

KATE SNYDER (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANDREW ZARRO (4)
MARK N. DION (5)

CITY COUNCIL MEETING - DECEMBER 19, 2022 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Kate Snyder, Mayor, will preside.

To submit written public comment on an agenda item, email publiccomment@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Council meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the order number (see below).

REMOTE ACCESS INFORMATION:

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. The public may attend the meeting in person, however space in Council Chambers is limited. The public is therefore strongly encouraged to participate remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/89911473409?pwd=NllpZXRiWms3Nm9HQTNwaVZSWHlhZz09>

Or Telephone: US: +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968

Webinar ID: 899 1147 3409

Passcode: 115765

PLEDGE OF ALLEGIANCE:

ROLL CALL:

5:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

ANNOUNCEMENTS:

RECOGNITIONS:

PRESENTATIONS:

State of the Schools - By the Portland Board of Public Education, Chair Sarah Lentz

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Inaugural City Council Meeting -December 5, 2022 6:00PM
Special City Council Meeting-December 5, 2022 6:30PM

APPOINTMENTS:

Order 105-22/23 Order Confirming the Appointment of Rachel L. Millette as Associate Corporation Counsel - Sponsored by Michael Goldman, Acting Corporation Counsel

Attorney Rachel L. Millette will serve the Office of Corporation Counsel as an Associate Corporation Counsel. This order would confirm her appointment and set her salary at \$106,675, with a start date of January 9, 2023.

Five affirmative votes are required for passage after public comment.

Order 106-22/23 Appointing Constables for 2023 - Sponsored by Danielle P. West, Interim City Manager

This order appoints constables from multiple City Departments and from the Portland Housing Authority for the 2023 calendar year:

- Fire Department constables are responsible for the issuance of citations authorized by the City Code of Ordinances Chapter 10 and Fire Prevention Laws.
- Permitting and Inspections Department constables enforce City Code provisions for business licensing, rental housing, building, electrical and plumbing codes.
- Department of Parks, Recreation, and Facilities constables enforce dogs at large violations in parks, playgrounds and cemeteries, as well as failure to dispose of animal waste (Chapter 5 of City Code).
- Police Department constables issue citations for violations of various City ordinances, including, for example, harboring a dangerous dog and smoking in city parks.
- Portland Housing Authority property managers are responsible for lease enforcement, including serving legal documents in eviction cases. In accordance with Maine law, certain documents can only be served by a Constable or Sheriff.
- Parking Control Officers are made constables to be allowed to issue parking tickets and court summons for contested parking tickets.

These appointments are effective from 12:01 a.m. on January 1, 2023 until 12:00 midnight, December 31, 2023, and are made pursuant to Portland City Code, Sections 2019 and 2019.5. Constables are not allowed to carry a firearm, concealed or unconcealed, in the performance of their duties, or to make arrests or issue parking tickets, except for the constables listed who work for the Parking Division and issue parking tickets as part of their job.

Five affirmative votes are required for passage after public comment.

Order 107-22/23 Authorizing Special Council and Outside Board and Commission Appointments for 2023 - Sponsored by Kate Snyder, Mayor

This order appoints City Councilors and City staff to various boards and commissions for 2023.

Five affirmative votes are required for passage after public comment.

LICENSES:

Order 108-22/23 Granting Municipal Officers' Approval of Prolerized New England Co, LLC dba Schnitzer Northeast. Application for a Scrap Metal Recycling Facility at 568 Riverside Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 9/16/22. Renewal of a Scrap Metal Recycling Facility.

Five affirmative votes are required for passage after public comment.

Order 109-22/23 Granting Municipal Officers' Approval of Goodfire Brewing Co LLC, dba Goodfire Brewing Company. Application for Class A Lounge with Indoor Entertainment and Outdoor Dining on Private Property at 219 Anderson Street Ste 6 - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 10/17/22. New City and State applications. Establishment currently holds a B/W/D On-Premise Consumption License with Indoor Entertainment and Outdoor Dining at this location.

Five affirmative votes are required for passage after public comment.

Order 110-22/23 Granting Municipal Officers' Approval of LB Kitchen, LLC, dba LB Kitchen. Application for Class III & IV FSE at 251 Congress Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 11/22/22. New City and State applications. Location was previously Envy Hair Salon.

Five affirmative votes are required for passage after public comment.

Order 111-22/23 Granting Municipal Officers' Approval of Snake Oil Sales, dba Downtown Lounge. Application for Class A Lounge at 606 Congress Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 11/23/22. New City and State applications. Change of Ownership of an existing establishment.

Five affirmative votes are required for passage after public comment.

Order 112-22/23 Granting Municipal Officers' Approval of Volcano LLC, dba Volcano. Application for Class IA Inn (41+ rooms) at 155 Riverside Street - Sponsored by Danielle P. West, Interim City Manager

Application was filed on 11/28/22. New City and State applications. Change of Ownership of an existing establishment, Seasons Grille.

Five affirmative votes are required for passage after public comment.

Order 113-22/23 Granting Municipal Officers' Approval of Definitive Brewing, LLC, dba Definitive Brewing. Application for Class A Lounge at 35 Industrial Way- Sponsored by Danielle P. West, Interim City Manager

Application was filed on 11/23/22. New City and State applications. Establishment currently holds a Class III & IV FSE.

Five affirmative votes are required for passage after public comment.

Order 114-22/23 Granting Municipal Officers' Approval of Room For Improvement LLC, dba Room For Improvement. Application for Class A Lounge at 41 Wharf Street- Sponsored by Danielle P. West, Interim City Manager

Application was filed on 11/14/22. New City and State applications. Location was previously Jager.

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 17-22/23 Regarding the 2022 Annual Tax Increment Financing District Activity Report - By the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The City of Portland Tax Increment Financing (TIF) Policy requires that an Annual TIF District Activity Report be provided to the City Council, and this Report attached is being presented to the City Council as a communication item. The Housing & Economic Development Committee reviewed this report at its November 15, 2022 meeting and voted (4-0) to forward it as a communication to the City Council.

As a communication this item requires no public comment or formal Council action.

Communication 18-22/23 Regarding 2022 Calendar Year Accomplishments - By the Housing & Economic Development Committee, Councilor Pious Ali, Chair

This communication provides a report of the Housing & Economic Development Committee's accomplishments during the 2022 calendar year. The Housing & Economic Development Committee reviewed this report at its November 15, 2022 meeting and voted (4-0) to forward it as a Communication to the City Council.

As a communication this item requires no public comment or formal Council action.

Communication 19-22/23 Appointing Members of the Ethics Committee - Sponsored by Kate Snyder, Mayor.

The Mayor is appointing April Fournier, Regina Phillips, Roberto Rodriguez, and Victoria Pelletier (Chair) to the Ethics Committee in 2023.

As a communication this item requires no public comment or formal Council action.

Communication 20-22/23 Regarding the 2023 Council Common Goals - By Kate Snyder, Mayor

Always using a lens that prioritizes racial, social and justice equity, our Council's annual goals focus our work on:

- Housing;
- Homelessness;

- Climate & Sustainability

As well, we will focus our work on:

- Implementation of voter-approved Charter Amendments and Ordinance Amendments;
- FY24: CDBG Budget, CIP Budget, Annual Operating Budget;
- City Manager Search and Hire;
- Opening of Homeless Services Center;
- Engagement with 131st Legislative Session

As a communication this item requires no public comment or formal Council action.

RESOLUTIONS:

Resolve 6-22/23 Supporting the Advancing Equality for Wabanaki Nations Act - Sponsored by Councilor April Fournier

Maine United States Representative Jared Golden has sponsored and United States Representative Chellie Pingree has co-sponsored H.R. 6707, the Advancing Equality for Wabanaki Nations Act, which would amend the Maine Indian Claims Settlement Act and allow Maine's Wabanaki Nations to receive federally allowed benefits from future federal laws that are passed by Congress for the benefit of all Indigenous nations. This Resolve supports the passage of the federal bill.

Maine is the only state that does not recognize the sovereignty of its Indigenous Nations and, for over forty years, has instead denied the Wabanaki Nations, comprised of Maliseet, Micmac, Penobscot, and Passamaquoddy tribes, benefits from federal laws concerning Indigenous Nations, determining that those laws are preempted by the Maine Indian Claims Settlement Act of 1980.

Five affirmative votes are required for passage after public comment.

Written Public Comment on Resolve 6-22/23

ORDERS:

Order 115-22/23 Accepting and Appropriating a \$5,000 Anonymous Donation for Those in Need - Sponsored by Danielle P. West, Interim City Manager

This item accepts and appropriates an anonymous donation of \$5,000.00 to be used as a Secret Santa giveaway by the Police Department to those in need.

This donation has been given to and accepted by the City for this purpose since 2020.

This item must be read on two separate days. To facilitate timely distribution of funds during the holiday season, staff is requesting that the second reading be waived, which requires seven affirmative votes. Staff also requests that this item be passed as an emergency so that it may go into effect immediately. Seven votes are required for passage as an emergency following public comment.

Order 116-22/23 Approving the Sixth Amendment of the Land Exchange Agreement Between CPB2 Management LLC, Maine Department of Transportation and the City of Portland Re: 58 Fore Street - Sponsored by Danielle P. West, Interim City Manager

This Sixth Amendment slightly modifies the parcels that the City previously agreed to exchange in the June 17, 2017 Land Exchange Agreement between the City, Maine DOT and the Portland Foreside Development Company, which will result in a slight shift in the Eastern Waterfront Trail toward the water. The proposed amendment has been reviewed by and has the approval of the Corporation Counsel's Office and staff from the Planning, Parks and Recreation, and Public Works Departments.

Five affirmative votes are required for passage after public comment.

Written Public Comment on Order 116-22/23

ADJOURNMENT:

UN-AGENDAED ITEM

Order Appropriating ARPA and Housing Trust funds for Winchester Woods Housing Project - Sponsored by Councilor Regina L. Phillips

This is the only text that will be visible in the agenda, and should be no more than 1-2 paragraphs in length. If there has been committee action, list that as a first sentence. Please do not include read/vote requirements – this language will be added by Legal/City Manager's offices.