



Peaks Island Council

MEETING MINUTES

Wednesday, June 15, 2016

6:30 p.m., MacVane Community Center

Call to Order: 6:30 p.m.

Roll Call: Lisa Peñalver, Timmi Sellers, Kathleen Hayward, Howard Pedlikin, Mary Anne Mitchell; and Mike Murray, Assistant to the Mayor, Belinda Ray, Portland City Councilor

Absent: Sid Gerard (unexcused), Time Wyant (excused)

Number of Audience Members (AM) in attendance: 25

Approval of Minutes:

Mitchell stated editorial should not be present in the minutes, and that presence or absence should be simply stated. AM asked who approves the minutes, stating that comments she made during the March meeting had not been included. Peñalver explained that minutes are a summary rather than a transcription, adding that the minutes are sent to all PIC members for review and approval.

Hayward made the motion to approve the May 18th minutes, Pedlikin seconded. Unanimous vote to approve.

Treasurer's Report: Kathleen Hayward, PIC Treasurer

As of May 31, \$34,260 has been spent leaving a balance of \$5,440. Approximately 86% of the budget has been spent, leaving about 14%.

Committee Reports:

Safety Committee

Peñalver stated that the crosswalks and arrows in the circle have been freshly painted. The Safety Committee has also requested the fire lane in the circle be painted.

Officer Rose reported that police cadet Raven is once again doing a great job, stating that thus far very few tickets have been issued. He noted there has been high traffic on weekends, but good self-compliance, and the extra ferry being run by CBL has helped everything run fairly smoothly. There have been recent reports regarding a deer that looks ill, but the Warden has advised it is normal shedding. Rose pointed out that the heavy tick population can drive the deer out of the woods, and islanders are reminded to not feed deer on the island. Rose stated that criminal mischief has reduced, and neighborhood watch activity has been helpful.

The PIC submitted a request to the City for review of the existing golf cart ordinance, with suggestions for specific verbiage updates regarding safety items such as speed limit, age appropriate operation, light requirements, and the like. Peñalver attended a preliminary hearing at the City, and explained that after review of the golf cart ordinance and recommended changes by PIC, the City Council has determined that many items are already covered by state level. Therefore, the City is not in support of amending the verbiage as requested at this time.

Tim Murphy, a member of the Safety Committee, explained that one of the requests is for the golf cart parking space definition, which will make it possible to distinguish specific parking areas based on vehicle size. Officer Rose explained that the current team of island officers are enforcing age-appropriate operation, and will ticket parents when appropriate. He stated that the rental companies are educating their customers, adding that he does not feel further regulation is needed.

Councilor Ray clarified that this issue came to the Health & Human Services Committee, where an initial review was conducted. She stated the immediate recommendations included that a valid Driver's License be required to operate, and the speed should be 20 mph. Other considerations are still being determined, and Ray said the review continues. Ray explained that safety features are already covered by the existing ordinance, reading examples including 'Shall be equipped with an auditory warning device, a visual safety flag, shall be operated only in daylight, unless equipped with suitable headlights and tail lights and shall obey traffic laws applicable to all motor vehicles' to name a few.

AM expressed concern for children standing up and hanging off the back of golf carts, saying that he observes this daily. Further discussion included concern regarding small children on the driver's lap, or the driver trying to hold the child on the seat next to them while driving. Officer Rose explained that when the police see that behavior, they will pull over the cart and address parents accordingly. He encourages people to report those issues to the police when they are witnessed. Officer Rose explained that seat belts are not required, and that for golf carts or vehicles with the 'Island Use' tag, the police must contact the City Clerk's office for details, as that info does not go through the DMV or state database.

AM asked for clarification on the flag requirement. It was explained that either a 6 foot flag or a roof with reflective tape is required.

AM asked if brake light are required. The ordinance currently states only that running lights are required. Councilor Ray stated that island use cars are not required for inspection, stating that brake lights may not be working on those vehicles either. Officer Rose stated that all cars have to be in safe working condition and the police work to enforce those safety requirements.

Sellers stated she was the left lane of the circle, waiting to pick someone up from the ferry. She witnessed someone park in the right lane of the circle, blocking traffic, causing someone to later backup to get out of the circle. The cadet was not present, and when Sellers asked the police officer on duty to address the issue, she was told that it is not illegal to park in that lane. Sellers stated that all officers should be consistent in enforcing the No Parking lane, as it is posted. Officer Rose agreed, stating he would write up in the log that all officers need to be consistent. Further discussion included placement of a stop sign at the circle, proper traffic flow in the circle, or not exiting the entrance.

Zoning Committee

There are two upcoming forums on the City-wide Comprehensive Plan scheduled for 6pm on two dates in two locations:

- Wednesday, June 29--Univ. of New England, 716 Stevens Ave, Room 024/028 (College of Pharmacy building);
- Thursday, June 30; Portland Public Library, 5 Monument Way, Rines Auditorium

Sellers explained that the PIC hopes to get an intern to assist with updating the Peaks Island Comprehensive Plan next year. The upcoming City meetings will not address the Peaks Island

Plan, but will offer useful information on the process of how the City is updating its plan. Sellers will be attending and encourages anyone interested to also attend.

There will be a Paper Roads Community Forum in August. Dates have been requested from Jeff Levine for his attendance, the date will be determined and announced.

Environmental Committee

Mitchell explained that PEAT has historically placed recycling containers around the island through the summer season, and recycled over 20,000 bottles and cans last year. Sending the recyclables off island with CBL is no longer an option, and PEAT is no longer able to keep up with the volume. Mitchell has requested that recycling containers be placed next to garbage cans, as has been done in other areas of Portland, and that public works would be responsible for emptying. PEAT has two recycling containers available if any local business would like one or both, but the business is then responsible for emptying.

PEAT's 2nd Annual Garden Party at Lausier Gardens on Saturday, 6/9 10:00 am. Kate Munson, the Education and Outreach Coordinator for the Cumberland Soil and Water Conservation District, will be speak about YardScaping, or how to have an attractive lawn and garden without relying on chemical fertilizers or pesticides.

PEAT received a grant from Casco Bay Island Development Association. Marty Braun designed a yard sign available that will be available at Dock Days for \$15, to promote your yard as being pesticide and chemical free. If interested in a sign for your yard, you may also contact a PEAT member.

Island Advisory Committee Meeting

Sellers explained the renovation plans for the Peaks Island Library and Community Center will be moving forward, and construction will begin after the November election. Details will be announced as they are available regarding library/community center closing. Replacement of the school boiler has been approved. Sellers thanked the Portland City Council and recognized Sam Saltonstall for his efforts in moving that project forward. Ethan Hipple, the new Parks Director, came to look at the school, ball field and Trott-Littlejohn Park and has demonstrated renewed interest in the recreational areas on Peaks. Sellers encouraged anyone with ideas or comments to contact Mike Murray.

Old Business:

REALLOCATION OF REMAINING FY16 FUNDS: With consideration of outstanding expenditures for transcription and needs based tickets, it was determined that \$4700 could be reallocated. Possible recipients include the Taxi replacement fund, Fuel Assistance, CERT house numbers distribution and the food pantry. Pedlikin explained that PITEA is in a difficult financial situation. Funds from donations and fundraising are not coming in as expected, and there are roughly 100 families seeking fuel assistance. Further Councilor discussion included donating to the skate board park, dividing the funds equally, and noting the importance of taxi replacement and fuel assistance.

AM expressed support for funds to go to the replacement of taxi.

AM stated funds to PITEA is important, serving many people on the island.

AM expressed support in favor of PITEA rather than the skate board park funding.

AM stated the previous support of the skate board park by PIC is appreciated. He explained the initial stages of the park are underway, and they expect fundraising efforts to pick up soon.

Peñalver made the motion to reallocate PIC FY16 funds in the amount of \$4700 as follows: \$2000 to ITS for the replacement of the taxi, not to be used for normal operating expenses, \$2000 to PITEA for fuel assistance, \$700 to the Food Pantry. Sellers seconded. 4 votes in favor, 1 abstained (Pedlikin). Motion passed.

OVERSIZED BUSES & LIMOS: Peñalver explained that the presence of oversized busses and limos on the island, at times driving around the backshore has been discussed in previous PIC meetings and Safety Committee meetings, and is an area of safety concern. Wedding venues have been included in discussion. PIC would like to request that the City to consider restricting the size of passenger busses and limousines allowed on the island.

AM asked what size vehicle was being suggested. Peñalver explained the concern comes from the large charter or tour size busses, and sometimes there is more than one. Hayward explained that TEIA has recommended to bus drivers to go around the back shore, stating that some drivers are parking in the Whaleback area on the back shore. Hayward further stated that she does not plan to support this motion as it is too ambiguous.

Councilor Ray explained that the Department of Public Works will need to review this first, with assistance from traffic engineers to determine the appropriate vehicle size and type with regard to impact of operations. Ray added that the PIC could make recommendations, but that it is really up to the experts to determine the appropriate details. Sellers stated that there are safety standards for the roads as well, with regard to the vehicle weight, and Public Works will be best suited to review and deliver that information. Mitchell asked to amend motion to include transportation issues as a whole. Ray advised the current wording is appropriate, suggesting to add vehicle weight.

AM stated that restricting only a certain type of large vehicles seems like punishment for a certain type of business and not others. Hayward explained that vehicles transporting building materials and contractor vehicles are a necessity while the passenger vehicles used for weddings are optional. Sellers explained that smaller vehicles and busses have been used without causing safety concerns and that PIC is seeking advice on appropriate vehicle size for the island.

AM states that weddings at TEIA do not occur in July and August and there are probably only eight per year. He wondered if the concern about vehicle size is warranted.

AM stated that the wedding venues need to educate the wedding planners on the correct vehicle sizes, as they usually are the ones working with transportation companies.

AM explained that TEIA has attended previous meetings to share its process, including that smaller sized busses be used. He explained that the other wedding venues will need to be informed, once determinations have been made.

Peñalver made the motion to request that the City Council review the size and weight of passenger busses and limousines allowed on Peaks Island, and provide a recommendation on what is safe for the island streets, including limits and restrictions. Sellers seconded. 4 in favor, 1 opposed. Motion passed

New Business:

HAZARDOUS WASTE DISPOSAL: Peñalver explained that there have been issues at the transfer station inappropriate disposal of hazardous waste. Examples include construction materials being placed in the household bin, and lawn mowers being left still have gasoline in them. Mitchell explained that PEAT has discussed this issue, and would like to request an additional day annually for City pick up and disposal of toxic items along with help to better educate the community. Sellers stated that PEAT voted to support this type of motion if it goes forward from PIC.

Peñalver made a motion to request an additional day designated for toxic waste removal, along with assistance in better educating the community. Pedlikin seconded. Unanimous vote in favor. Motion passed.

CHANGE OF CITY ZONING ORDINANCE: Peñalver stated that Portland resident David Silk of the Stroudwater neighborhood had sent communication regarding possible zoning changes, explaining that PIC would like to sponsor an informational meeting with him on the island. Hayward clarified that David Silk has requested to amend the City's zoning ordinance. She stated that PIC might to ask David Silk to attend an open community meeting, where people could ask questions. Mitchell stated that she felt a special meeting may not be needed, but rather there could be a Q&A session with David Silk as part of a regular PIC meeting, since PIC is the neighborhood group for Peaks Island. Sellers asked Councilor Ray for her input. Ray confirmed that Hayward summarized the issue accurately, explaining that a residential parcel was re-zoned and approved for an office park. Silk and some others have put together a proposal to change the process for re-zoning, making this kind of re-zoning more difficult. Addressing Councilor Mitchell, Hayward stated that she is hesitant to use a PIC meeting for something like this. She proposed a publicized community meeting hosted by the PIC that would allow enough time for adequate discussion on the issue. Mitchell suggested that Silk be asked about the amount of time he feel is necessary for a thorough discussion.

AM stated that the entire community should be invited to meetings such as this to hear about zoning ordinance changes. Peñalver explained that public notices are posted for all meeting on Nextdoor and the Carol's list listserv.

Peñalver made the motion to invite David Silk to address the residents of Peaks Island regarding his City Zoning proposal at a designated community meeting. Sellers seconded. Unanimous vote in favor. Motion passed.

VACATE COUNCIL SEAT: Peñalver explained tonight is the third unexcused absence at a PIC meeting by Sid Gerard, and that he has expressed no interest in attending meetings. It is up to PIC to vote to vacate his seat on the council. Hayward added that as written in the Articles of Incorporation for the PIC, the Clerk of Elections would be notified of the open seat, allowing people to vote on the open position at the normal election in November. Sellers read from the charter, the Peaks Island Council shall declare a vacancy of its membership upon the failure to attend any three consecutive regular meetings of the Council.

Mitchell added that there will be four open seats on the Peaks Island Council for the November election, and that anyone interested in running can request nomination papers and is required to gather a certain number of signatures in support.

AM Sue Ellen Roberts explained she was previously a member of the PIC. She asked for consideration to reduce the number of board members, suggesting five members rather than

seven. She stated that it seems difficult to find people to run and be part of the council. Hayward explained that four people are needed for a quorum, which is required for votes to pass. She pointed out that any absences from five members would make it difficult to conduct business. Hayward explained that the City would need to approve changes to the City Ordinance regarding the number of council members. Mitchell added that at last year's election, there was a person running for every open seat.

AM asked if it is an option and is it the intention to temporarily fill this position. Peñalver stated it is possible, explaining that anyone interested would need to submit a letter of interest to the PIC. Mitchell suggested it is a good idea for someone to try with the shorter vacancy before making a one or two year commitment.

Councilor Ray stated that changes in the number of seats is something that she could assist with and added that a quorum is typically one more than half of the total number of members.

Sellers made the motion to declare vacancy in the PIC membership based on failure of attendance by Sid Gerard for the last three consecutive regular council meetings. Peñalver seconded. Unanimous vote to pass.

Announcements/Updates:

There will be a meeting with the Police Chief in mid-August, details to TBD.

There is a reporter is collecting stories on interactions and customer service issues with MHR (Casco Bay Garage). An announcement with more detail can be found on Nextdoor or Carol's List.

PUBLIC COMMENT:

AM stated a recent occurrence of tires slashed at the Casco Bay Garage, urging the PIC to go to City Council to take action with CBG (MHR) for not providing a safe parking environment.

AM announced that Mike Murray provided a list of other parking options on the mainland, which has been posted on Carol's List and Nextdoor.

AM publicly recognized and thanked Chuck Radis and Mike Sylvester for running as elected officials, stating it is great representation for the island.

AM announced that the Flag Day celebration at the Legion yesterday was a success. He said the 5th graders came with their letters about what the constitution means to them.

Sellers stated that security cameras have been installed at Casco Bay Garage. Hayward stated the parking garage in question is owned 49% by the City and 51% owned and is managed by MHR. Hayward posted on Nextdoor a proposal that a key card would be required to enter the garage as well as exit, and hopes that the City as a shareholder will be responsive with these concerns.

AM Leslie Davis, owner of the Downfront shop, stated there was a change made last year to the signage for the car ferry lane. She believes this decision was made by PIC. She explained that signs previously stated "No Parking 6am-6pm," but now have no hours. She stated this has had

a negative impact on her business, and requested that the hours be returned. It was determined that the request would be made for the signs to allow parking between 5 or 6 PM to 6 AM, and recommended that the police would not enforce No Parking after 6pm in the interim.

AM suggested Tues-Thurs should also be placed on the signs.

AM asked for consideration of short term parking spots, stating it is increasingly difficult to make quick visits to local businesses. Peñalver stated that the PIC Safety Committee is considering accommodating short-term parking spots. Further discussion included possible locations for short-term parking, placement of handicapped spots on Island Ave, and specific parking areas for golf carts.

Mitchell stated that the concrete has come out near the cobblestones in the down front sidewalks, citing an incident with injury. She suggested that the City address the entire area and redo the concrete rather than using the reclaim which washed out. Murray explained the reclaim is intended as a temporary repair, and the permanent repair is pending.

AM stated she slipped on the black tar that was scattered beyond where it was supposed to be, suggesting clean-up for the area coming up from the ferry.

AM asked if the school will be used for PIC meetings once the library is closed. Peñalver explained it is yet to be determined.

AM asked if a local contractor got bid for school. It was stated that the bid has not gone out yet.

AM asked if house numbers are mandatory. AM fire officer confirmed that house numbers are mandatory for police and emergency response. AM stated she feels notices should go out to inform the community, stating she does not feel tax payer money should be used to distribute free house numbers when it is the responsibility of the homeowner. She suggested that people out of compliance be cited.

AM stated she believes in fundraising, and does not believe tax money should be used for tickets, skate board parks, house numbers for people who do not comply, stating the general need is for a taxi, and for a cadet.

Sellers asked for Murray and Ray to follow up with Jeremiah Bartlett, the traffic engineer who had conducted a study on the island. She stated that PIC has not heard anything further or received a report.

Peñalver mentioned the sewer smell from the treatment plant area. Multiple public comments have been raised regarding an odor. AM stated there is an odor almost daily. Everyone is encouraged to report the odor as soon as and as often as it is noticed on the following website: <https://www.pwd.org/odor-monitoring-report>

Next Regular PIC Meeting: July 20, 6:30 pm at the Community Center

Meeting Adjournment: 8:28 p.m.