



**Peaks Island Council
MEETING MINUTES**

Wednesday, September 28, 2022

6:15 p.m., ZOOM meeting

NEXT Regular Monthly PIC Meeting–October 26, 2022

**October PIC meeting will be held in the
Community Room/with a zoom option also
available**

CALL TO ORDER: 6:15 p.m.

ROLL CALL

Present: SE Rafferty, Fred Somers, Peter McLaughlin, Jerzy Sylvester, Scott Mohler, Peter Eckel, Natasha Markov-Riss

Number of Audience Members (AM) in attendance: 6

APPROVAL OF MINUTES

Somers made the motion to accept the July 27, 2022 and August 24, 2022 meeting minutes. McLaughlin seconded. Motion to accept minutes passed unanimously.

ANNOUNCEMENTS

McLaughlin said that the new Portland bike share program has expanded to the Bell Buoy Park near the CBL parking garage.

TREASURER'S REPORT

McLaughlin said that Bill Patnaude has not sent an updated Treasurer's Report. He may be on vacation.

COMMITTEE REPORTS & UPDATES

• Parking – update on Thames Street extension IR zone parking spaces

Peter Eckel said that the City Council unanimously approved the acceptance of the new section of Thames Street and also accepted the City's staff recommendation that the 8 spaces on the south side of the new section of Thames Street be included in the Island Resident zone parking. Signs will be updated soon.

City will send out letters on November 1st for a lottery for 30 winter parking spaces in the Ocean Gateway Parking Lot.

Eckel said he is still pursuing restarting the shuttle from the Marginal Way Parking lot and he will be meeting with City Councilors to discuss.

- **Golf Cart –**

Somers said there is no update on golf carts.

- **Ferry Service – update**

Somers said that CBL is working on a design for the replacement vessel for the Maquoit.

There is a new gate that locks to improve additional security for the bicycle storage area on the Portland side of the ferry landing.

CBL has produced signs that will be mounted on bulletin boards near the Peaks Island landing.

Nothing new on the real-time displays on Peaks Island.

The city's IT department is trying to figure out a more cost effective way to set up the webcams around the ferry landing on Peaks Island.

Somers said there is no movement on the major capital improvements. Funding requests have been submitted to the Regional Transportation Planning Authority.

Eckel asked about the backup generator for the Peaks Island transfer bridge. Somers said it is in the funding pipeline but he needs to check with Nick Mavadones on the status of the project.

- **Anti-racism Committee – annual update**

No update at this time.

- **Environmental and Sustainability- updates on Trott Littlejohn and compost program project**

Mohler said that the committee is planning an “open house” on October 15th at Trott Littlejohn Park. There is a group of 6-8 people who are the “Friends of Trott Littlejohn Park.” Timmi Sellers, on behalf of the Friends group, has sent out a letter of introduction to the public works department, Parks and Recreation, the Mayor, City Manager, and PIC councilors.

Both the Friends group and the Peaks Island Council will create two separate surveys about the use of Trott Littlejohn Park to send out to the community at a later time, but the two surveys will be coordinated to deliver separate information.

The committee is also investigating placing an island-wide composting facility at Trott Littlejohn Park.

- **Housing – ReCode Zoning survey**

The committee worked hard to increase the number of people taking the re-code survey – there are now over 600 surveys completed by islanders.

The committee is setting up a meeting with Nel Donaldson to discuss zoning changes suggestions from Mark Ireman who was a consultant for Home Start in the past.

The committee will present a motion to provide a small honorarium for Rachel Conly for her help on zoning issues.

McLaughlin stated that when the committee develops recommendations, they should be reviewed by the full council before they are put forward to the city.

- **Jetport Noise**

Basil reported 211 signatures on petition to move air traffic from over Peaks Island. Basil said the last Noise Advisory Committee of the Jetport did not happen due to lack of quorum. The Noise Advisory Committee is a group of individuals elected by Portland and South Portland who have voting power to make recommendations to the FAA.

Basil said the goals have not changed.

- 1) Use Harbor Visual Approach which would move the flight path from over Peaks Island.
- 2) Removal of the new inbound route that goes directly over Peaks Island initiated by Southwest Airlines before too many other airlines adopt it.

Next step is to hire a subject matter expert. The company has been identified and the funds for a phase one study have been secured.

Basil will send Peter McLaughlin the zoom link to the upcoming Noise Advisory Committee so that he can alert islanders to the meeting. Islanders can attend and speak during the public comment section of the meeting. McLaughlin said that realistically he cannot get an email alert by tomorrow when the meeting will happen. McLaughlin said he can send out a notice about the survey.

- **Voter Education Committee – plans for November election candidate night**

Wednesday, October 12th at 6pm will be the candidates night. City Council at Large and CBL board at-large seat are the only contested seats on the Peaks Island ballot, so those candidates have been invited to speak at the candidates night forum.

- **Executive Committee – ballot updates**

Scott Mohler will be a write in candidate on the November ballot.

Eckel asked for questions about the circulated document with the Corporation Council Guidelines regarding campaign activities of officials around referendum questions.

McLaughlin mentioned that the press has incorrectly stated that Question 6 on the November ballot will “create” a Peaks Island Council. He said that if any council

member is asked about the question, they cannot campaign for or against the question. As individuals they can comment on the question (use only personal email account) and they can clarify that the question only codifies (not creates) the existing Peaks Island Council.

NEW BUSINESS

- Discussion about ordinance change to allow for staggered/variable length terms for appointed positions - *public comment*

Eckel said that he has not had any luck with the City Clerk in getting the PIC councilor terms to be staggered, so he would like to change the ordinance so that terms could be staggered.

McLaughlin suggested that when councilors are appointed, they could be appointed for either 1 or 2 year terms to introduce some variability.

Eckel made a motion that ***PIC request City Council to modify the ordinance allowing PIC to appoint members to terms other than one year in length. Somers seconded.***

Somers asked if the referendum question that codifies the PIC would impact this motion.

Eckel and McLaughlin said it would have no impact.

AM said they were concerned that the process of appointing councilors would discourage people from running and that it appears as though the current councilors are “stacking” the council. AM said that working with the city clerk to create staggered terms is a better solution.

McLaughlin said that islanders are able to run for the Peaks Island Council every November and stop current councilors from appointing councilors. The best solution would be having more people run for the council. He points out that there are only about 800 people who qualify to be a PIC councilor as a registered voter on Peaks Island.

Motion passes unanimously.

- Resolution in support of Island Transportation System’s grant application for an electric vehicle and charging station - *public comment*

Peter Eckel turned chairmanship of meeting over to Rafferty since he is representing the Island Transportation System on this issue.

Rafferty asked Eckel to present the resolution on behalf of the Island Transportation System as a member of that board.

Eckel said that the \$70,000 grant application (total cost of the project is \$115K) would go toward purchase of an electric vehicle and a charging station (to be placed at the Taxi Parking Spot near the ferry landing). Some of the money would be ARPA funds.

Somers made a motion that the PIC draft a resolution in support of Island Transportation System's grant application for an electric vehicle and charging station. Jerzy seconded.

Somers asked what the source of the grant funds? Eckel said it is the American Rescue Plan money for special projects in the city.

Somers said he strongly supports it.

Rafferty said she thinks the fuel reduction numbers are impressive, and supports it.

Natasha asked if the charging station would be available to anyone free of charge? Eckel said it would most likely require a credit card to charge a car.

No public comment.

Motion passed unanimously (Eckel recused himself).

Rafferty passed leadership of the meeting back to Eckel.

- Discussion regarding the PIC making recommendations for the City five-year Capital Improvement Plan - *public comment*

Eckel said that PIC should reach out to the public regarding future capital improvements that the council could advocate to the city on behalf of islanders.

Somers said that there are several projects already on the radar of the council that require capital improvement – rest rooms, road maintenance, island dog park, fire protection.

Mohler asked if this would be ARPA funding as well? Eckel said, no it would be funded by the city.

Sylvester said preparation now will improve chances of success if more federal infrastructure money becomes available.

Somers asked what the timing on developing recommendations would be.

Eckel suggested creation of a Capital Budget Committee and creation of a public survey would be next steps, with a goal of creating recommendations by the December PIC meeting.

AM said that in the past capital money has been set aside but the project couldn't move forward because of a one year time constraint. AM said that a capital committee is good planning to be able to get ahead of capital improvements.

Eckel made a motion that the PIC participate in the City's annual five-year capital budgeting process including soliciting feedback and making recommendations to the City. Sylvester seconded.

Motion passed unanimously.

- Resolution in support of the Peaks Island Fuel Company's Zoning Board appeal for the renovation of the former Post Office building - *public comment*

Eckel provided background that when rebuilding a structure that burns down, it must be done within two years in order to keep grandfathered zoning requirements.

City does not have any leeway to grant variances or exceptions, but PIC could communicate to the zoning board that an extension would be helpful to the community since the Post Office is going to be located in the building and having a burned out building on the front of the island is not a good use of our limited commercially zoned area.

Mohler asked if set backs were an issue. Eckel said it is a non-conforming lot and set backs are an issue.

Eckel said this motion is just saying that PIC supports this project – which would re-build the post office and two or three apartments.

Mohler said that the precedent being made in supporting this zoning board appeal should remain limited to commercially zoned properties, and that PIC should not be residential properties.

***Eckel made a motion:
The Peaks Island Council supports the redevelopment of the former Post Office building.
McLaughlin seconded.***

AM said the two-year variance for this property is on the zoning board agenda for October, with the request being made based on hardship. AM wondered what the hardship was.

Eckel said that he thought it took a long time to purchase the property from family members and that permitting took a long time.

AM said that there is at least one other property in the commercial zone that has had a fire and that also requires an extension from the zoning board. AM said advocating for one project but not the other is a slippery slope.

Motion passed unanimously.

- Motion from Voter Education Committee to distribute November election referendum and charter revision voting guide - *public comment*

McLaughlin said that PIC would like to issue a guide to the referendum issues on the ballot in November. There will be no editorializing and the guide would be subject to approval by the full PIC before the guide was issued via email. Email would go out first or second week of October.

McLaughlin made a motion:

The Voter Education Committee moves to distribute short, non-partisan, plain language explanations of the five citizen initiative referendums and eight Charter Commission ballot questions. The language will be subject to approval by the full PIC before they are distributed via usual PIC channels— email mailing list and social media.

Eckel seconded.

AM asked if the wording on the document would be exactly the same as what is on the ballot or will there be some interpretation of what is written on the ballot?

McLaughlin said it would not be the exact language that is on the ballot but it would make a simple, bullet point outline of what the referendum is about.

Sylvester said that the sample ballot has already condensed the referendum questions and somewhat shortened them versus the citizen's initiative.

AM asked if the city doesn't already do this?

McLaughlin said that the city releases ballot summaries. This year they accepted the ballot summaries written by the citizen initiatives who submitted them, which is language from the campaigns themselves. But PIC would like to create language that is not from the campaigns themselves – short, simple, plain language. PIC did this last year and got great feedback from islanders and the city about the efforts to translate the ballot for voters.

Sylvester said that for question 4, there is a 17 page background document which is shortened to a one paragraph question. PIC would like to see if there are any additional points to include in the

AM asked who the “plain language” ballot would go to? AM also asked what the PIC role is when it comes to talking about the ballot questions, specifically the short term rentals?

Eckel said the “plain language” ballot would go out to the PIC email list.

Eckel said that the Corporation Council reminded PIC that they cannot advocate for or against any ballot question. There will be a candidate’s night where islanders can ask candidates questions, but there have not been council forums to discuss the referendums.

AM asked what can be done if islanders feel they need a forum to discuss the referendum issue? Could the PIC pick this up on their agenda and help people understand the issues?

Motion passed unanimously. (Note: Somers had to leave the meeting early and did not vote.)

- \$300 expenditure for a consulting honorarium for Rachel Conly - *public comment*

Natasha said they would like to consult with Rachel Conly to understand the island zoning regulations.

Jerzy made a motion that the PIC approve a \$300 expenditure for a consulting honorarium for Rachel Conly in order to meet with her and get her input on Peaks Island zoning issues. Rafferty seconded.

AM said that Rachel is an expert on island zoning and would be the person to ask for input. A stipend at the outset would make it much more likely that she’d be willing to have an ongoing relationship with the committee.

Motion passes unanimously. (Note: Somers had to leave the meeting early and did not vote.)

OLD BUSINESS

• Discussion regarding returning to in-person meetings

Sylvester and McLaughlin said next month would be the time to start meeting in person again.

McLaughlin said he has a speaker device that makes it possible to do a hybrid meeting.

Rafferty asked if councilors could zoom in. McLaughlin said it is possible but it may be difficult to facilitate during debate.

Eckel said that Portland City Councilors have attended city council meetings in person or have been absent. Mohler said that Bill Patnaude said the councilors have to attend in person.

Jerzy made a motion that PIC return to in person meeting with remote attendance by audience members, and councilors present in person. Mohler seconded.

AM said that it is not a state law that voting members be present at meetings, and that hybrid meetings are more equitable.

Motion passed unanimously. (Note: Somers had to leave the meeting early and did not vote.)

PUBLIC COMMENT

AM said that two referendum on the ballot affect Peaks Island so critically, that PIC has a responsibility to educate the island population about those questions. It is not right to do nothing about it, and PIC is abdicating your responsibility if they do not educate islanders about it.

AM said that Friends of Trott Littlejohn Park will be issuing a survey to islanders in just a few weeks. So far public response has been very good about support for the park – from public works and from Steve Bushey.

AM said they are excited about in person meetings as a way to increase participation. They said that PIC could have done more to spread the word about running for a seat on the Peaks Island Council.

AM said they also believe PIC should educate islanders about the two referendum on the ballot that hugely impact islanders. They said that there is a misunderstanding about how the question relates to the creation of affordable housing. They requested council to pick up the issue and create a forum for islanders to discuss the question.

ANNOUNCEMENTS/UPDATES

Next PIC Meeting: Wednesday, October 26, 2022, at 6:15 pm in the community room.

McLaughlin made motion to adjourn. Rafferty seconded. Motion passed unanimously.

Meeting Adjournment: 8:29 p.m.