

IN COUNCIL SPECIAL MEETING JULY 16, 2018 VOL.134 PAGE 1

ROLL CALL: Mayor Strimling called the meeting to order at 4:00 P.M. (Councilor Duson absent, Councilor Cook arrived during Order 5, Councilor Thibodeau arrived during Order 9.)

ANNOUNCEMENTS: Councilor Ray announced that there will be no public comment taken at the next Health and Human Service meeting.

RECOGNITIONS:

APPROVAL OF MINUTES OF PREVIOUS MEETING:

PROCLAMATIONS:

Proc 1 Proclamation Honoring Officer Anthony Stewart as Police Officer of the Month for May 2018 – Sponsored by Mayor Ethan K. Strimling.

APPOINTMENTS:

CONSENT ITEMS:

Order 1-18/19 Order Declaring September 8, 2018 the Greater Portland Sustainability Council's Portland GreenFest Festival – Sponsored by Jon P. Jennings City Manager.

Order 2-18/19 Order Declaring September 18, 2018 the Trail to Ale 10K Race/Walk Festival – Sponsored by Jon P. Jennings, City Manager.

Motion was made by Councilor Ray and seconded by Councilor Costa to approve the consent items. Passage 6-0.

LICENSES:

Order 3-18/19 Order Granting Municipal Officers' Approval of The Francis LLC dba Bolster Snow & Company. Application for Outdoor Dining on Private Property at 747 Congress Street - Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 4-18/19 Order Granting Municipal Officers' Approval of Giri Portland Inc dba Hilton Garden Inn. Application for a Class 1A Hotel at 145 Jetport Boulevard – Sponsored by Michael Russell, Director of Permitting and Inspections.

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Motion was made by Councilor Baston and seconded by Councilor Costa for passage. Passage 6-0.

Order 5-18/19 Order Granting Municipal Officers' Approval of Sablage LLC dba Gross Confection Bar. Application for a Class I FSE at 57 Exchange Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 6-18/19 Order Granting Municipal Officers' Approval Sophia IK, LLC d/b/a Blue Spoon. Application for a Class I FSE with Outdoor Dining on Public Property at 89 Congress Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 7-18/19 Order Granting Municipal Officers' Approval of TSNR Inc. dba (Tab 8) Bonobo Wood Fire Pizza. Application for a Class III & IV with Outdoor Dining on Public Property at 46 Pine Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 8-18/19 Order Granting Municipal Officers' Approval of Fish Shack LLC dba Boones Fish House & Oyster Room. Application for a Class I FSE and Entertainment with Dance with Outdoor Dining on Private Property at 6 Custom House Wharf – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 9-18/19 Order Granting Municipal Officers' Approval of MOC Raw Bar LLC dba Maine Oyster Company. Application for a Class III & IV FSE with Outdoor Dining on Private Property at 38 Portland Street.

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

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Order 10-18/19 Order Granting Municipal Officers' Approval of Whole Hog LLC dba Whole Hog LLC. Application for a Class I FSE and Entertainment without Dance with Outdoor Dining on Public Property at 480 Congress Street.

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

BUDGET ITEMS:

COMMUNICATIONS:

Com 1-18/19 The Rules and Regulations for Use of the Sewer System are being revised to effectuate a transfer of responsibility for the administration and management of the Industrial Pretreatment Program from the City to the Portland Water District (PWD). This transfer of responsibility is in line with the arrangement that PWD has with Westbrook and Gorham. The program and regulatory authority is being transferred to reduce the amount of redundant efforts and to allow the PWD to manage and directly collect the information required from Industrial Users in order to meet requirements of the Maine Pollutant Discharge Elimination Permit (MEPDES) for the East End Wastewater Treatment Facility. The Industrial Pretreatment Program Owner's Manual has been updated to reflect shift of responsibilities.

Additionally, discharge limits for Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) are being revised as required by the Maine Department of Environmental Protection MEPDES permit. A mass limit will be implemented rather than a concentration limit to better regulate the amount of BOD and TSS being sent to the East End Wastewater Treatment Facility. The discharge limit for arsenic is also being redistributed to allow for industrial users to have more flexibility.

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 248-18/19 Amendment to Portland City Code Chapter 14 Re: Street Access - Sponsored by the Planning Board, Sean Dundon, Chair.

It was given a first reading on June 4, 2018. At the June 18 City Council meeting this item was postponed to this meeting.

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Motion was made by Councilor Ray and seconded by Councilor Batson to suspend the rules and allow for public comment. Passage 8-0.

Motion was made by Councilor Cook and seconded by Councilor Mavodones to postpone Order 248 Indefinitely. Passage 8-0.

Order 265-18/19 Order Appropriating \$1,850,000 for Improvements to the Portland International Jetport Passenger Terminal – Sponsored by Jon P. Jennings, City Manager.

It was given a first reading on June 18, 2018.

Motion was made by Councilor Batson and seconded by Councilor Thibodeau for passage. Passage 8-0.

Order 271-18/19 Amendment to Portland City Code Chapter 6 Re: Disorderly Houses – Sponsored by the Housing Committee, Council Jill C. Duson, Chair.

It was given a first reading on June 18, 2018.

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

ORDERS:

Order 11-18/19 Order Approving Memorandum of Understanding between the City of Portland, Maine and the Portland Parks Conservancy – Sponsored by Jon Jennings, City Manager.

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

Order 12-18/19 Order Approving the Third Amendment to 178 Kennebec Street Purchase and Sale Agreement – Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.

Motion was made by Councilor Costa and seconded by Councilor Thibodeau for passage. Passage 7-1(Cook).

Order 13-18/19 Order of Discontinuance of Public Easement on Lancaster Street – Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.

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Councilor Thiobdeau disclosed that his employer has worked with the contractor for this development and there are no technical conflicts.

Motion was made by Mayor Strimling and seconded by Councilor Ray to amend Order 13 by deleting “vehicle” in the second sentence after the word public, and by adding , after the first ,be it furthered ordered, “The City expressly reserves public pedestrian rights along the public eastment as described above. Motion failed 1-7(Mavodones, Cook, Ali, Costa, Ray, Thibodeau, Batson.)

Motion was made by Councilor Ray and seconded by councilor Costa for passage. 7-1(Strimling).

Order 14-18/19 Order the Approving First Amendment to the 44 Hanover Street Purchase and Sale Agreement – Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.

Motion was made by Councilor Costa and seconded by Councilor Ray for passage as an emergency. Passage 7-1 (Strimling).

Order 15-18/19 Order Approving the Fourth Amendment to the 82 Hanover Street Purchase and Sale Agreement - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.

Motion was made by Councilor Costa and seconded by Councilor Ray for passage as an emergency. Passge 7-1(Strimling).

Order 16-18/19 Order Proposing the Discontinuance of a Public Way along a Portion of Portland Pier - Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.

Motion was made by Councilor Costa and seconded by Councilor Batson for passage. Passage 8-0.

Order 17-18/19 Order Setting a Public Hearing on Proposed Amendment to Portland City Charter, Article IV Elections Re: 42-Day Finance Reports Required for Municipal Candidates– Sponsored by Councilor Belinda Ray.

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

Order 18-18/19 Order Setting a Public Hearing on Proposed Amendment to Portland City Charter, Article IV Elections Re: Immigrant Voting –

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Sponsored by Councilor Pious Ali and Mayor Mayor Ethan Strimling.

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

AMENDMENTS:

5:00 P.M.PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

DINNER BREAK:

Motion was made by Councilor Costa and seconded by Councilor Batson to adjourn. Passage 8-0, at 5:40 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk