

# Munjoy Hill Neighborhood Organization

92 Congress Street  
Portland, Maine 04101  
info@munjoyhill.org  
January 13, 2022



*Proudly serving Portland's Munjoy Hill neighborhood since 1979.*

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**BEST WISHES FOR A  
SAFE AND HEALTHY  
2022 FROM THE  
MUNJOY HILL  
NEIGHBORHOOD  
ORGANIZATION!**



## REMOTE VALENTINE'S DAY PET SHOW? Sound like fun?

Is your pet an important member of your family?

Does it sound like a bit of silly fun to introduce your cat/dog/other critter (remotely) while socializing with Munjoy Hill neighbors via Zoom?

This event is tentatively scheduled for 5:00 on Valentine's Day, Monday, February 14th. A few volunteers are needed to help organize it.

Interested? To volunteer, or to express interest in participating, please email [info@munjoyhill.org](mailto:info@munjoyhill.org). **More information to come next month!**



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## Volunteers Needed: Help Plan MHNO's Annual Earth Day (Friday, April 22nd) Clean Up of Eastern Prom Park



- Won't it feel great to get outside, socialize with your neighbors, and beautify our community? Let's clean up what's left behind when the snow melts. It will be even better if it is warm and sunny, but no promises.
- Volunteers are needed to help plan the April 22nd event.
- Please email [info@munjoyhill.org](mailto:info@munjoyhill.org) to volunteer for the Earth Day committee. Planning meetings will be held remotely. All are welcome!

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## LATEST ON REAL ESTATE TAX REVALUATION

**Applications Now Available for Maine's Property Tax Deferral Program**

According to the City of Portland, in 2021 the Maine Legislature reinstated this property tax deferral program to help seniors and the fully disabled stay in their homes and age in place. For qualified and approved applicants, the State of Maine will pay the property taxes each year. The state will place a lien on the property and all deferred taxes (and accrued interest) are repaid to the state when the property is sold or the applicant passes away. [Find the full qualification requirements here](#). Applications must be filed with the Assessor's Office between January 1 and April 1 each year. Please refer any questions to: Maine Property Services, Property Tax Division, 207-624-5600 or [prop.tax@maine.gov](mailto:prop.tax@maine.gov).

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## **New Analysis Identifies Winners and Losers in Real Estate Tax Revaluation: Owners of Multi-family Residences (and most likely their Tenants) Hit Hard**

A recently released analysis of the impacts of Portland's property tax revaluation, prepared by C Neal MilNeil, came up with striking results. He identified categories of winners and losers in the revaluation, using City tax data for about 95% of the tax parcels.

MilNeil concluded that among the **winners**, whose taxes were significantly reduced as a result of the revaluation, were Central Maine Power and Northern Utilities (both seeing a \$1.1 million cut in their annual tax bills), seasonal properties (most located on Casco Bay Islands, with the median tax bill cut by 15.4%), and residential condominium owners (median tax bill cut of 10.1%).

MilNeil reported: **"Among the biggest losers in the revaluation were multifamily property owners: owners of 2-4 unit apartment buildings are paying about 19% more in taxes in 2021, and owners of larger apartment buildings are paying a whopping 45% more."**

MilNeil asserts "[s]uch a large tax increase on apartment buildings is almost definitely manifesting in higher rents on Portland's tenants." Whether they are already showing up in higher rents is a complex question. Some landlords of units not regulated by rent control may have already raised rents. Others may not yet have raised rents post-tax revaluation due to the timing of leases and 75-day notice requirements. The City says that Landlords regulated by rent control (which are all of the owners of 5+ unit buildings and some of the smaller non-landlord occupied buildings) generally are required to wait until January 1, 2022, at the earliest, to raise rents from their June 1, 2020 levels. In 2022, if they comply with leases and notice requirements, these rent controlled landlords may automatically pass on tax revaluation increases in the form of higher rents. But rent controlled units are subject to a 10% cap on total annual increases. Between the Consumer Price Index adjustment for 2022 (4.3% allowed) and hefty tax increases, a landlord who opts to pass through tax increases may need to phase in rent increases over more than one year to comply with the 10% annual cap. But it is likely that tenants will eventually feel the impact of multifamily property owners being among the biggest losers in the tax revaluation.

MilNeil states that his methodology built on the earlier work of Munjoy Hill computer programmer Bill Mill. Mill's analysis took data from about 95% of the 24,000 records in the City's data base. In comparing and plotting 2020 and 2021 valuations for each of those

properties, Mill produced a map which showed that peninsula neighborhoods, including Munjoy Hill, saw widespread increases in their real estate taxes. The map showed that off-peninsula neighborhoods will generally pay lower taxes as a result of the revaluation.

To read the entire MilNeal piece, "Portland's 2021 Tax Revaluation Gave Corporations a Tax Cut At Residents' Expense. Here's How City Hall Can Fix It", (which includes some of Mill's findings) see: <https://medium.com/@vigorousnorth/portlands-2021-tax-revaluation-gave-corporations-a-tax-cut-at-residents-expense-e944caa1de67> (Note: In providing this link to this assessment, the MHNO is not necessarily endorsing MilNeil's recommended fix.)

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**REMINDER:** According to the City of Portland's Tax Assessor, any property owner who wants to appeal the property assessment resulting from the revaluation must file with Portland's Assessor's Office an abatement application and any supporting documentation that supports the property owner's opinion of market value for the property. **The deadline for filing is Friday, March 11, 2022.** For additional information, see: <https://www.portlandmaine.gov/2444/2021-Revaluation-Project>

## COMMUNITY MEETINGS



### **RECODE II: PLANNERS START TO EVALUATE HOW TO AMEND ZONING AND THE LAND USE ORDINANCE TO IMPLEMENT THE 2017 COMPREHENSIVE PLAN, PORTLAND 2030**

The initiative, called Recode II, to bring Portland's zoning and land use ordinance into compliance with its comprehensive plan, Portland 2030 (adopted in 2017) has reached the stage where public input is now being sought. The Planning Board had a 2 hour workshop on a consultant-prepared assessment entitled [Land Use Code Evaluation](#) on January 11th. For those who want to view the workshop, it is available on the Town Hall Streams section of the City of Portland Agenda Center at <http://www.portlandmaine.gov/129/Agendas-Minutes>. There is also a YouTube video which purports to summarize the consultant's vision of what

types of issues might be addressed as part of ReCode II, available at: <https://www.youtube.com/watch?v=EjVseBv9xmw>.

While everything is subject to change, as of right now there are no major changes proposed for the R-6 zone, the zone that defines what land uses can take place on most of Munjoy Hill as part of this Recode II process. (But note that separately from the Recode II process, the continued existence of the Munjoy Hill Neighborhood Conservation Overlay Zone is scheduled for earlier review by the Planning Board, with a workshop scheduled for January 25, 2022.)

The Recode II Evaluation does observe in relation to possible amendments to the R-6 zone: "there may be opportunities for adjustments to the existing dimensional standards to better address issues around the compatibility of infill development, particularly as it relates to scale and massing." Munjoy Hill residents may want to weigh in on how new developments can be made more compatible with our existing neighborhood, such as through height limits, changes in height bonuses, clarifications of the methodology for measuring height, possible restrictions on consolidation of lots or maximum size limits for width and/or depth of structures, design standards, or similar standards.

There are also complex questions to be addressed about how to amend the Code to promote affordable housing, and achieve other goals of Plan 2030. Comments, questions, or requests for materials in a language other than English may be emailed to [planning@portlandmaine.gov](mailto:planning@portlandmaine.gov) .

This is a complex undertaking. Recode II should be undergoing work at the Planning Board level for quite a while before it moves on to the City Council for its final action.



## City's Charter Commission Continues its Work

The Charter Commission is continuing its work to examine the City's Charter to decide what changes, if any, to recommend. They are scheduled to make a preliminary recommendation to the City Council by **March 8, 2022** and a final report by **June 8, 2022**, but extensions may be granted for up to an additional year if more time is needed.

The final recommended charter revision will go to the voters of Portland for a majority vote to accept or reject, **projected for this November 2022 election**. It is unclear whether there will be a single proposal or whether it will be divided into multiple free-standing parts with each to be voted upon separately. (To be controlling, the election turnout has to equal at least 30% of the votes cast in Portland in the previous gubernatorial election.)

The Commission's subcommittees (Governance, Education, Elections, Procedures, and Departments) are each looking at multiple issues. The Committee's recommendations (and in at least one case a proposal submitted by one Commissioner that has not been vetted by the Committee) will be scheduled for public hearings as they are deemed ready.

The proposals are changing and evolving quickly, with many Committee meetings per week, and it doesn't seem like all of the materials are publicly posted, so it is hard to monitor the process. However, it is important to try to keep abreast of the Charter Commission and its Committees because, subject to the will of those who turn out to vote, they could make fundamental changes in the way Portland is governed.

The anticipated schedule is:

- **January 19th**, 6:00 p.m. meeting of the full Charter Commission, with reports from the Committees on a range of topics, and Charter Commission "clarifying questions" (but not "deliberation") on the **first wave** of Committee proposals. A workshop on "governance models" (two different recommendations on roles and responsibilities of

a mayor, city manager, possible additional staff) is also scheduled during the January 19th meeting.

- **January 26th**, 6:00 p.m. Public hearings and full Charter Commission deliberations and a possible vote on one or all of the **first wave** proposals.

These "**first wave**" proposals are just the ones that the Committees have decided are ready for full Commission review. The order is not an indication of priority or potential significance. There are many more proposals being developed by Committees covering a broad range of topics.

The **first wave** proposals that might be scheduled for a public hearing on January 26th are summarized as follows:

1) Department Committee: proposed new **Civilian Police Review Board**;

- Proposes creation of a new Civilian Police Review Board to receive community complaints and refer them to Internal Affairs and/or Command; and to refer appeals to "an appropriate body" to be created by the City Council;
- Board to review Internal Affairs investigations for compliance with due process and to provide oversight to Internal Affairs;
- Board may engage in certain policy evaluations of the Police Department and recommend policies to the City Council;
- Board is to be composed of 12 members, each to receive a stipend and training, and it is to have professional staff which must include a Community Liaison ("credible messenger"). There is also to be a police liaison "familiar with Standard Operating Procedures";
- Board is to engage with residents to, among others, increase trust in the police department, improve police practices in interactions with the public, discourage police misconduct, and diffuse public hostility;
- City Council and Mayor to add duties and responsibilities to the Board at any time.

2) Education/Procedure Committee: proposed amendments to the Preamble of the City Charter; (not posted as of 1/12/22 so may be held for later agenda)

### 3) Election Committee: proposal for **Clean Elections**;

- Voluntary mechanism for all elected municipal offices;
- Candidates opting to participate and meeting qualifying criteria would receive sufficient public funds to conduct a "competitive campaign";
- Up to City Council to "fully fund" and adopt regulations;
- City Clerk to ensure adequate resources to administer, including paid staff;
- Candidates must agree to participate in at least one city-sponsored debate or voter education event;
- For **all** candidates, including those not accepting public financing, no business entity will be allowed to make campaign contributions to any candidate.
- The Committee has also proposed creation of a 5-member Elections Commission (to be diverse and include representation of historically underrepresented communities) to support the city clerk in elections outreach, education, and community engagement and make election participation and education a priority. (Unclear whether this will be heard with the first wave.)

### 4) Procedures Committee: proposal for amendments to Disclosures/Code of Ethics; (not posted as of 1/12/22 so may be held for later agenda)

5) Governance Committee: two recommendations for the most appropriate **leadership model for Portland's municipal government** are before the Charter Commission, one endorsed by 3 of 4 members of the Governance Committee, and one proposed, without vetting by the Governance Committee, by the 4th Governance Committee member, Nasreen Sheikh-Yousef. These two models are scheduled for a workshop on January 19th; it is unclear whether there will be a public hearing on them on January 26th.

- **Committee recommends** an elected mayor with a prominent role in the development of the city's budget and with the right to form staffed public task forces around any policy endeavor not taken up by a Council committee;
- Committee recommends creation of a new Chief of Staff, to report directly to the Council, to coordinate Council staffing and access to City staff, among other duties;



- Committee recommends additional authority for Councilors to develop new policy proposals not already assigned to a committee; and
- Committee recommends continuing authority of Charter Commission to act as arbitration panel to provide binding interpretation of Charter language after election and before new Charter Commission elected.
- The **proposal submitted by Sheikh-Yousef** is a very detailed 7-page document. In summary it provides for:
  - a strong elected Mayor (no longer a member of the Council), with veto power over all legislation enacted by the Council.
- The Mayor nominates a new "City Administrator" and all Department Heads, all of whom serve under the direction of and at the pleasure of the Mayor.
- The Mayor's salary increases to approximately \$200,000, subject to COLA. The Mayor develops the City budget.
- In addition there is a new elected Public Advocate to address perceived failures of the Mayor or Council. The Public Advocate also nominates the City Clerk and the City Attorney, and its office receives at least 1% of the total revenue of the City. The Public Advocate's salary is approximately \$150,000, subject to COLA.
- The City Council will have its own staff, and will elect a President from among the Councilors to serve as its spokesperson. The City Council may enact all policy legislation, but subject to veto by the Mayor. City Council salaries would increase from \$6,000 to \$17,000 plus health insurance and pension.

Again, while a workshop is scheduled on these two leadership models, it is not clear whether there will be a public hearing on this issue on January 19th or January 26th. Public comments on any of these issues can be sent to [charter@portlandmaine.gov](mailto:charter@portlandmaine.gov).

6) Also appearing on the January 19th agenda is a recommendation from Chair Kebede to the Procedures Committee on draft language for a charter provision governing **communications between city staff and elected officials**. It basically allows the Chief Executive to recommend to the City Council whatever measures the Chief Executive may deem necessary for the efficient management of the City, including rules that govern communications between city staff and elected officials. It is unclear whether this will be scheduled for a public hearing on January 26th.

The current plan seems to be that every two weeks after January 26th, subsequent waves of Committee proposals will be given first

readings (with clarifying questions from Commissioners), followed by subsequently scheduled public hearings, full Commission deliberation, and possible vote on whether to include it as a Charter Commission recommendation. Committees will continue to meet frequently between full Commission meetings.

Full Charter Commission meetings are anticipated to be held on February 9th, February 23rd, March 9th, March 23, April 6th and April 20th at 6:00 pm.

Scheduled meetings, posted agendas and materials, and Zoom links are on the City's Agenda

Center: <https://www.portlandmaine.gov/129/Agendas-Minutes>.

More information may be posted on the City's webpage: <https://www.portlandmaine.gov/2665/Charter-Commission-2020-2022>

For an interesting interview of Charter Commissioner Marpheen Chann, conducted by Harold Pachios, see this January 2022

Cablecast : <https://reflect-pmc-me.cablecast.tv/CablecastPublicSite/show/16422?channel=1>.

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**PRESIDENT'S NOTE:**

*MHNO continues to be a vibrant, community-based organization. We could never have anticipated the great changes this past year and a half has brought. But these have only reinforced our mission. We are here for the people who live on or have businesses on Munjoy Hill. To do this, we need your help. Please join us, stay involved, and encourage your friends and neighbors to do the same. Change is not only good -- it's essential. We embrace new members, and welcome their thoughts, ideas and involvement. Please visit us at [www.munjoyhill.org](http://www.munjoyhill.org).*

*The next monthly business meeting of the 13-members of the Board of Directors of the MHNO will be held on Monday, February 1st at 6:00 p.m. Monthly meetings are held remotely using Zoom. If you are a member of the MHNO and are interested in sitting in on the Board of Director's meeting, please send an email to [info@munjoyhill.org](mailto:info@munjoyhill.org) and request that you be emailed a link to the MHNO Board of Director's meeting.*

Wayne Valzania,  
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President

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