

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER THIBODEAU (2)
TAE Y. CHONG (3)
ANDREW J. ZARRO (4)

MARK N. DION (5)
APRIL FOURNIER (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR. (A/L)

SPECIAL CITY COUNCIL MEETING - AUGUST 23, 2021 AT 5:00 PM MINUTES

ZOOM INFORMATION:

Due to the existence of an emergency or urgent issue the City Council will conduct this meeting by remote methods/technology at the Zoom link provided below, in accordance with the requirements of 1 M.R.S. section 403-B and the City Council's Remote Participation Policy.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84373419880?pwd=WS9rZjU3aGdSUUQxclZRRmlVWWRSZz09>

Passcode: 956179

Or One tap mobile :

US: +19292056099,,84373419880#,,,,*956179# or +13017158592,,84373419880#,,,,*956179#

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: 843 7341 9880

Passcode: 956179

International numbers available: <https://us02web.zoom.us/j/84373419880?pwd=WS9rZjU3aGdSUUQxclZRRmlVWWRSZz09>

PLEDGE OF ALLEGIANCE:

Mayor Snyder called the meeting to order at 5:00 P.M. (Councilor Thibodeau absent).

ROLL CALL:

ANNOUNCEMENTS:

Councilor Zarro announced that there will be a workshop on September 8, 2021 after the City Council Meeting to bring forward "doing our part in stopping the spread of COVID 19". And asked the public to help by wearing masks even though fully vaccinated when indoors.

Councilor Ray wanted to let the public know that she may be slower responding to constituents as a result of a broken wrist from a bicycle accident. Councilor Ray also wanted to let the public know that Councilor Dion has an amendment to a competing measure that the Council may consider. It was added to the packet at the last minute.

Councilor Ali wanted to publicly thank Landry & French Construction for the notice he received as an abutter about work that they were doing in the area. He hopes that this sets an example for other companies to notify residents of construction that will be happening in their neighborhood.

City Manager Jon P. Jennings' introduction of Anne McGuire, Assistant City Manager

SPECIAL MEETING:

Special Meeting of the Corporator of Portland Development Corporation

Motion was made by Councilor Chong and seconded by Councilor Ali to recess the meeting of the City Council and convene the Special Meeting of the Corporator of the Portland Development Corporation. Passage 8-0.

Order 25-21/22 Amending Portland Development Corporation Bylaws and Loan and Grant Guidelines for Two Programs - Sponsored by Kate Snyder, Mayor

Motion was made by Councilor Chong and seconded by Councilor Ali for passage. Passage 8-0.

Motion was made by Councilor Mavodnes and seconded by Councilor Ali to adjourn the Special Meeting of the Corporator of the Portland Development Corporation and reconvene the regular meeting of the City Council. Passage 8-0.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Approval of the draft Regular City Council Meeting Minutes for July 19, 2021 (Early)

Approval of the draft Special City Council Meeting Minutes for July 19, 2021 (Late)

Approval of the draft Special City Council Meeting Minutes for August 2, 2021

Motion was made by Councilor Ray and seconded by Councilor Ali for approval of the July 19, Early, July 19, Late and August 2, 2021 minutes. Passage 8-0.

CONSENT ITEMS:

Order 26-21/22 Declaring October 3, 2021 the 30th Annual Maine Marathon, Half Marathon & Relay Festival - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Ali to bifurcate the consent Items and remove Order 28. Passage 7-0 (Ray out).

Order 27-21/22 Accepting an Andrews Square Easement Deed from Avesta Butler Payson LP - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Ali for passage of Order 26 & 27. Passage 7-0 (Ray out).

Order 28-21/22 Approving the Application for a \$400,000 Outdoor Recreation Legacy Partnership Grant for Open Space and Athletic Fields in North Deering - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Snyder and seconded by Councilor Ray to amend Order 28 by adding "BE IT FURTHER ORDERED, that the City Manager is hereby authorized to enter into the Land and Water Conservation Fund Project Agreement with the State of Maine in substantially the form attached hereto upon federal approval of the Project;" for passage. Passage 8-0.

Motion was made by Councilor Mavodones and seconded by Councilor Ray to amend Order 28 by adding " \$ 400,000 grant matched" and "\$400,000 from private donations. The total amount of the project is \$800,000. Passage 8-0.

Motion was made by Councilor Maovodones and seconded by Councilor Dion as amended. Passage 8-0.

LICENSES:

Order 29-21/22 Granting Municipal Officers' Approval of Smalls Brackett Street LLC, dba Smalls. Application for a Class I FSE with Indoor Entertainment at 28 Brackett St. - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Zarro for passage. Passage 8-0.

Order 30-21/22 Granting Municipal Officers' Approval of Geno's Inc, dba Geno's Rock Club. Application for a Class A Lounge with Indoor Entertainment at 625 Congress St. - Sponsored by Jon P. Jennings, City Manager

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

Order 31-21/22 Granting Municipal Officers' Approval of Austin Street Brewery LLC, dba Austin Street Brewery. Application for a Combined Entertainment at 109 Fox St. - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Dion and seconded by Councilor Ali for passage. Passage 8-0.

Order 32-21/22 Granting Municipal Officers' Approval of Empire 37 LLC, dba Empire Chinese Kitchen. Application for a Class I FSE at 575 Congress St. - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Mayor Snyder for passage. Passage 8-0.

Order 33-21/22 Granting Municipal Officers' Approval of Renn Restaurant Group LLC, dba Ruby's West End. Application for a Class I FSE at 64 Pine St. - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Fournier and seconded by Councilor Dion for passage. Passage 8-0.

Order 34-21/22 Granting Municipal Officers' Approval of Far From A Teardown LLC, dba Salvage BBQ. Application for Outdoor Dining on Private Property at 919 Congress St.- Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 8-0.

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

COMMUNICATIONS:

Com 1-21/22 Communication on Campaign Finance Reports, By Katherine L. Jones, City Clerk

As a communication, this requires no public comment or City Council action.

Com 2-21/22 Update on East Bayside sound study progress, By Jon P. Jennings, City Manager

As a communication, this requires no public comment or City Council action.

RESOLUTIONS:

Resolve 1-21/22 Requesting the Maine Department of Transportation Establish a Rail Corridor Use Advisory Council for the Casco Bay Trail - Sponsored by the Sustainability & Transportation Committee, Councilor Belinda Ray, Chair

Motion was made by Councilor Ray and seconded by Councilor Mavodones to postpone Resolve 1 to the September 8, 2021 City Council Meeting. Passage 8-0.

Written Public Comment

Resolve 2-21/22 Providing Notice of Public Hearing for Condemnation of Lot 6, 59 Somerset Street - Sponsored by Kate Snyder, Mayor

Councilor Mavodones disclosed that his son works for Norman Hansen and DeTroy but is not working on this matter.

Motion was made by Councilor Ray and seconded by Councilor Zarro for passage. Passage 8-0.

UNFINISHED BUSINESS:

Order 7-21/22 Approving the Agreement between the Portland Area Comprehensive Transportation System, the Maine Department of Transportation and Portland re: Forest Avenue Improvements from Marginal Way to Park Avenue - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Mavodones and seconded by Councilor Ali for passage. Passage 8-0.

Order 8-21/22 Accepting and Appropriating a Grant from the Maine Department of Economic and Community Development Re: Journey Maps in Multiple Languages - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ali and seconded by Councilor Zarro for passage. Passage 8-0.

Order 9-21/22 Approving the Maine Department of Transportation and City of Portland Agreement Re: Franklin Street and Marginal Way - Sponsored by Jon P. Jennings, City Manager

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

Order 15-21/22 Setting an Election Date on a Citizen Initiative Amendment to Portland City Code Chapter 14 Re: Emergency Shelters for 50 or Fewer Only - Sponsored by Katherine L. Jones, City Clerk

Motion was made by Councilor Ray and seconded by Councilor Mavodones to amend Order 15 by adding " Amendment 1 language" which is located in the back up materials for passage. Passage 8-0.

Motion was made by Councilor Dion and seconded by Councilor Chong to amend Amendment 2 by adding " Amendment 3 language" which is located in the back up materials for passage. Passage 5-3 (Fournier, Ali, Zorro).

Motion was made by Councilor Ray and seconded by Councilor Mavodones to amend Order 15 by adding "an alternate shelter amendment set on the ballot, Amendment 2 language" is located in the back up materials as amended. Passage 5-3 (Fournier, Ali, Zorro).

Motion was made by Councilor Mavodones and seconded by Councilor Chong for passage of Order 15 as amended. Passage 5-3 (Fournier, Ali, Zorro).

Written Public Comment

Order 16-21/22 Setting an Election Date on an alternative Amendment to Portland City Code Chapter 14 Re: Emergency Shelters - Sponsored by Kate Snyder, Mayor

Motion was made by Mayor Snyder and seconded by Councilor Ray to postpone Order 16 indefinitely. Passage 5-3 (Fournier, Ali, Zorro).

Order 19-21/22 Accepting and Appropriating Federal Aviation Administration American Rescue Plan Act (ARPA) Grants for the Portland International Jetport - Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 8-0.

Order 21-21/22 Adopting Amendment to Portland City Code Chapter 14 Re: Emergency Shelters for 50 or Fewer Only - Sponsored by Kate Snyder, Mayor

Motion was made by Mayor Snyder and seconded by Councilor Ray to postpone Order 21 indefinitely. Passage 5-3 (Fournier, Ali, Zorro).

Order 22-21/22 Amendment to Zoning Map Re: 99 Winter Street and 152-160 State Street from R-6 Residential to B-3 Downtown - Sponsored by Brandon Mazer, Chair, Portland Planning Board

Motion was made by Councilor Mavodones and seconded by Councilor Ray to postpone to September 8, 2021. Passage 8-0.

Order 23-21/22 Amending the Height Overlap Map at 99 Winter Street - Sponsored by Brandon Mazer, Chair, Portland Planning Board

Motion was made by Councilor Ray and seconded by Councilor Ali to postpone Order 23 to the September 8, 2021 City Council Meeting. Passage 8-0.

ORDERS:

Order 35-21/22 Accepting and Appropriating \$480,850 in U.S. Environmental Protection Agency Brownfields Funds for the City's Brownfields Revolving Loan Fund - Sponsored by Jon P. Jennings, City Manager

This is its first reading.

Order 36-21/22 Approving the Collective Bargaining Agreement with the Firefighters Local 740, International Association of Firefighters - Sponsored by Jon P. Jennings, City Manager

This is its first reading.

Order 37-21/22 Designating the Marguerite Emerson House at 99 Capisic Street as a Landmark - Sponsored by Jon P. Jennings, City Manager

This is its first reading.

Motion was made by Councilor Ray and seconded by Councilor Ali for passage. Passage 8-0 at 9:32 P.M.

A TRUE RECORD

Katherine L. Jones, City Clerk