

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 AUGUST 31, 2020 SPECIAL CITY COUNCIL AGENDA MINUTES

ZOOM MEETING INFORMATION:

The Portland City Council will hold a remote meeting on Monday, August 31, 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.

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85692343375?pwd=WlV5eEpzaGg5eldLYVJMSEl0WUIwZz09>
Passcode: 582566

Or iPhone one-tap :

US: +19292056099,,85692343375#,,,,,0#,,582566# or
+13017158592,,85692343375#,,,,,0#,,582566#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1
253 215 8782 or +1 346 248 7799

Webinar ID: 856 9234 3375

Passcode: 582566

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mayor Snyder called the meeting to order at 5:35 P.M. (Councilor Costa and Councilor Chong were absent) (Councilor Thibodeau arrived during Order 62.)

ANNOUNCEMENTS:

Councilor Ali announced that his Internet is sometimes spotty so he keeps the video streaming off.

Mayor Snyder announced that the deadline for the Racial Equality Steering Committee was today at noon. They receive 28 applications. Mayor Snyder will be announcing the Committee members at the September 9, 2020 City Council meeting.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

**Approval of the Draft July 27, 2020 Special City Council Meeting
Approval of the Draft August 3, 2020 Regular City Council Meeting
Approval of the Draft August 10, 2020 Special City Council Meeting.**

Motion was made by Councilor Duson and seconded by Councilor Ray to approve the draft minutes of July 27, 2020, August 3, 2020 and August 10, 2020 City Council meeting. Passage 6-0.

LICENSES:

Order 49-20/21 Granting Municipal Officers' Approval of Allagash Brewing Company dba Allagash Brewing Company. Application for a Combined Entertainment License at 50 Industrial Way - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Ali for passage. Passage 6-0.

Order 50-20/21 Granting Municipal Officers' Approval of Navis LLC dba Navis Café. Application for a Class III & IV with Outdoor Dining on Private Property at 1 Hancock Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Duson for passage. Passage 6-0.

Order 51-20/21 Granting Municipal Officers' Approval of Asian Food Truck LLC dba Kuno. Application for a Class I FSE with Outdoor Dining on Private Property at 166 Cumberland Avenue - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Duson and seconded by Councilor Ray for passage. Passage 6-0.

Order 52-20/21 Granting Municipal Officers' Approval of Bar Harbor Lobster Co dba Bar Harbor Lobster Company. Application for a Class I FSE with Outdoor Dining on Private Property at 113 W Commercial Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson for passage.
Passage 6-0.

Order 53-20/21 Granting Municipal Officers' Approval of Matt's Coffee LLC dba Speckled Ax. Application for a Class III & IV with Outdoor Dining on Private Property at 18 Thames Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson for passage.
Passage 6-0.

Order 54-20/21 Granting Municipal Officers' Approval of JoLa Functions LLC dba Jones Landing. Application for a Combined Entertainment License at 6 Welch Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Ali for passage.
Passage 6-0.

Order 55-20/21 Granting Municipal Officers' Approval of The Whiskey Barrel LLC dba The Yard. Application for a Combined Entertainment License at 82 Hanover Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson for passage.
Passage 6-0.

Order 56-20/21 Granting Municipal Officers' Approval of Illmadic LLC dba Portland Zoo. Application for a Combined Entertainment License at 41 Fox Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson for passage.
Passage 6-0.

Order 57-20/21 Granting Municipal Officers Approval of Tangible Alchemy dba Urban Farm Fermentory. Application for a Combined Entertainment License at 200 Anderson Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Duson and seconded by Councilor Ray for passage.
Passage 6-0.

Order 58-20/21 Granting Municipal Officers' Approval of Forefront Brick South LLC dba Forefront Brick South Catering Co. Application for a Combined Entertainment License 8 Thompson's Point Road - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 6-0.

Order 59-20/21 Granting Municipal Officers' Approval of Forefront Brick South LLC dba Forefront Events. Application for an Outdoor Entertainment License 10 Thompson's Point Road - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Duson for passage. Passage 6-0.

Order 60-20/21 Granting Municipal Officers' Approval of Forefront Brick South LLC dba Halo at the Point. Application for a Combined Entertainment License 4 Thompson's Point Road - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 6-0.

Order 61-20/21 Granting Municipal Officers' Approval of Press Hotel LLC dba The Press Hotel. Application for a Class IA Inn with Indoor Entertainment at 119 Exchange Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Duson for passage. Passage 6-0.

Order 62-20/21 Granting Municipal Officers' Approval of Banded Brewing Company dba Banded Brewing Company. Application for a Brewery with Outdoor Dining on Private Property at 82 Hanover Street - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Ali for passage. Passage 7-0.

Order 63-20/21 Granting Municipal Officers' Approval of Island Operations LLC dba Inn on Peaks Island. Application for a Combined Entertainment License at 33 Island Avenue - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson for passage. Passage 7-0.

Order 64-20/21 Granting Municipal Officers' Approval of Newscapes Brewing Inc. dba Newscapes Brewing Inc. Application for a Tavern Class IV with Outside Dining on Private Property at 163 Washington Avenue - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Duson to deny based on the findings from Association Corporation Counsel and Zoning Director. Passage 7-0.

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

COMMUNICATIONS:

Com 3-20/21 Re: Charter Commission Election - Sponsored by Katherine L. Jones, City Clerk

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

Com 4-20/21 Re: Update to City Council Regarding Net Energy Billing Agreements with Solar Developers - Sponsored by Jon P. Jennings

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

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 11-20/21 of Discontinuance of a Portion of Emery Street - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair

Councilor Thibodeau recused himself from the vote, as his employer has worked with the applicant.

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 6-0. (Thibodeau recused).

Order 21-20/21 Designating the 577 Washington Avenue Affordable Housing District and Tax Increment Financing District and Adopting the Municipal Development Program for the District - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair, and the Economic Development Committee, Councilor Justin Costa, Chair.

Motion was made by Councilor Duson and seconded by Councilor Mavodones to postpone Order 21 to September 9, 2020 City Council meeting. Passage 6-0 (Thibodeau out)

Order 22-20/21 Approving and Authorizing the City Manager to Enter Into the Credit Enhancement Agreement with Washington Gardens LP RE: 577 Washington Avenue. - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair and the Economic Development Committee, Councilor Justin Costa, Chair

Motion was made by Councilor Mavodones and seconded by Councilor Duson to postpone order 22 to the September 9, 2020 City Council meeting. Passage 7-0.

Order 25-20/21 Appropriating \$400,000 in HOME Investment Partnership Program Funds to Washington Gardens, LP RE: 577 Washington Avenue - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair.

Motion was made by Councilor Duson and seconded by Councilor Mavodones to postpone Order 25 to the September 9, 2020 City Council meeting. Passage 7-0.

Order 43-20/21 Accepting and Appropriating up to \$50,000 in Donations for the Andrews Square Realignment Project - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Thibodeau and seconded by Councilor Mavodones for passage. Passage 7-0.

Order 44-20/21 Amendment to Portland City Code Chapter 14 Re: Zoning Addition to the B-7 Mixed Development District Zone - Sponsored by the Portland Planning Board, Brandon Mazer, Chair

Motion was made by Councilor Ray and seconded by Councilor Ali to postpone Order 44 to the September 9, 2020 City Council meeting. Passage 7-0.

Order 45-20/21 Amendment to Chapter 5 Re: Restricting Off-Leash Dogs in Baxter Woods - Sponsored by the Sustainability and Transportation Committee, Councilor Spencer Thibodeau, Chair

Motion was made by Councilor Mavodones and seconded by Councilor Ray to postpone order 45 to the October 5, 2020 City Council meeting. Passage 7-0.

Order 46-20/21 Amendment to Portland City Code Chapter 12 Re: Repeal of Single-use Carry-out Bag Ordinance - Sponsored by the Traffic and Sustainability Committee, Councilor Spencer Thibodeau, Chair

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to postpone Order 46 to the October 19, 2020 City Council meeting. Passage 7-0.

Order 37-20/21 Setting an Election Date on Citizen Initiative Amendment to the Portland City Code Chapter 33 Re: An Act to Increase Minimum Wage in Portland - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Thibodeau and seconded by Councilor Mavodones to suspend the rules and take public comment on all 6 Citizen Initiatives, commenting on Setting the date of the Election, Summary vs. Entire Language and Amendments offered by Councilor Ray that were included in the back up materials. Passage 7-0.

Motion was made by Councilor Ray and seconded by Councilor Cook to amend Order 37 by adding changes from "Councilor Ray's amendment that was included in the back up materials" and provide the text of the full ordinance on the ballot or in the alternative provide the language in a separate document (if approved by the secretary of state) in the ballot envelope. If the full text must be included on the ballot then return prepaid postage shall be paid by the City. Passage 7-0.

Motion was made by Councilor Mavodones and seconded by Councilor Dusen for passage as amended. Passage 7-0.

Order 38-20/21 Setting Election Date on a Citizen Initiative Amendment to the Portland City Code Chapter 17 Re: An Act to Ban Facial Surveillance by Public Officials in Portland - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Thibodeau and seconded by Councilor Ray to amend Order 38 and provide the text of the full ordinance on the ballot or in the alternative provide the language in a separate document (if approved by the secretary of state) in the ballot envelope. If the full text must be included on the ballot then return prepaid postage shall be paid by the City. Passage 7-0.

Motion was made by Councilor Mavodones and seconded by Councilor Duson for passage as amended. Passage 7-0.

Order 39-20/21 Setting Election Date on a Citizen Initiative Amendment to the Portland City Code Chapter 2 Re: An Act to Implement a Green New Deal for Portland - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Ray and seconded by Councilor Cook to amend Order 39 by adding the changes from "Councilor Ray's amendment that was included in the back up materials" and provide the text of the full ordinance on the ballot or in the alternative provide the language in a separate document (if approved by the secretary of state) in the ballot envelope. If the full text must be included on the ballot then return prepaid postage shall be paid by the City. Passage 7-0.

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage as amended. Passage 7-0.

Order 40-20/21 Setting Election Date on a Citizen Initiative Amendment to the Portland City Code Chapter 6 Re: An Act to Protect Tenants - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Ray and seconded by Councilor Cook to amend Order 40 by adding the changes from "Councilor Ray's amendment that was included in the back up materials" and provide the text of the full ordinance on the ballot or in the alternative provide the language in a separate document (if approved by the secretary of state) in the ballot envelope. If the full text must be included on the ballot then return prepaid postage shall be paid by the City. Passage 7-0

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage as amended. Passage 7-0.

Order 41-20/21 Setting Election Date on a Citizen Initiative Amendment to the Portland City Code Chapter 6 Re: An Act to Restrict Short Term Rentals in Portland - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Ray and seconded by councilor Cook to amend Order 41 by adding changes from "Councilor Ray's amendment that was included in the back up materials" and provide the text of the full ordinance on the ballot or in the alternative provide the language in a separate document (if approved by the secretary of state) in the ballot envelope. If the full text must be included on the ballot then return prepaid postage shall be paid by the City. Passage 7-0.

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage as amended. Passage 7-0.

Order 42-20/21 Setting Election Date on Citizen Initiative Amendment to the Portland City Code Chapter 35 Re: No Cannabis Cap Campaign - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Mavodones and seconded by Councilor Ali to amend order 42 by providing the text of the full ordinance on the ballot or in the alternative provide the language in a separate document (if approved by the secretary of state) in the ballot envelope. Passage 7-0.

Motion was made by Councilor Ray and seconded by Councilor Ali for passage as amended. Passage 7-0.

Motion was made by Councilor Ray and seconded by Councilor Ali to adjourn. Passage 7-0 at 10:49 P.M.

A TRUE RECORD

Katherine L. Jones, City Clerk

CITIZEN INITIATIVE ALTERNATE SUMMARIES

Councilor Ray's proposed alternate summaries for the Citizen Initiative Referendum Questions.