

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
ROBERTO RODRÍGUEZ (A/L)



ANNA TREVORROW (1)
VICTORIA L. PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

CITY COUNCIL MEETING - JANUARY 3, 2024 AT 5:00 PM

The Portland City Council will hold a City Council Meeting in Council Chambers. The Honorable Mark Dion, 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).

The City Council will conduct this meeting from Council Chambers, located on the second floor of City Hall. Public comments may only be submitted in person or in writing.

To watch this meeting remotely, please visit <https://portlandmaine.gov.zoom.us/j/81504581945?pwd=OHNsQ2xVd2xFdkpaVjZtUkUvRmhKdz09..>

Remote participation is not available for this meeting, only viewing.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

Regarding the Barron Center's rating of "5 out of 5" and "High Performing" by the U.S. News & World Report's 2023-2024 "Best Nursing Homes Ratings" - Mark Dion, Mayor

RECOGNITIONS:

Recognizing Portland Police Officer David Shertz, Fire Lieutenant Michael Casey, firefighters Jacob Garrison, Ronald Giroux and Dan Verrill, fire boat members Lieutenant David Crowley and firefighters Torin Hultz and Patrick Hourihane, and civilian Manny Kourinos - Mark Dion, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting Minutes - December 18, 2023

PROCLAMATIONS:

Proclamation 14-23/24 Recognizing Martin Luther King, Jr. Day - Sponsored by Mark Dion, Mayor

LICENSES:

Order 88-23/24 Granting Municipal Officers' Approval of P and P Ramen LLC, dba Pai Men Miyake. Application for Class I FSE with Outdoor Dining on Public Property at 188 State Street - Sponsored by Danielle P. West, City Manager

Application was filed on 12/11/23. Change of ownership of existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 89-23/24 Granting Municipal Officers' Approval of P and P Sushi LLC, dba Miyake. Application for Class I FSE at 468 Fore Street - Sponsored by Danielle P. West, City Manager

Application was filed on 12/11/23. Change of ownership of existing establishment. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 90-23/24 Granting Municipal Officers' Approval of Thai Tree LLC, dba Thai Tree Restaurant. Application for Class I FSE at 571 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 12/12/23. Location was previously Pom's Thai Restaurant. New City and State applications.

Five affirmative votes are required for passage after public comment.

Order 91-23/24 Granting Municipal Officers' Approval of Deering Memorial Post 6859 VFW INC, dba Deering Memorial Post 6859 VFW. Application for Class I FSE at 687 Forest Avenue - Sponsored by Danielle P. West, City Manager

Application was filed on 11/29/23. Change of classification of current establishment.

Five affirmative votes are required for passage after public comment.

Order 92-23/24 Waiving the Beano/Bingo Licence Fee for the Veterans of Foreign Wars Post 6859 - Sponsored by Mark Dion, Mayor

If passed, this order would waive the fee associated with this annual Beano/Bingo license renewal (currently totaling \$104.00, collected annually) for the Veterans of Foreign Wars (VFW) Post 6859, a nonprofit corporation, at 687 Forest Avenue. According to Sec. 15-12.1 of City Code, "The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines the purpose of the licensed activity or the funds to be raised by the activity are of direct benefit to the citizens of the city." At the request of the applicant, staff have included a fee waiver for the Council's consideration.

Five affirmative votes are required for passage after public comment.

Order 93-23/24 Waiving the Class III & IV with Indoor Entertainment Application Fees for the Maine Irish Heritage Center - Sponsored by Mark Dion, Mayor

The City Council approved these licenses on August 14, 2023, but did not make a determination regarding the applicant's request for a waiver of application fees.

If passed, this order would waive fees associated with these applications (currently totaling \$1,406.00, collected annually). According to Sec. 15-12.1 of City Code, "The city council may, in its discretion, waive or reduce any fee required of any nonprofit organization where the council determines that the purpose of the licensed activity or the funds to be raised by the activity are of direct benefit to the citizens of the city."

Five affirmative votes are required for passage after public comment.

COMMUNICATIONS:

Communication 25-23/24 Regarding the State of Maine Legislative Process - Danielle P. West, City Manager

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

RESOLUTIONS:

Resolution 5-23/24 Calling for an Immediate Ceasefire in Gaza and Israel - Sponsored by Pious Ali, Councilor

Five affirmative votes are required for passage after public comment.

UNFINISHED BUSINESS:

Order 87-23/24 Amendment to Zoning Map Re: R-5 Residential for 921 Ocean Avenue, 410, 422 & 426 Presumpscot Street - Sponsored by the Planning Board, Brandon Mazer, Chair

On October 24, 2023, the Planning Board unanimously voted (7-0) to recommend a zoning map amendment changing 921 Ocean Avenue (CBL 418A A005001), 410, 422 & 426 Presumpscot Street (CBLs 418A A004001, 418A A008001 & 418A A007001) and Parcel 418A A006 from an R-3 Residential zone to a R-5 Residential zone. The Planning Board found the proposed zoning map amendment to be consistent with the Comprehensive Plan for the City of Portland.

The proposed zoning map amendment application was submitted by Christopher Lee of Backyard ADUs to facilitate the development of a Planned Residential Unit Development (PRUD) on 921 Ocean Avenue, 422 & 426 Presumpscot Street, and Parcel 418A A006 with approximately 40 to 50 dwelling units.

This item must be read on two separate days. It received its first reading on December 18, 2023. Five affirmative votes are required for passage after public comment.

Order 45-23/24 Amendment to the Portland City Code Chapter 2 Re: Qualification for Land Bank Commission Members - Sponsored by Ashley Rand, City Clerk

The various boards and committees struggle to fill vacant spots. Amending the Land Bank Commission rules will help with recruitment efforts to fill vacancies. Vacancies are posted in the paper as well as online, but we still are not receiving enough applications to fill spots. Right now the Land Bank Commission requires a member from each district as well as At-Large members to be on the board. This vacancy was advertised, but no one from a district that was needed applied. Amending this would allow for positions to be advertised for each district, but when no applicants apply from the vacant district seat, candidates from the same district may be appointed.

On October 16, 2023 this item was referred to the Legislative and Nominating Committee for review.

On November 21, 2023, the Legislative and Nominating Committee meeting and voted 3-0 (Ali Absent) to refer this item back to City Council for approval.

This item must be read on two separate days. It received its first reading on December 18, 2023. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 94-23/24 Accepting and Appropriating a \$3,533.70 Grant from the Maine Bureau of Public Safety for Drug Recognition Expert Training - Sponsored by Danielle P. West, City Manager

This item accepts and appropriates a \$3,533.70 sub-grant awarded to the Police Department by the Maine Bureau of Highway Safety. These funds are to be used to send an officer to Drug Recognition Expert (DRE) training and to fund call-outs to conduct DRE evaluations.

This item must be read on two separate days. This is its first reading.

Order 95-23/24 Approving the One-Year Extension of the Collective Bargaining Agreement with the Portland Police Benevolent Association – Sponsored by Danielle P. West, City Manager

This item extends the negotiated collective bargaining agreement between the City and the Portland Police Benevolent Association (“PBA”) which is set to expire on December 31, 2023. The proposed agreement would extend the collective bargaining agreement for one (1) year and provide a four (4%) percent increase to superior officers effective July 7, 2024. This proposal is presented after previously receiving guidance from the City Council in executive session and after having been approved by the PBA.

This item must be read on two separate days. This is its first reading.

AMENDMENTS:

EXECUTIVE SESSION:

ADJOURNMENT: