

MARK DION (MAYOR)
PIOUS ALI (A/L)
APRIL FOURNIER (A/L)
BENJAMIN GRANT (A/L)



SARAH MICHNIEWICZ (1)
WESLEY PELLETIER (2)
REGINA L. PHILLIPS (3)
ANNA BULLETT (4)
KATE SYKES (5)

SPECIAL CITY COUNCIL MEETING - JUNE 23, 2025 (HYBRID)

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 and via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. 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.

To join this meeting remotely, please visit: <https://portlandmaine.gov.zoom.us/j/81114228884?pwd=bjHvOixYFFy9Jjdzq5FbpqabKd8pDa.1>

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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

ANNOUNCEMENTS:

RECOGNITIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

City Council Meeting - June 2, 2025

PROCLAMATIONS:

**Proclamation 44-24/25 Declaring July 2025 Park and Recreation Month -
Sponsored by Mark Dion, Mayor**

APPOINTMENTS:

**Order 231-24/25 Appointing Members to Various Boards and Committees -
Sponsored by Legislative and Nominating Committee, Mark Dion, Chair**

If passed, this order would appoint the following individuals to various boards and committees:

<u>Name</u>	<u>Board or Committee</u>	<u>Expiration of Term</u>
Caire Maurer	CDBG	9/30/2028
Betsy Bevis	Clean Elections	6/30/208
Jennifer Warren Goodwin	Ethics Commission	6/30/2026
Rosemary Paine	Ethics Commission	6/30/2026
Rabbi Braun	Ethics Commission	6/30/2027
Maria Maffucci	Ethics Commission	6/30/2027
Peter Goldman	Ethics Commission	6/30/2028
William Hayward	Ethics Commission	6/30/2028
Jennifer Wriggins	Ethics Commission	6/30/2028
Aaron Engerbreth	Landcare Management	3/31/2028
Steven Landry	Landcare Management	3/31/2028
Jon Kachmar	Land Bank Commission (At-Large)	6/30/2028
Joshua Barber	Land Bank Commission (At-Large)	6/30/2028
William Etling	Parks Commission	6/30/2028
Donna Gartland	Parks Commission	6/30/2028
David Little	Parks Commission (Friends of Evergreen Cemetery)	6/30/2028
Jaime Parker	Parks Commission (Friends of Portland Trails)	6/30/2028
Beth Rabbitt	Parks Commission	6/30/2028
Shirley Peterson	Portland Housing Authority	6/30/2028
Jessica Rossingburg	Portland Housing Authority	6/30/2028
Tim Wells	Portland Housing Authority	6/30/2028
Anna Berke	Portland Public Art	6/30/2028
Alison Gibbs	Portland Public Art	6/30/2028
Kat Zagria Buckley	Portland Public Art	6/30/2028
Justin Levesque	Portland Public Art	6/30/2027
Rebecca Bolduc	Rent Board (Dirstict 4)	3/31/2026

Five affirmative votes are required for passage after public comment.

CONSENT ITEMS:

Order 232-24/25 Granting Municipal Officers' Approval of Bodkin Enterprises, LLC, dba Hot Liquor Tank. Application for Outdoor Dining on Public Property at 43 Wharf Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/21/25. This is an existing establishment adding dining on the public sidewalk.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 233-24/25 Granting Municipal Officers' Approval of Karibu Kwetu LLC, dba New Bujabelle. Application for Extension of Premise at 265 St. John Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/14/25. This is an existing establishment expanding into an adjacent unit.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 234-24/25 Granting Municipal Officers' Approval of Another Round LLC, dba Another Round. Application for Application for Outdoor Dining on Public Property at 549 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/26/25. This is an existing establishment adding dining on the public sidewalk.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

Order 235-24/25 Granting Municipal Officers' Approval of Flores Restaurant LLC, dba Flores Restaurant. Application for Outdoor Dining in a Parklet at 431 Congress Street - Sponsored by Danielle P. West, City Manager

Application was filed on 5/27/25. This is an existing establishment adding a single space parklet.

Five affirmative votes are required for passage of items on the consent calendar after public comment.

BUDGET ITEMS:

ON JUNE 2, 2025, THE COUNCIL VOTED (9-0) TO POSTPONE PUBLIC COMMENT, SECOND READS, AND COUNCIL ACTION ON ALL MUNICIPAL BUDGET ORDERS TO JUNE 23, 2025. THE FIRST READS OF ALL MUNICIPAL BUDGET ORDERS TOOK PLACE ON MAY 19, 2025.

The City Council Finance Committee voted on May 15, 2025 to recommend passage of FY26 City Manager's Recommended Budget in the amount of \$365,626,127. Passed (3-0).

Order 202-24/25 Approving Fiscal Year 2026 Administrative Fees for City Clerk, Sustainability Office, Fire, Parking, Parks, Recreation & Facilities, Planning, and Public Works - Sponsored by Finance Committee, April Fournier, Chair

This order authorizes administrative charges in the City Clerk's Office (Counter Wedding Ceremony Fees), Sustainability Office (Electric Charging Meter Fees), Fire Department (Non-Billable Transport Fees), Parking Division (Elm & Spring Street Garages Monthly Fees), Parks, Recreation & Facilities Department (Aquatics Fees, Athletic Fields Fees, Cemetery Fees, Golf Course Fees, Ice Arena Pickup Hockey Fee, & Recreation Fees), Planning (Application Fees), and Public Works (Permanent Pavement Restoration Fees).

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 203-24/25 Authorizing the City Manager To Enter into Certain Agreements To Implement the Fiscal Year 2026 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Finance Committee, April Fournier, Chair

This order authorizes the City Manager to enter into standard agreements and amendments to standard agreements with providers of services for Fiscal Year 2026 to implement portions of human resources, medical, workers' compensation, and liability budgets.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 204-24/25 Approving the Fiscal Year 2026 Self-insured Liability Program - Sponsored by Finance Committee, April Fournier, Chair

This order establishes the limit of the City's liability as \$400,000 as required by the Maine Tort Claims Act and states the City's commitment to "self-insure" for such liability by approving funds for this purpose.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 205-24/25 Authorizing the Director of Parks, Recreation & Facilities to Set Fees and Enter Rental Agreements for City Facilities - Sponsored by Finance Committee, April Fournier, Chair

This order would authorize the Director of Parks, Recreation & Facilities or their designee to sign rental contracts and set associated fees. This authorization is required annually.

Staff has historically set fees and signed rental agreements for City facilities including but not limited to Merrill Auditorium, the Portland Exposition Building, Ice Arena, Riverside Golf Course, Portland cemeteries, and Ocean Gateway. These

facilities host hundreds of events annually, and fees are determined based on the unique staffing levels and services they require.

The City's Legal Department has created a standard rental agreement. Any changes to the terms of standard agreement, other than pricing, are reviewed by legal prior to being changed.

Venues/programs overseen by this Department are run in a business-like manner and need the flexibility to offer specials and adjust pricing based on market conditions. This order will further reaffirm the practice of these fees being set administratively.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 206-24/25 Authorizing the City Manager to Enter into Certain Agreements to Implement Fiscal Year 2026 Health & Human Services Budget - Sponsored by Finance Committee, April Fournier, Chair

This order authorizes the City Manager to enter into standard agreements and amendments to those standard agreements to receive reimbursement for services by the Health and Human Services Department. In addition, the City enters into agreements with service providers and landlords to provide services for department programs.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 207-24/25 Authorizing the City Manager to Accept Scholarship and Trust Donations and Bequests and Enter into Trust Agreements - Sponsored by Finance Committee, April Fournier, Chair

This order authorizes the City Manager to accept and appropriate existing and new scholarship trusts and to enter into standard form trust agreements as approved by Corporation Counsel.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 208-24/25 Authorizing the Director of Parks, Recreation & Facilities to Accept Donations up to \$10,000 for Parks, Recreation & Facilities Department Programs and City Funds - Sponsored by Finance Committee, April Fournier, Chair

The Parks, Recreation & Facilities Department receives frequent donations for many of the programs it works on and with, like the Land Bank, the Portland Youth Corps, and the Tree Trust. This order will allow the department director to accept donations as much as \$10,000 without needing to receive approval from the City Council.

To make this item effective immediately, staff is requesting that this item be passed as an

emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 209-24/25 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by Finance Committee, April Fournier, Chair

This item will give Corporation Counsel a standing authorization to undertake civil actions to collect any delinquent personal property taxes that arise during the course of the fiscal year. Otherwise, it would be necessary for the City Council to specifically authorize each individual legal action. This general authorization will take the place of the case-by-case approach.

To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 210-24/25 Authorizing Non-Union Wage Adjustment - Sponsored by Finance Committee, April Fournier, Chair

This Order authorizes the City Manager to utilize a 3% Cost of Living Adjustment (COLA) for pay adjustments for non-union employees, elected officials, the City Clerk and Corporation Counsel.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 211-24/25 Designating Fiscal Year 2026 Funds for Specific Island Services - Sponsored by Finance Committee, April Fournier, Chair

The municipal budget includes \$45,000 for use on Peaks Island in addition to the funds used to pay for direct and indirect city services. Pursuant to a request from the Peaks Island Council these funds will be used as follows in FY26:

- Item A: Summer Bike Program Tickets (CBL): \$250
- Item B: Needs-Based PI Resident Tickets (CBL): \$3,000
- Item C: PI Student Tickets (CBL): \$450
- Item D: Island Taxi (ITS): \$25,000
- Item E: Island Compost Project: \$2,400
- Item F: Peaks Environmental Action Team fitness station project: \$2,000
- Item G: PI Council Administrative Expenses: \$2,250
- Item H: Peaks Island Children's Workshop \$ 7,250
- Item I: Home Start allocation: \$2,400

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 212-24/25 Appropriating \$15,900,000 in Fund Balance - Sponsored by Finance Committee, April Fournier, Chair

This order appropriates \$8,800,000 from Unassigned Fund Balance to provide tax stabilization and support City Health and Human Services operations during Fiscal Year 2026.

This order appropriates an additional \$7,100,000 from Assigned Fund Balance to offset a portion of the final pension obligation bond debt service payment which is due in Fiscal Year 2026.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 213-24/25 Amendment to Portland City Code Chapter 25 Re: Various Fee Increases for Fiscal Year 2026 - Sponsored by Finance Committee, April Fournier, Chair

This amendment increases in the Portland City Code (Chapter 25 Section 25-27(a)(3)): the Sidewalk Permit fee from \$32.50 per day to \$50.00 per day, the Single Lane Closure Permit fee from \$200.00 per day to \$215.00 per day, and the Street Closure Permit fee from \$400.00 per day to \$430.00 per day. All increases would be effective July 1, 2025, the start of Fiscal Year 2026.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 214-24/25 Fiscal Year 2025-2026 Appropriation Resolve - Sponsored by Finance Committee, April Fournier, Chair

The Appropriation Resolve contains the Finance Committee's recommended budget for Fiscal Year 2026 for general municipal purposes in the amount of \$365,626,127. In addition, it contains the Finance Committee's recommended budget for Fiscal Year 2026 for the School Budget of \$162,800,974.

The tax levy based upon the Finance Committee's recommended budget is \$115,430,182 for general municipal purposes and \$127,225,979 for the School Budget.

The Appropriation Resolve also directs the Assessor of Taxes to assess a tax upon all real and personal property liable to be taxed as of April 1, 2025 and sets October 17, 2025 as the tax due date, which may be paid in two installments due October 17, 2025 and on March 20, 2026.

The delinquency rate of interest is set at 8.5% per year, and the abatement rate of interest is set at 4.5% per year.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 215-24/25 Amendment to Portland City Code Chapter 9 re: Funding Amount for Clean Election Fund for Fiscal Year 2025-2026 - Sponsored by Finance Committee, April Fournier, Chair

The Finance Committee Recommended Budget included fiscal year 2025-2026 Clean Elections program funding of \$121,943. This order amends Chapter 9 to adjust program funding for fiscal year 2025-2026 only. City Clerk Ashley Rand agreed this level of funding is sufficient for the upcoming fiscal year.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

Order 216-24/25 Appropriating \$275,000 from Excess Fund for Casco Bay Island Transit District - Sponsored by Finance Committee, April Fournier, Chair

This order appropriates \$275,000 from the Casco Bay Island Transit District Maintenance Fund and Excess Fund pursuant to the lease agreement between the City of Portland and the Casco Bay Island Transit District.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. To make this item effective immediately, staff is requesting that this item be passed as an emergency. Seven affirmative votes are required for passage as an emergency after public comment.

COMMUNICATIONS:

Communication 14-24/25 Green Building Code Exemptions Annual Report - Kevin Kraft, Planning Director

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

Communication 15-24/25 Appointing Members to the Portland Social Housing Task Force - Mark Dion, Mayor

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

UNFINISHED BUSINESS:

Order 220-24/25 Traffic Schedule Amendment RE: Parking Reassignments on Pearl Street and Cotton Street - Sponsored by Danielle P. West, City Manager

The City Council is being asked to approve a reassignment of the no parking along the west side length of Pearl Street between Lancaster Street and Kennebec Street. The City's recommendation is to add 2-hour parking from 9AM to 5PM, with six spaces between Kennebec Street and Lancaster Street. After a meeting with Noyes & Sons, including the use of their largest interstate trailer with extended cab, it was determined that previously proposed spaces on Pearl Street between Lancaster Street and Oxford Street are infeasible with these movements. The City Council is also being asked to approve a reassignment of the no parking along the west side of Cotton Street. The City's recommendation is to add six spaces of Commercial Loading Zone 30 minutes from 9AM to 6PM adjacent to the businesses and six spaces of 2-hour parking from 9AM to 5PM for the rest.

This item must be read on two separate days. It received its first reading on May 19 and was postponed on June 2. Five affirmative votes are required for passage after public comment.

Order 229-24/25 Accepting and Appropriating a \$3,000 Donation from Zoll Medical Corporation to the Portland Fire Department for the National EMS Week Fund - Sponsored by Danielle P. West, City Manager

This \$3,000 donation would provide retroactive funding to the Portland Fire Department. This funds would offset expenses incurred for purchasing food for paramedics in celebration of National EMS Week, which took place from May 18-24, 2025. This annual event honors and celebrates the daily contributions of our dedicated EMS professionals.

Staff recommend postponing this item indefinitely.

This item must be read on two separate days. It received its first reading on June 2. Five affirmative votes are required for passage after public comment.

Order 230-24/25 Accepting and Appropriating a \$7,000 Donation from the Masonic Grand Lodge of Maine Portland Chapter for a Lucynt Machine at the Barron Center - Sponsored by Danielle P. West, City Manager

This \$7,000 donation would be used to fund the purchase a Lucynt Machine for use at the Barron Center, A Lucynt Machine is an interactive game system designed for people who have dementia and/or other age-related disabilities. Masonic Chapters all over Maine have been raising money to purchase Lucynt Machines for nursing facilities, and locally, Larry Nelson and his chapter have raised \$7000 for the purchase of such a machine to be installed at the Barron Center.

This item must be read on two separate days. It received its first reading on June 2. Five affirmative votes are required for passage after public comment.

ORDERS:

Order 236-24/25 Accepting and Appropriating a \$20,000 Homeland Security Grant for the Portland Fire Department - Sponsored by Danielle P. West, City Manager

The Portland Fire Department was awarded \$20,000 to support the Hazmat team's efforts to enhance preparedness and Hazmat response capabilities for Homeland Security Incidents in the state. This grant was awarded on September 25, 2024 but has not been brought to the Council for approval. The grant expires on 5/31/27.

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

Order 237-24/25 Designating Front Street Phase 3/35 and 41 W. Presumpscot Street an Affordable Housing Development District and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The Housing & Economic Development Committee met on May 20, 2025 and voted 4-0 to recommend this item to the City Council.

Portland Housing Development Corporation (PHDC) requested the creation of an Affordable Housing Tax Increment Financing (AHTIF) District and Credit Enhancement Agreement (CEA) for a project located at 35-41 W. Presumpscot Street. The proposed project would create eight (8) townhouse-style condominiums. Six (6) of the units will be restricted and sold to households earning at or below 120% of the area median income (2-person household \$109,050; 4-person household \$155,750). Two (2) units will be sold as unrestricted market-rate units. The purchase price for an affordable workforce housing 2-bedroom unit will be \$298,500 and a 3-bedroom unit will be \$358,000.

As part of the capital stack for the development of the project, PHDC has applied for a loan from the Genesis Community Loan Fund. Genesis will provide gap financing in the amount of \$370,000 to pay for construction costs. The tax revenue or captured valuation realized through the AHTIF CEA, will be used to pay the debt service on the Genesis loan. Under the terms of the CEA, captured revenue would return to the developer their actual costs paid on annual project debt service based on an annual maximum 75% capture rate for upwards of thirty (30) years and include a total captured revenue cumulative “cap” or maximum amount. The cap would be the total cumulative AHTIF CEA payment amount equal to the total actual debt service cost. When the cap is reached, the AHTIF CEA expires.

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

Order 238-24/25 Approving the Front Street Phase 3/35 and 41 W. Presumpscot Street Affordable Housing Credit Enhancement Agreement with Front Street Condominium, LLC - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The Housing & Economic Development Committee met on May 20, 2025 and voted 4-0 to recommend this item to the City Council.

This is a companion order to the order above.

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

Order 239-24/25 Setting Election Date on an Amendment to Chapter 33 of the Portland City Code RE: an Act to Increase Portland's Minimum Wage - Sponsored by the Housing & Economic Development Committee, Councilor Pious Ali, Chair

The minimum wage in Portland was raised by citizen referendum in 2020 and cannot be amended for 5 years, except by referendum.

This was brought to the City Council as Order 25-24/25 which had its first read on July 15, 2024 and its second read on August 19, 2024 and was referred to the Housing & Economic Development Committee (Passed 5-2, Councilors Trevorrow & Sykes opposed). The Housing and Economic Development Committee reviewed Order 25-24/25 on May 20, 2025 and voted 3-1 (Michniewicz opposed) to bring the attached revised version of the ordinance to the City Council for approval and placement on the ballot for the November 5, 2025 election.

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

Order 240-24/25 Approving the Collective Bargaining Agreement Between the City of Portland and the Police Benevolent Association - Sponsored by Danielle P. West, City Manager

This item approves a negotiated successor collective bargaining agreement between the City of Portland and the Police Benevolent Association, for the period of January 1, 2025, through December 31, 2027. This proposal is presented after previously receiving guidance from the City Council executive sessions held on January 13 and March 31, 2025, and after having been approved by the Police Benevolent Association.

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

AMENDMENTS:

Order 241-24/25 Amendment to Portland City Code Chapter 30 RE: Golf Carts - Sponsored by the Sustainability & Transportation Committee, Regina Phillips, Chair

On May 14, 2025, the Sustainability & Transportation Committee unanimously recommended to the City Council approval of this amendment, which would change how the City regulates golf carts by removing the cap on the number of golf cart operators allowed and establishing a wait list for rental golf cart licenses.

City code requires that all golf cart rental operators be licensed by the City of Portland. It also allows the City Manager to establish a cap on the number of golf cart operators. The proposed amendment:

1. Eliminates the cap on rental golf cart operators: The current ordinance requires that the City facilitate a competitive bidding process between operators if the cap established by the City Manager is met, which is unclear and challenging to administer.
2. Directs the Permitting and Inspections Department to create and manage a wait list for cart licenses: The current ordinance allows the City Manager to set a cap on the number of cart licenses available but does not have a mechanism for interested parties to secure a spot in line when the number of licensed carts falls below the cap. Making this change will align cap management with other programs with caps such as short-term rentals and food truck licenses on Cutter Street. The recommended amendment explains how Permitting and Inspections will manage the wait list.

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

EXECUTIVE SESSION:

ADJOURNMENT: