

IN COUNCIL REGULAR MEETING MAY 6, 2013 VOL. 128 PAGE 88

ROLL CALL: Mayor Brennan called the meeting to order at 7:00 P.M. (Councilor Leeman absent.)

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Anton and seconded by Councilor Marshall to approve the minutes of the April 22, 2013 Regular City Council Meeting and the April 29, 2013 Special City Council Meeting.
Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 35-12/13 **Proclamation Honoring Officer Jeffery Ruth as Police Officer of the Month for March, 2013 – Sponsored by Mayor Michael F. Brennan.**

Proc 36-12/13 **Proclamation Proclaiming Public Works Week – Sponsored by Mayor Michael F. Brennan.**

APPOINTMENTS:

Order 209-12/13 **Order Appointing Constables Re: Department of Public Services and Police Department - Sponsored by Mark H. Rees, City Manager.**

This order appoints Park Rangers Russell Groh, Lamia Poe, and Nathan Robbins as Constables for the Department of Public Services and Police Cadets Anthony Oddi, Miranda Bisson, and Benjamin Savage as Constables for the Police Department and shall be effective until midnight on October 31, 2013.

Motion was made by Councilor Donoghue and seconded by Councilor Marshall for passage. Passage 7-0 (Councilor Mavodones out).

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CONSENT ITEMS:

- Order 210-12/13 Declaring 11th Annual Greater Portland Festival of Nations in Deering Oaks Park – Sponsored by Mark H. Rees, City Manager.**
- Order 211-12/13 Order Declaring Fenix Theater Company's "Shakespeare in the Park" at Deering Oaks Park as a Festival – Sponsored by Mark H. Rees, City Manager.**
- Order 212-12/13 Order Declaring Compass Project's 10th Annual "Family Boat Building Festival" July 12 – July 14, 2013 – Sponsored by Mark H. Rees, City Manager.**
- Order 213-12/13 Order Declaring 2013 "Summer Events/Concert Series Festival" – Sponsored by Mark H. Rees, City Manager.**

Motion was made by Councilor Suslovic and seconded by Councilor Donoghue for passage of the consent items. Passage 7-0 (Councilor Mavodones out).

LICENSES:

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. This item was given first reading on April 22, 2013.**

Councilor Anton recused himself as he has a personal conflict with Order 201.

Motion was made by Councilor Suslovic and seconded by Councilor Coyne to pass as an emergency. Passage 7-0.

Motion was made by Councilor Mavodones and seconded by Councilor Marshall for passage. Passage as amended 7-0.

- Order 202-12/13 Amendment Zoning Map Amendment Re: 159 Canco Road From I-L Low Impact Industrial Zone to ROS Recreational Open Space Zone – Sponsored by the Planning Board, Carol Morrisette, Chair. This item was given first reading on April 22, 2013.**

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Motion was made by Councilor Suslovic and seconded by Councilor Duson to postpone this item to the June 3, 2013 City Council meeting.
Passage 8-0.

BUDGET ITEMS: PUBLIC COMMENT WILL BE TAKE ON MUNICIPAL BUDGET ORDERS

Order 214-12/13 Order Authorizing FY 2014 Administrative Fees in Various Departments – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Duson to postpone this item to the May 20, 2013 City Council meeting. Passage 8-0.

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.

This is its first reading.

Order 216-12/13 Order Re: Self-Insured Liability Program - Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Mavodones to postpone this item to the May 20, 2013 City Council meeting.
Passage 8-0.

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.

This is its first reading.

Order 218-12/13 Order Authorizing City Manager to Accept Scholarship Trust Donations and Enter into Trust Agreements – Sponsored Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Marshall to postpone this item to the May 20, 2013 City Council meeting.
Passage 8-0.

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Order 219-12/13 Order Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Mavodones to postpone this item to the May 20, 2013 City Council meeting. Passage 8-0.

Order 220-12/13 Order Approving Salary Increase for Non-Union Personnel – Sponsored Mark H. Rees, City Manager.

This is its first reading.

Order 221-12/13 Order Designating FY14 Funds for Specific Island Services – Sponsored by Mark H. Rees, City Manager.

This is its first reading.

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.

This is its first reading.

APPROPRIATION RESOLVE:

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

This is its first reading.

SCHOOL BUDGET ITEMS:

Order 203-13/14 Order Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Schools for FY 2014 – Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was given first reading on April 29, 2013.

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Motion was made by Councilor Anton and seconded by Councilor Mavodones for Passage. Passage 7-1 (Councilor Anton).

Order 204-13/14 Order Approving Non-State Funded School Construction Debt Service for Portland Schools for FY 2014 – Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was given first reading on April 29, 2013.

Motion was made by Councilor Anton and seconded by Councilor Mavodones for passage. Passage 7-1 (Councilor Anton).

Order 205-12/13 Order Raising and Appropriating Additional Local Funds for Portland Schools for FY 2014 – Sponsored by the Finance Committee, John M. Anton, Chair. This item was given first reading on April 29, 2013.

Motion was made by Councilor Anton and seconded by Councilor Mavodones to amend Order 205 by replacing \$11,937,282 with \$11,488,654 and also replacing \$10,140,094 with \$9,961,466. Passage 8-0

Motion was made by councilor Anton and seconded by Councilor Duson for passage as amended. Passage 7-1, (Councilor Anton).

Order 206-12/13 Order Approving Total School Operating Budget for Portland Schools for FY 2014 – Sponsored by the Finance Committee, John M. Anton, Chair. This item was given first reading on April 29, 2013.

Motion was made by Councilor Anton and seconded by Councilor Mavodones to amend Order 206 by replacing \$92,793,239 with \$91,199,940. Passage 8-0.

Motion was made by Councilor Anton and seconded by Councilor Mavodones for passage as amended. Passage 7-1, (Councilor Anton).

Order 207-12/13 Order Appropriating and Raising Funds for Adult Education for FY 2014 as Required by the Maine Revised Statutes, Title 20-A M.R.S.A. §8603-A(1) – Sponsored by the Finance Committee, John M. Anton, Chair. This item was given first reading on April 29 2013.

Motion was made by Councilor Anton and seconded by Councilor Duson to amend Order 207 by replacing \$1,554,004 with \$1,537,900 and replacing \$739,004 with \$722,900. Passage 8-0.

Motion was made by Councilor Anton and seconded by Councilor Duson for passage as amended. Passage 7-1 (Councilor Anton).

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Order 208-12/13 Order to Raise Local Funds for Food Service in the Portland Public Schools for FY 2014 – Sponsored by the Finance Committee, John M. Anton, Chair. This item was given first reading on April 29, 2013.

Motion was made by Councilor Anton and seconded by Councilor Duson for passage. Passage 7-1, (Councilor Anton).

COMMUNICATIONS:

RESOLUTIONS:

ORDERS:

Order 224-12/13 Order of Condemnation Pursuant to 23 M.R.S.A. §3022 and 30-A M.R.S.A. §3402 Re: Peaks Island Sewer Extension – Winding Way – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Duson for passage. Passage 8-0.

Order 225-12/13 Order of Condemnation Pursuant to 23 M.R.S.A. §3022 and 30-A M.R.S.A. §3402 Re: Peaks Island Sewer Extension – Diamond Pass - Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Duson for passage. Passage 8-0.

Order 226-12/13 Notice of Public Hearing on Issuance of City of Portland General Obligation Bonds - Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 8-0.

Order 227-12/13 Order 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 is its first reading and public hearing.

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Order 228-12/13 Order 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 is its first reading and public hearing.

AMENDMENTS:

Order 229-12/13 Amendment to Portland City Code Chapter 15, (Licenses and Permits), Section 15-12 (Fees and Expiration Dates) – Sponsored by Katherine L. Jones, City Clerk.

This is its first reading.

Order 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 is its first reading.

Motion was made by Councilor Coyne and seconded by Councilor Suslovic to adjourn. Passage 8-0, 10:00 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk