution for design/implementation/funding and timing. The anticipated project would be five years to completion.

Attachments: [North Windham Wastewater](#)
[Draft Windham MOU revised 5.4](#)
[North Windham Wastewater 3](#)

[CD 20-124](#) Pay-As-You-Throw (PAYT) Program Expenditures and Funding.

Please refer to the attached summary.

Attachments: [Memo to Council - Solid Waste Recycling and Collection](#)

XIII. Agendas & Scheduling.**XIV. ADJOURN.**