

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
TAE Y. CHONG (3)
JUSTIN COSTA (4)

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

REMOTE APRIL 27, 2020 CITY COUNCIL AGENDA MINUTES

ZOOM MEETING INFORMATION:

The Portland City Council will hold a remote meeting on Monday, April 27, 2020 at 5:30 PM. This meeting will take place remotely using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day.

**Please click the link below to join the webinar:
<https://zoom.us/j/97402938758>**

Or iPhone one-tap :

US: +13126266799,,97402938758# or +19292056099,,97402938758#

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Webinar ID: 974 0293 8758

PLEDGE OF ALLEGIANCE:

MINUTES ARE DRAFT UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.

ROLL CALL:

Mayor Snyder called the meeting to order at 5:35 P.M. (All Councilors Present).

ANNOUNCEMENTS:

Mayor Snyder announced that the Greater Portland Council of Government, (GPCOG), is willing to assist municipalities if they are experiencing municipal Issues. She wanted to thank them for setting up a Zoom meeting to discuss possibilities for helping municipalities. She also thanked the Wellness Centers at USM and the Expo for keeping the City up to date regarding the assistance with the Cities most vulnerable population that have been staying at the two locations.

Councilor Mavodones also commented on the Status at the Expo and USM and indicated that there have been no new positive tests. Staff is doing a great job.

Councilor Chong announced that Creative Portland is conducting a relief fund to raise money to assist Portland Artists that are struggling during this pandemic and don't qualify for assistance.

Councilor Ray announced that there would be a Zoom Health and Humans Services Committee meeting on Tuesday April 28, 2020 at 5:30. The committee will be receiving Updates from Portland's Police Chief, Frank Clark, Portland's Fire Chief Keith Gautreau, Health and Human Service Director, Kristen Dow.

Councilor Cook asked how items are being considered for the Agenda during this downtime.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the April 14, 2020 Draft City Council Minutes

Motion was made by Councilor Ray and seconded by Councilor Chong to approve the minutes of April 14, 2020 City Council Meeting. Passage 9-0.

PROCLAMATIONS:

Proclamation 11-19/20 Recognizing April as Genocide Awareness Month - Sponsored by Mayor Kate Snyder

CONSENT ITEMS:

Order 163-19/20 Setting Time for Opening of Polls on July 14, 2020 Re: State and Local Elections - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Ray and seconded by Councilor Cook for passage. Passage 9-0.

LICENSES:

Order 164-19/20 Approving Municipal Officers' Approval of Beepa Brigata LLC dba Radici. Application for a Class I FSE with Outdoor Dining on Public Property at 50 Washington Avenue - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Costa for passage. Passage 9-0.

**Order 165-19/20 Approving El Luchador Holdings LLC dba Terlingua.
Application for a Class I FSE with Outdoor Dining on Private Property at 40
Washington Avenue - Sponsored by Jon P. Jennings, City Manager**

Motion was made by Councilor Ray and seconded by Councilor Cook for passage.
Passage 9-0.

**Order 166-19/20 Approving Definitive Brewing Company LLC dba Definitive
Brewing Co. Application for a Class A Lounge with Indoor Entertainment and
Outdoor Dining on Private Property at 35 Industrial Way - Sponsored by Jon P.
Jennings, City Manager**

Motion was made by Councilor Cook and seconded by Councilor Ray for passage.
Passage 9-0.

Motion was made by Councilor Mavodones and seconded by Councilor Ray to
reconsider the vote on Order 166, the Order title did not contain the condition to sell
only beer and wine. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Chong to amend Order
166 by conditioning the license to only allow for the sale of beer and wine. Passage 9-0.

Motion was made by Councilor Cook and seconded by Councilor Ray for passage as
amended. Passage 9-0.

RESOLUTIONS:

**Resolution 11-19/20 Calling on the Legislature to Pass LD 433, the Maine Equal
Rights Amendment - Sponsored by Mayor Kate Snyder**

Motion was made by Mayor Snyder and seconded by Councilor Dusen for passage.
Passage 9-0.

**Resolution 12-19/20 Adopting the Fiscal Year 2021 Annual Action Plan Including
Appropriations for Community Development Block Grant Program, HOME
Program, and Emergency Solutions Grant Program and Certifications Pertaining
Thereto - Sponsored by Jon P. Jennings, City Manager**

Councilor Chong recused himself from the discussion as his employer has applied for
funding.

This was a first reading and first public hearing.

Resolution 12-19/20 Adopting the Fiscal Year 2021 Annual Action Plan, continued

UNFINISHED BUSINESS:

Order 161-19/20 Accepting and Appropriating a \$25,000 Grant from the Maine Technology Institute for the Confined Aquatic Disposal Cell Design and Permitting Project - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Costa and seconded by Councilor Ray for passage.
Passage 9-0.

Order 162-19/20 Amendment to Portland City Code Chapter 35 Re: Temporary Adult Use Marijuana Testing Licenses - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Cook for passage.
Passage 9-0.

ORDERS:

Order 167-19/20 Extending the Emergency Proclamation - Sponsored by Kate Snyder, Mayor

Motion was made by Councilor Cook and seconded by Councilor Ray to Amend Order 167 by using language "Rental Registration Fees " (Amendment 2-Revised located in the back up materials)". Passage 9-0.

Motion was made by Councilor Duson and seconded by Councilor Ray to Amend Order 167 by deleting "Gun shops shall not be considered an essential business or service within the City of Portland: and" "(Amendment 3 located in the back up materials)". Passage 7-2 (Costa, Thibodeau).

Motion was made by Councilor Ray and seconded by Councilor Cook to Amend Order 167 by "aligning Portland's list of essential services with the State's list by restoring construction as an essential service in Portland". "(Amendment 4 located in the back up materials.)" Passage 8-1 (Costa).

Motion was made by Councilor Ray and seconded by Councilor Cook to Amend Order 167 by "amending Portland's non-essential services language to be consistent with the Governor's Orders and to allow Portland's non-essential business to engage in non-contact or remote strategies to maintain critical revenue streams." "(Amendment 5 in located in the back up materials)." Passage 9-0.

Motion was made by Councilor Cook and seconded by Councilor Ray to Amend Order 167 by " adding and deleting language in the area of Real Estate Activities". "(Amendment 6 located in the back up materials)." Passage 9-0.

Motion was made by Councilor Costa and seconded by Councilor Cook to suspend the rules on Council Comment. Passage 9-0.

Motion was made by Councilor Cook and seconded by Councilor Ray to postpone Amendment 7 to the May 4, 2020 City Council Meeting. Motion failed 3-6 (Duson, Mavodones, Ali, Thibodeau, Chong, Snyder).

Motion was made by Councilor Duson and seconded by Councilor Mavodones to suspend the rules to deliberate after 10:00 P.M. Passage 9-0.

Motion was made by Councilor Thibodeau and seconded by Councilor Costa to amend Amendment 7 by adding after the word drink in the second paragraph " Notwithstanding the foregoing, an employee who does not interact with the public or can maintain a separation of at least six (6) feet from another employee or person, shall not be required to wear a face covering or mask." Passage 9-0.

Motion was made by Councilor Thibodeau and seconded by Councilor Mavodones for passage of Amendment 7 as amended "(Amendment 7 is located in the back up materials)." Passage 5-4 (Cook, Ali, Costa, Ray).

Motion was made by Councilor Ray and seconded by Councilor Ali to move the Extension of the Emergency Proclamation Order 167 "to May 4 instead of May 18.

Order 168-19/20 Accepting and Appropriating a \$29,250 Grant from the Federal Emergency Management Agency for the Bramhall Fire Station Generator - Sponsored by Jon P. Jennings, City Manager

This is a first reading.

Motion was made by Councilor Chong and seconded by Councilor Cook to adjourn.
Passage 9-0 at 10:37 P.M.

A TRUE RECORD

Katherine L. Jones, City Clerk

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS: