

DRAFT

MEMORANDUM

TO: Public Safety Committee

FROM: Ann Freeman
Associate Corporation Counsel

DATE: February 22, 2011

RE: **Minutes of the Public Safety and Health and Human Services Committee Meeting held on February 16, 2012**

Councilor Suslovic opened the meeting with Councilors Coyne, Marshall, and Duson in attendance.

1. Approval of Meeting Minutes of Public Safety Committee Meeting

The Committee voted 4-0 to approve the minutes of the meeting held on November 1, 2011.

2. Establish Food Truck Task Force or Stakeholders Group and Establish Sidewalk Vendor Task Force

Councilor Suslovic introduced these two items together for comments and input. Councilor Marshall agreed that a task force would be useful and asked if a City Councilor would be on that task force.

Councilor Suslovic responded that he envisioned the task force(s) as a focused group, including any Councilor or member of the public, who would meet once or twice and come up with a plan. He did not want to create a task force that would be responsible for a long term commitment. He then asked if that would help any Councilor decide to become part of the task force?

a. Food Truck Task Force

Councilor Duson asked about the difference between sidewalk vendors and street artists. Councilor Suslovic clarified that he was referring specifically to food trucks in opening the discussion and trying to establish a framework for operational guidelines and whether or not a task force for that purpose should be created.

Associate Corporation Counsel Freeman brought up the fact that the City ordinances currently don't allow for food trucks. There has been a good deal of interest, however, in

changing that to allow them via inquiries in both the City Clerk's Office and the Office of Corporation Counsel.

Councilor Duson would like to see two things in place in regards to a food truck task force. She would like to see a specific framework for completion and results reported by the task force in a timely manner and she would also like for a potential food truck vendor to serve on the task force.

Councilor Suslovic agreed that having a potential food truck vendor on the task force was a good idea along with having a City Councilor serve as well.

Public Comment

No public comments offered.

Councilor Suslovic went on to say that the created task force would be expected to bring back to this Committee any policy options and/or ordinance changes for its consideration. He was hoping that the results/recommendations of the task force would be available for presentation at this Committee in April so that any recommendations could be brought before the Council in May to be in effect by summer.

Councilor Duson suggested that the task force look at designating specific locations within the City for food vendors. Councilor Suslovic agreed with this and added that he was also looking for other suggestions for permitting, hours of operation, etc., as well as the pros and cons of each.

Councilor Marshall moved that a task force be created. This motion was seconded by Councilor Coyne and passed 4-0. Councilor Marshall then moved to appoint Councilor Duson as the City Councilor on the task force as well as Ron Gann as a potential food truck operator and Steve DiMillo as a local restaurateur. This was seconded and passed.

b. Sidewalk Vendor Task Force

Before discussion of this item, Councilor Marshall recused himself as he is a street artist and because of a conflict of interest he would not participate in the discussions and decisions relating to a sidewalk vendor task force.

This matter was brought over from the previous Health and Recreation Committee; which has now been folded into this Committee. They had a lengthy public forum on this issue and a commitment was made to create a task force with representation from Jan Beitzer of the Portland Downtown District, Jennifer Hutchins of the Greater Portland Economic Development Corporation, John Tuskey for MECA, Susan Tran for Buy Local, and Vanessa Pike for the Greater Portland Convention and Visitors Bureau.

Councilor Suslovic asked for input before discussion on this matter was open to public comment. Councilor Coyne asked if a City Councilor would be interested in participating on this task force. Councilor Suslovic volunteered. Dory Waxman had shown interest previously in

serving on this Committee so her name was added as a member of the public. Councilor Coyne suggested that a street artist should serve on this Committee as well to ensure that that faction of the City was represented and maybe a Farmers' Market representative as well?

Councilor Suslovic added these four members to the Committee list, with the same charge as given to the Food Truck Task Force, to report back to this Committee within a reasonable time frame.

Public Comment

No public comments offered.

Councilor Coyne moved that a task force be created. This motion was seconded by Councilor Duson and passed 3-0. Councilor Marshall was invited back to the meeting.

3. Get Crash Software Program for the Portland Police Department

Commander Malloch briefly explained that the State police are responsible for providing software to all law enforcement agencies. The State has contracted with "Get Crash" and the Portland Police Department is just looking to add tools to the already existing software. Councilor Duson asked that a little clarification be added into the agreement with "Get Crash". Councilor Suslovic asked if it was the recommendation of Corporation Counsel and the Police Department to accept the agreement? Both indicated "yes" with an added point that it does not require full Council approval, just approval of the Public Safety and Health & Human Services Committee as it pertains to the dissemination of public information.

Councilor Duson interjected that she would prefer that this matter be referred to the full City Council in the event that a Councilor had any questions or concerns. Before this issue was voted on, Councilor Suslovic asked for any public comments. No public comments were offered.

Councilor Duson went on to inquire about the process for fatal accidents and whether that information was available immediately through "Get Crash". Commander Malloch explained that fatal accidents were a bit different. First an investigation must occur with a report made to the District Attorney. While that process is going on, reports are not made available to the general public. Reports involving City vehicles are delayed as well as liability may be an issue. Councilor Duson wanted clarification on this. Commander Malloch further explained that any public member requesting a report involving a City vehicle will be referred to Cheryl Main, Maine Municipal Insurance, and/or Corporation Counsel to fill a claim while the accident is investigated.

Councilor Suslovic asked for a motion to send this communication regarding "Get Crash" to the full City Council. It was seconded and passed 4-0.

4. Draft Committee Work Plan

Doug Gardner, Director of Health and Human Services, had two items to add to the drafted work plan for 2012. The first was a request from the Public Health Division of the Health & Human Services Department. They are undergoing an accreditation process in which they need to demonstrate apprising a governing body of their work. They asked to report updates to this Committee in the months March, June, September, and December. The second was a request from the Fire Department to update the Committee with new EMS Rules for State of Maine. Deputy Chief Walsh would like to do this update in March.

Councilor Marshall had a few items he would like to see on the drafted work plan based upon constituent comments he has received. First, he wanted an update to the Fire Safety Codes and how the implementation of new requirements has impacted those directly affected. Second, he would like to see some discussion of how the building codes/standards may be amended to reflect the handling of disrepair on the exteriors of buildings, especially in the downtown district (believes the disrepair has a negative impact on the community as a whole), and third, he would like to incorporate some mention of rogue shopping carts that have been a problem in the St. John Street and Valley Street areas in terms of public safety.

Councilor Suslovic recommended adding the shopping cart issue to the crimes of disorder initiative pegged for discussion in March. He further recommended that the Fire Safety Code concerns/updates be added to the June meeting.

Councilor Coyne added that he would like to see an update on the Peaks Island Public Safety changes (there were officer assignment changes within the past year) and could this update be ready for the April meeting?

After some discussion of the added and moved items on the drafted work plan, Councilor Suslovic confirmed the following:

- For March, the work plan will include discussions of new EMS Rules, crimes of disorder initiatives to now include rogue shopping carts, snow removal report, and a Public Health update;
- For April, the work plan will include raw milk (initially scheduled for March), Peaks Island Safety updates, Building Code issues in regards to exterior disrepair, and the originally scheduled updates from the two new task forces;
- For May, July, and November, the drafted work plan has no changes;
- For June, the work plan will include an update on the Fire Safety Code changes and its affect, a Public Health update, and the originally scheduled items (SAFER Grant intern report and Graffiti Ordinance review and check in);
- For August and October, the drafted work plan has no changes, but Councilor Suslovic cautioned that though the meetings currently have no proposed agendas, it is most likely a meeting will occur on those dates to handle other issues as they arise;

· For September and December, those drafted work plans will now include Public Health updates.

Councilor Coyne then inquired about the possibility of creating some type of annual or semi-annual report as there have been a few City leadership changes over the past year. Councilor Suslovic agreed and posed the possibility of having each department (Health and Human Services, Police, and Fire) come before the Committee to discuss the current pressing issues. Councilor Duson reiterated that she wanted this to be a “positive” invitation. The Committee would like to see each department bring its goals, objectives, and the emerging issues.

In keeping with those thoughts, Councilor Suslovic asked whether it might be appropriate to ask Manager Rees to come to the March or April Committee meeting to update them on the search for a new Fire Chief. He then asked present staff to communicate that invitation to Manager Rees. Councilor Suslovic then asked for any public comments on the drafted work plan. Seeing none, a motion to accept the drafted plan revisions was presented by Councilor Coyne, seconded by Councilor Duson, and passed 4-0.

There being no other business presented at this meeting, the motion to adjourn was seconded and passed 4-0. Councilor Suslovic added a “thank you” to staff and the Committee for their efforts.