

IN COUNCIL REGULAR MEETING JUNE 17, 2013 VOL. 128 PAGE 107

ROLL CALL: Mayor Brennan called the meeting to order at 7:00 P.M.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Duson to approve the minutes of June 3, 2013. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

- Proc 46 12/13** Proclamation Recognizing City Personnel and Civilian First Responders for the May 5, 2013 Train Accident – Sponsored by Mayor Michael F. Brennan. This proclamation was postponed from the June 3, 2013 meeting.
- Proc 47 12/13** Proclamation Honoring Julie Burns, Department of Health & Human Services, Barron Center, as Employee of the Month for June, 2013 – Sponsored by Michael F. Brennan, Mayor.
- Proc 48 12/13** Proclamation Honoring Senior Lead Officer Daniel Townsend as Police Officer of the month of May, 2013 – Sponsored by Michael F. Brennan, Mayor.
- Proc 49 12/13** Proclamation Honoring Marcia F. Brown as Portland's Poet Laureate - Sponsored by Michael F. Brennan, Mayor.

APPOINTMENTS:

CONSENT ITEMS:

- Order 253-12/13** Order Declaring "Shipyard Old Port Half Marathon & 5K Road Race" as a Festival and Approving Contract and Permits Therefor - Sponsored by Mark H. Rees, City Manager.
- Order 254-12/13** Order Declaring Thursday, July 4, 2013 as July 4th "Stars and Stripes Spectacular –Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Suslovic and seconded by Councilor Anton for passage of the consent items. Passage 9-0.

LICENSES:

**Order 255-12/13 Granting Municipal Officer's Approval of PBNC, LLC
d/b/a Central Provisions at 414 Fore Street. Application for a
Class XI Restaurant/Lounge License – Sponsored by Katherine L.
Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Suslovic
for passage. Passage 9-0.

**Order 256-12/13 Granting Municipal Officer's Approval of Compass Rose
Restaurant LLC d/b/a Compass Rose Restaurant at 339 Fore Street.
Application for a Class XI Restaurant/Lounge License - Sponsored
by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Suslovic
for passage. Passage 9-0.

**Order 257-12/13 Granting Municipal Officer's Approval of RB-WNC Portland
LLC d/b/a Hilton Garden Inn Portland Jetport at 145 Jetport
Boulevard. Application for a Class IA 40+ Rooms License - Sponsored
by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Suslovic
for passage. Passage 9-0.

**Order 258-12/13 Order Granting Municipal Officer's Approval of Little Tap House
LLC d/b/a Little Tap House at 106 High Street. Application to add
Outdoor Dining – Sponsored by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Suslovic
for passage. Passage 9-0.

**Order 259-12/13 Order Granting Municipal Officer's Approval of Oasis Patio Bar,
LLC d/b/a Oasis Patio Bar at 42 Wharf Street. Application for a Class
A Lounge License with Entertainment with Dance and Outdoor Dining
On Private Property – Sponsored by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Suslovic
for passage. Passage 9-0.

Order 260-12/13 Order Granting Municipal Officer's Approval of Winersnight Inc. d/b/a Pepperclub at 78 Middle Street. Application for a Class I FSE License with Entertainment without Dance and Outdoor Dining on Public Property.

Motion was made by Councilor Anton and seconded by Councilor Suslovic for passage. Passage 9-0.

PUBLIC HEARINGS:

COMMUNICATIONS:

Com 13-12/13 Communication Reporting the Results of the Waterfront Central Zone Marine Use Inventory – Sponsored by Mark H. Rees, City Manager.

ORDERS:

Order 261-12/13 Order Setting Public Hearing on Citizens Initiated Amendment to Chapter 17 (Offenses, Miscellaneous Provisions) of the Portland City Code Re: Article VII: Recreational Use of Marijuana by Adults 21 Years of Age or Older - Sponsored by Katherine L. Jones, City Clerk.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 9-0.

Order 262-12/13 Order Accepting the Role as the Board of the Health Care for the Homeless Program – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Suslovic and seconded by Councilor Mavodones for passage. Passage 9-0.

Order 263-12/13 Approving the Plan of Corrections of the Health Care for the Homeless Program – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Suslovic and seconded by Councilor Mavodones for passage. Passage 9-0.

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BUDGET ITEMS:

Budget Orders 214-12/13 through 223-13/13 were postponed to this meeting. These Orders will again be postponed until June 24, 2013.

- Order 214-12/13 Order Authorizing FY 2014 Administrative Fees in Various Departments – Sponsored by Mark H. Rees, City Manager.
- Order 215-12/13 Order Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2014 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Mark H. Rees, City Manager.
- Order 216-12/13 Order Re: Self-Insured Liability Program - Sponsored by Mark H. Rees, City Manager.
- Order 217-12/13 Order Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2014 Health and Human Services Budget - Sponsored by Mark H. Rees, City Manager.
- Order 218-12/13 Order Authorizing City Manager to Accept Scholarship Trust Donations and Enter into Trust Agreements – Sponsored Mark H. Rees, City Manager.
- Order 219-12/13 Order Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored Mark H. Rees, City Manager.
- Order 220-12/13 Order Approving Salary Increase for Non-Union Personnel – Sponsored Mark H. Rees, City Manager.
- Order 221-12/13 Order Designating FY14 Funds for Specific Island Services – Sponsored by Mark H. Rees, City Manager.

BUDGET RELATED ORDINANCE AMENDMENTS:

- Order 222-12/13 Amendment to Portland City Code Section 24-72(c) Re: Sewer User Charges – Sponsored by Mark H. Rees, City Manager.

APPROPRIATION RESOLVE:

- Order 223-12/13 Fiscal Year 2013-2014 Appropriation Resolve - Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Marshall to postpone items 214-223 until June 24, 2013. Passage 8-0 (Councilor Suslovic out).

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UNFINISHED BUSINESS:

Resolve 12-12/13 **Resolution Adopting Capital Improvement Plan (2014-2018)-
Sponsored by the Finance Committee, Councilor John M. Anton,
Chair.**

Motion was made by Councilor Anton and seconded by Councilor Marshall
to postpone Resolve 12 until the June 24, 2-13. Passage 9-0.

Order232-12/13 **Authorizing General Obligation Bonds to Finance a Portion
of the Proposed 2014 Capital Improvement Program in an Amount not
to Exceed \$17,137,000 - Sponsored by the Finance Committee,
Councilor John M. Anton, Chair. This item was given first reading on
May 20, 2013.**

Motion was made by Councilor Anton and seconded by Councilor Marshall
to postpone Order 232 until June 24, 2013. Passage 9-0.

Order 233-12/13 **Order appropriating \$17,137,000 Bond Proceeds for the Proposed
2014 Capital Improvement Program – Sponsored by the Finance
Committee, Councilor John M. Anton, Chair. This item was given first
reading on May 20, 2013.**

Motion was made by Councilor Anton and seconded by Councilor Marshall
to postpone Order 233 until June 24, 2013. Passage 9-0.

Order 250-12/13 **Adopting Development Program for the Portland Downtown
District for Fiscal Year 2013-2014 – Sponsored by Mark H. Rees, City
Manager. This item was given first reading on June 3, 2013.**

Motion was made by Councilor Mavodones and seconded by Councilor
Suslovic for passage. Passage 8-0, (Councilor Anton gone).

Order 251-12/13 **Assessing Maintenance and Implementation Assessments in
the Portland Downtown District for Fiscal Year 2013-2014 –
Sponsored by Mark H. Rees, City Manager. This item was given first
reading on June 3, 2013.**

Motion was made by Councilor Suslovic and seconded by Councilor
Marshall for passage. Passage 8-0.

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Order 252-12/13 Authorizing Master Agreement and Supplemental Services Agreement with Portland's Downtown District – Sponsored by Mark H. Rees, City Manager. This item was given first reading June 3, 2013.

Motion was made by Councilor Marshall and seconded by Councilor Suslovic for passage. Passage 8-0.

AMENDMENTS:

Order 264 12/13 Amendment to Portland City Code Chapter 12: Garbage, Waste and Junk Re: Multi-Family Recycling - Sponsored by The Transportation, Sustainability and Energy Committee, David A. Marshall, Chair, Kevin J. Donoghue, Vice-Chair.

This is its first reading.

Order 265 – 12/13 Amendment to Portland City Code Chapter 14 – Land Use, Article III Zoning RE: Permitted Uses in the IL and ILb Zones – Sponsored by the Planning Board, Carol Morrisette, Chair.

This is its first reading.

Order 266-12/13 Amendment to Portland City Code Chapter 25 Streets, Sidewalks and Other Public Places Article II. Obstructions, Encumbrances and Authorized Events and Article VII. Excavations Section 25-17 (Selling and other prohibited activity) and Section 25-118 (Definitions) – Sponsored by the Public Safety Health and Human Services Committee, Councilor Edward J. Suslovic, Chair.

This is its first reading.

Order 267-12/13 Amendment to Zoning Map From R-6 Residential Zone to B-3 Downtown Business Zone Re: 409 Cumberland Avenue– Sponsored by the Planning Board, Carol Morrisette, Chair.

This is its first reading.

Motion was made by Councilor Coyne and seconded by Councilor Suslovic to adjourn. Passage 6-0, (Councilor Anton, Leeman, Donoghue gone), 8:15 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk