

IN COUNCIL REGULAR MEETING MAY 20, 2013 VOL. 128 PAGE 95

ROLL CALL: Mayor Brennan called the meeting to order at 7:00 P.M. (Councilor Anton arrived during proclamation).

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Coyne and seconded by Councilor Dusen for approval of the May 6, 2013 minutes. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

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| Proc 37-12/13 | Proclamation Honoring Officer Jacob Titcomb as Officer of the Month for April, 2013 – Sponsored by Mayor Michael F. Brennan. |
| Proc 38-12/13 | Proclamation Honoring Sophie Hulbert as the Top-Ranking Senior of Casco Bay High School's Class of 2013 – Sponsored by Mayor Michael F. Brennan. |
| Proc 39-12/13 | Proclamation Honoring Eliza Lambert as the Second-Ranking Senior of Casco Bay High School's Class of 2013 – Sponsored by Mayor Michael F. Brennan. |
| Proc 40-12/13 | Proclamation Honoring Nathan Finberg as Valedictorian of Deering High School's Class of 2013 – Sponsored by Mayor Michael F. Brennan. |
| Proc 41-12/13 | Proclamation Honoring Alyssa Donovan as Salutatorian of Deering High School's Class of 2013 – Sponsored by Mayor Michael F. Brennan. |
| Proc 42-12/13 | Proclamation Honoring Alison Noel Savage as Valedictorian of Portland High School's Class of 2013 – Sponsored by Mayor Michael F. Brennan. |
| Proc 43-12/13 | Proclamation Honoring Charles (Chip) William Weber as Salutatorian of Portland High School's Class of 2013 – Sponsored by Mayor Michael F. Brennan. |

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APPOINTMENTS:

Order 231-12/13 Order Appointing Members to Various Committees – Sponsored by the Nominating Committee, Councilor Cheryl A. Leeman, Chair.

NAME	COMMITTEE	TERM EXPIRES
Kent Avery	Board of Appeals	12/31/16
Chip Gavin	Board of Appeals	12/31/16
Michelle Gregoire	CDBG	09/30/16
Morgan Delattre	Civil Service Commission	06/30/16
Jay Dwyer	Civil Service Commission	06/30/16
Meri Lowry	Land Bank Commission	06/30/16
Bruce Wood	Historic Preservation	11/30/16
Julia Kirby	Portland Public Arts	06/30/16
Alison Hildreth	Portland Public Arts	06/30/16

Motion was made by Councilor Leeman and seconded by Councilor Marshall for passage. Passage 8-0, (Anton out).

CONSENT ITEMS:

LICENSES:

COMMUNICATIONS:

Com 11-12/13 Communication Receiving “Report of the Task Force to Develop a Strategic Plan to Prevent & End Homelessness in Portland” – Staff Recommendations – Sponsored by Councilor Edward J. Suslovic.

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 201-12/13 Amendment to Zoning Map Re: 91 State Street Rezoning from R-6 Residential Zone to R-7 Compact Urban Residential Zone - Sponsored by the Planning Board, Carol Morrisette, Chair.

Councilor Anton recused himself as he has a direct interest in Order 201.

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Motion was made by Councilor Mavodones and seconded by Councilor Duson to reconsider Order 201. Passage 8-0.

Motion was made by Councilor Mavodones and seconded by Councilor Susolovic for passage as an emergency. Passage 8-0.

BUDGET ITEMS

Budget Orders 214-12/13 through 223-13/13 will be postponed to the Council Meeting on June 17th.

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|------------------------|--|
| 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:

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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 Coyne to postpone the budget items until the June 17, 2013 City Council meeting. Passage 9-0.

Motion was made by Councilor Marshall seconded by Councilor Donoghue to take Resolve 10, 11 & 12 out of order. Passage 8-1 (Leeman)

RESOLUTIONS:

Resolve 10-12/13 Resolution Calling for the Adoption of the Environmental Performance Policy – Sponsored by the Transportation, Sustainability, and Energy Committee, Councilor David A. Marshall, Chair.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 6-3, (Coyne, Mavodones, Leeman).

Resolve 11-12/13 Resolution to Protect the Health, Safety, and Economic Well-Being of of Local Citizens and Portland's Natural Resources from the Potential Impact of Tar Sands Oil – Sponsored by the Transportation, Sustainability, and Energy Committee, Councilor David A. Marshall, Chair.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic to amend Resolve 11 to delete opposition and add concern. Passage 5-4 (Anton, Marshall, Donoghue, Brennan).

Motion was made by Councilor Mavodones and seconded by Councilor Duson to delete City of Portland and add City Council. Passage 9-0.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage as amended. Passage 7-2 (Leeman, Brennan).

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Motion was made by Councilor Anton and seconded by Councilor Donoghue to deliberate past 10:00 P.M. Passage 5-4 (Mavodones, Leeman, Suslovic, Dusan).

Order 227-12/13 Authorizing General Obligation Bonds to Finance a Portion of the Tier III Projects of the City's Combined Sewer Overflow Program in the Amount of \$168,950,000 – Sponsored by Mark H. Rees, City Manager. This item was given first reading on May 6, 2013.

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

Order 228-12/13 Appropriating \$168,950,000 for the City's Tier III Projects of the City's Combined Sewer Overflow Program – Sponsored by Mark H. Rees, City Manager. This item was given first reading on May 6, 2013.

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

Order 229-12/13 Amendment to Portland City Code Chapter 15, (Licenses and Permits), Section 15-12 (Fees and Expiration Dates) Re: Community Kitchens – Sponsored by Katherine L. Jones, City Clerk. This item was given first reading on May 6, 2013.

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

Order 230-12/13 Amendment to Portland City Code Chapter 19 Peddlers and Solicitors – Sponsored by the Public Safety, Health and Human Services Committee, Councilor Edward J. Suslovic, Chair. This item was given first reading on May 6, 2013.

Councilor Marshall recused himself as he has a direct interest in Order 230.

Motion was made by Councilor Suslovic and seconded by Councilor Leeman to amend Order 230 by deleting registration requirement. Passage 5-2, (Coyne, Dusan).

RESOLUTIONS:

Resolve 12-12/13 Resolution Adopting Capital Improvement Plan (2014-2018) –
Motion was made by Councilor Anton and seconded by Councilor Suslovic to postpone Resolve 12 to the June 3, 2013 City Council meeting. Passage 7-0 (Marshall, Donoghue gone).

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ORDERS:

Order 232-12/13 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 is its first reading.

Order 233-12/13 Appropriating \$17,137,000 Bond Proceeds for the Proposed 2014 Capital Improvement Program – Sponsored by the Finance Committee, Councilor John M. Anton, Chair.

This order appropriates the new general obligation bond proceeds for the following described capital projects and all other related expenses summarized by category as follows:

Transportation: ***Sidewalks*** -- Sidewalk Rehabilitation Program; ***Streets*** -- Somerset-Elm to Forest Ave Extension, Congress Street Bus Priority Corridor Implementation, Cutter St. Intersection Realignment, Paving, Portland St. Rehab-Engineering; ***Traffic/Streetlights*** – Regional Transportation Management Systems, Traffic Signals Upgrade, Railroad Quiet Zones; ***PACTS/Match*** – Spring/Temple/Union/Middle Traffic & Streetscape Implementation, PACTS Washington Ave-Presumpscot to Ocean, PACTS Collector Paving (Multiple Locations), PACTS UPWP (Multiple Locations), PACTS Eastern Prom-Atlantic to Washington, PACTS Baxter Blvd & Lambert, PACTS Veranda-Washington to Wordsworth, PACTS Fore St.-Franklin to Center, MaineDOT Quality Community Program (Multiple Projects).

Parks, Fields, Trails: West Commercial Trail, Eastern Cemetery Water Svc, Eastern Cemetery Tomb Repair, Western Prom Retaining Wall, Evergreen Cemetery Wall, Fort Allen Gazebo, Capisic Pond Park, Turf and Track at Fitzpatrick Stadium Replacement.

Facilities: ***Buildings/Garages*** – Barron Center Roof Replacement, Bramhall Roof, Engine 11 Roof (East Deering Station), Spring St. Garage Gates, Great Diamond Island Transfer Station, Pools Filter System (Reiche/Kiwanis) Salt Shed Roof, City Hall Repointing, DPS 55 Portland St. Roof, Ocean Gateway Queing Area Seawall, Golf Course North Clubhouse Improvements, Golf Course Restaurant Improvements, Burbank Branch Library Improvements; ***Marine*** – Cliff Island Wharf Repair, Seawall Repair at Ocean Gateway.

Equipment and Vehicles: Munjoy Hill Fire Station Generator, Parking Meters, Multi-space, School Bus Replacement (3), Ambulance, Ambulance Peaks Island, DPS Dump Truck, DPS Island Services Boat, Dump Truck, Wheel Loader, Mower 10' Districting, 1-1/2 Ton Dump Truck, Police Cruisers (7), Police Patrol Supervisor Vehicle, Sidewalk Tractors (2), Golf Course Mowers (3).

Schools: School Technology Equipment, Emergency Preparedness Facilities Improvements, Casco Bay High Expansion and Admin Offices Relocation

Public Art
Land Bank

Sewer: Mountfort St. Sewer Replacement, O'Brion St. Sewer Replacement, Sewer Re-lining, Rockland Ave Stormwater Outfall, Culvert Replacement Washington Avenue, Vehicle Wash Station, Outer Congress Street Snow Depository Drainage System Repair.

This is its first reading.

AMENDMENTS:

Order 234-12/13 Amendment to Portland City Code Article VII Valet Parking – Sponsored by the Transportation, Sustainability and Energy Committee, Councilor David A. Marshall, Chair.

This is its first reading.

Motion was made by Councilor Suslovic and seconded by Councilor Coyne to adjourn. Passage 7-0 (Marshall, Donoghue gone), 11:30, P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk