



HEALTH AND HUMAN SERVICES DEPARTMENT

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City of Portland, Maine Public Safety / Health & Human Services Committee

September 10, 2013 Meeting
Council Chambers/ City Hall

Meeting Minutes

Committee Attendance: Chair Suslovic, Councilor Leeman, Councilor Dusen and Councilor Coyne.

City Staff Attendance: Doug Gardner; HHS, Trish McAllister; Corp Counsel, Chief LaMoria; PFD, Chief Sauschuck; PPD, John Peverada; Parking, Sheila Hill- Christian; Dep City Mgr, Mark Reese; City Manager, Jen Thompson; Corp Counsel.

AGENDA ITEM 1 ; Meeting Called to Order and Minute from July 30th Meeting Reviewed:

Meeting was called to order by Chair Suslovic at approximately 6:08 PM. Minutes from the previous meeting were reviewed and accepted – passed 4-0.

AGENDA ITEM 2; Food Truck Ordinance Amendments:

Jen Thompson from Corporation Counsel addressed the Committee and gave history on the Ordinance which was passed last year. Since that time a few issues have arisen and the corrections are now being presented.

1. New Permit Category and Proposed Fee for Operating on Private Property. Proposing a \$30 fee for each location.
2. Allowing Clustering of Food Trucks. At the time of the Ordinance, there was support to not allow clustering. That sentiment has since changed.
3. Increasing Size Restrictions on Food Trucks. The original size of 20 feet was proposed because that is the size of a metered parking space, this however has proven to be problematic because most food trucks are 24-26 feet in length.

4. Easing the Parking Restrictions. To allow for longer than the 2 hour limit imposed by metered spaces and possibly allowing for a permit based parking to occur.

Meeting was then open to public comment:

Speaker 1 – Doug Fuss, Resident of Eastern Prom, Owner of Bull Feeney's:

Doug indicated that clustering was one of the goals in order to share electric etc., similar concept to a food court. He feels the truck seize issue is self-regulating as you want smaller trucks in urban areas. He feels the time limit should be to give 1 set time, choose a space and area that would not conflict with bricks and mortars business.

Speaker 2 – Sarah Sutton, Owner Bite into Maine and South Portland Resident:

Sarah thanked everyone for looking at the Amendments she feels it is going back and starting at ground zero as the food truck owners were discouraged by the permits, fees and limitations. She would encourage broadening the topic.

Meeting was closed to public comment.

Councilor Duson would like to see more trucks she specifically referenced food trucks seize and agrees with parking the parking restrictions but max at 4 hours. She encourages the operators to propose a designated area in order to cluster.

Jen Thompson clarified the current permit fee is \$105 proposing to lower to \$30, clustering is currently not allowed at all and maximum length for a truck is 20'.

Chair Suslovic questioned how this was vetted. City Managers sent a memo to the Task Force which originally rose from a complaint related primarily to parking.

Councilor Leeman is excited about food trucks being downtown and will support the changes.

Chair directed question to staff re: City identifying city properties and asked what the status of this was.

City Manager Rees responded and deferred to Jen who indicated it would require they go through and RFP.

Councilor Duson suggested another option would be to invite the food truck operators bring options forward, Doug Fuss indicated he would be in support of this.

Parking Director John Peverada addressed the Committee and explained the metered spaces within the city are 20' long so he is concerned with the truck lengths increasing as this would then take up double the metered space within the City.

Chair Suslovic encouraged current food truck operators to get together on an informal basis and come up with other proposed changes.

Motion to recommend to Council, 2nd by Councilor Leeman, all in favor. Passed 4-0.

AGENDA ITEM 6; Residential Sprinkler Requirement: (item taken out of order)

Trish McAllister presented a proposed amendment and referenced the Life Safety Code which requires sprinklers to be installed in all residential and commercial buildings being rehabbed by more than 50%. The change would remove the requirement in renovated one and two family dwelling units.

Meeting was open to public comment.

Seeing none, meeting was closed to public comment.

Councilor Leeman gave history of this proposal after receiving numerous complaints from residents and felt the requirement was really based on new construction only and while she appreciates the public safety concern, feels that altering slightly makes it more palpable for residents.

Councilor Duson is unclear about the actual drafted changes and specifically referenced Section F. Trish indicated she can clarify the language in the amendment that the requirement is being removed for renovations and additions.

Recommend to move to full Council, 2nd all in favor. 4-0.

1st Reading will be September 16th, 2nd and public comment October 7th.

AGENDA ITEM 3; Buffer Zone Ordinance: Continuation of Workshop:

Trish updated the Committee on the history of this item and introduced the timeline, Chief Sauschuck's letter, outline of possible violations and complaints.

The City is proposing a 39' buffer zone around Planned Parenthood due to threats and intimidation by protestors in front of the clinic.

Chair Suslovic questioned if the loitering ordinance could be used for this, according to Trish, no this is not the same issue but asked the committee for guidance as to how to continue.

Trish then gave the specifics of other similar cases in the country and the Committee discussed the legal merits.

Councilor Duson disclosed she has prejudged believes in free access to health care and thanked legal for their work.

Chair Suslovic addressed the public and indicated if it is the will of staff come back w/ a full amendment and final draft for the October meeting. He would like to add to section of Page 2 that reads, Metro, Zoom etc... change to "Public Transit".

This item to come back to Public Safety at the October 8th meeting, 6:00 PM with Public Comment taken.

AGENDA ITEM 4: Briefing on the City's Employee Solicitation Policy: Workshop:

Trish again addressed the Committee and indicated there is currently no City policy but there is a state law in reference to law enforcement agencies.

Chair Suslovic questioned City Manager Mark Rees if this was an issue within the City. Mark feels it is problematic and also indicated they are currently in Union negotiations. Mark would like to come back to the Committee when negotiations are completed.

AGENDA ITEM 5; Confined Spaces Program Update: Workshop:

Chief LaMoria gave an overview of current grants and status of each.

Councilor Leeman commended the department for the turnaround. This was a communication only.

AGENDA ITEM 7; Portland Fire Department Consultant Report: Workshop:

Chief LaMoria gave a PowerPoint presentation to the Committee with updates on the Fire Department. Ian Houseal also presented a survey of fire departments across New England that are similar to Portland which summarizes a number of comparable aspects between communities and Fire Departments.

Councilor Duson encourages the Department to be assertive with the funding: the Safer Grant.

Councilor Coyne indicated he appreciates the work and feels he only needs to receive quarterly updates.

Motion from Committee to begin Executive Session to discuss Fire Department Consultant Report as it relates to labor negotiations, pursuant to Title 1 M.R/S Section 405 subsection 6 (D).

A Motion was then made to withdraw the previous Motion for an Executive Session. All in favor. Passed.

Meeting was then adjourned at 9:10 PM.