

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)

Council Meeting Agenda

ZOOM MINUTES

ZOOM MEETING INFORMATION:

The Portland City Council will hold a remote meeting on Monday, May 4, 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://us02web.zoom.us/j/87335103975>

Or iPhone one-tap :

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Webinar ID: 873 3510 3975

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mayor Snyder called the meeting to order at 5:40 P.M. (Councilor Duson arrived during the announcements).

ANNOUNCEMENTS:

Councilor Tae Chong will provide an update from the Governor's Economic Recovery Committee

Councilor Chong provided an update on the Governor's Economic Recovery Committee.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the Draft May 4, 2020 City Council Minutes.

Motion was made by Councilor Ali and seconded by Councilor Costa for passage.
Passage 8-0 (Cook out).

UNFINISHED BUSINESS:

Order 60-19/20 Approving Traffic Schedule Amendment Re: Two-hour Parking on Waterville Street - Sponsored by Councilor Spencer Thibodeau, Chair of the Sustainability and Transportation Committee

Motion was made by Councilor Thibodeau and seconded by Councilor Ray for passage.
Passage 8-0 (Ali out).

Order 174-19/20 Accepting and Appropriating Supplemental Community Development Block Grant and Emergency Solutions Grant Funding - Sponsored by Jon P. Jennings, City Manager

Councilor Chong recused himself as his former employee has applied for CDBG funding.

Motion was made by Councilor Ray and seconded by Councilor Costa for passage.
Passage 8-0 (Chong recused).

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

ORDERS:

Order 176-19/20 Approving Substantial Amendment to the 2016-2020 Housing and Urban Development Consolidated Plan and Fiscal Year 2019-2020 Annual Action Plan Re: Use of Supplemental CDBG-CV and ESG-CV Funding - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson to amend Order 176 by adding "adopt for emergency assistance payment program in the amount of \$750.00 per individual". Passage 8-0 (Chong recused).

Motion was made by Councilor Ray and seconded by Councilor Costa for passage as amended. Passage 8-0 (Chong recused).

**Order 177-19/20 Amending the Emergency Proclamation Re Closing Streets -
Sponsored by Jon P. Jennings, City Manager**

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

Order 166-19/20 Amendment to Portland City Code Chapters 10, 11, 15 and 35 Re: Marijuana Business Licenses - Sponsored by the Health and Human Service and Public Safety Committee, Councilor Belinda Ray, Chair, and the Economic Development Committee, Councilor Justin Costa, Chair

Mayor Snyder stated that Order 166 would be taken up at the end of the meeting.

Councilor Thibodeau disclosed that his employer has been retained by a client who is seeking a Marijuana Business Licenses. Councilor Thibodeau is not directly affected by this and will be voting on this order.

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to suspend the rules to not have a Fiscal Impact Statement on this order. Passage 8-1 (Cook).

Motion was made by Councilor Ali and seconded by Councilor Cook to bifurcate Order 166 by separating "Cultivation Facilities, Testing Facilities and Processing Facilities" from "Retail Facilities". Passage 7-2 (Ray, Thibodeau).

Motion was made by Councilor Mavodones and seconded by Councilor Ray to refer Retail Facility back to Economic Development Committee. Motion failed 2-7 (Duson, Mavodones, Costa, Ray, Thibodeau, Chong, Snyder).

Motion was made by Councilor Thibodeau and seconded by Councilor Mavodones to reconsider the bifurcation and return it back to its original form. Passage 7-2 (Cook, Ali).

Motion was made by Councilor Ray and seconded by Councilor Duson to amend Order 166 by adding in Chapter 35 section 35-16 (a) "retail stores". Motion failed 3-5 (Mavodones, Costa, Thibodeau, Chong, Snyder), (Cook out).

Motion was made by Councilor Ray and seconded by Councilor Costa to amend Order 166 by adding "Licenses may relocate", located in the back up materials, "Amendment #2". Motion fails 4-4 (Duson, Mavodones, Thibodeau, Chong), (Cook out).

Motion was made by Councilor Ray and seconded by Councilor Ali to amend Order 166 by "adding that signs comply with State Statute", located in the back up materials "Amendment #3". Passage 6-2 (Mavodones, Thibodeau), (Cook out).

Motion was made by Councilor Ray and seconded by Councilor Mavodones to amend Order 166 by "removing rounds of licensing" located in the back up materials "Amendment #4". Motion failed 4-4 (Duson, Ali, Thibodeau, Chong), (Cook out).

Motion was made by Councilor Duson and seconded by Councilor Ray to reconsider the vote on Amendment #4. Passage 6-2 (Thibodeau, Chong), (Cook out).

Motion was made by Councilor Duson and seconded by Councilor Ray to amend Order 166 by "removing rounds of licensing" located in the back up materials "Amendment #4". Passage 6-2 (Thibodeau, Chong), (Cook out).

Motion was made by Councilor Mavodones and seconded by Councilor Ali to amend Order 166 by removing in Chapter 35 section 35-14 Licensing Procedure section 4 second box "at least 51% owned by individual(s) who have been a Maine resident for at least five years." Motion failed 3-5 (Duson, Ali, Costa, Ray, Thibodeau) (Cook out).

Motion was made by Councilor Ali and seconded by Councilor Ray to Amend Order 166 by changing the distancing rule from "250 foot to 100 foot". Motion failed 3-6 (Duson, Mavodones, Costa, Thibodeau, Chong, Snyder)

Motion was made by Councilor Costa and seconded by Councilor Ray to suspend the rules to deliberate after 10:00 p.m. Passage 9-0.

Motion was made by Councilor Costa and seconded by Councilor Thibodeau to amend Order 166 in Chapter 35 section 35-14 (4) removing the entire language in "Business plan committing to social and economic development, by including three or more of the following: and points 1, 2, 3 & 4. Motion failed 3-6 (Duson, Mavodones, Ray, Thibodeau, Chong, Snyder).

Order 178-19/20 Accepting and Appropriating Federal Aviation Administration CARES Act Grant for the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

This is a first reading.

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to adjourn.
Passage 9-0, at 10:45 p.m.

EXECUTIVE SESSION:

Possible Executive Session, Pursuant to 1 MRS 405(E), to Consult with Corporation Counsel about Legal Rights and Duties with Respect to the Draft Marijuana Ordinance