

ROLL CALL: Mayor Brennan called the meeting to order at 7:10 P.M. (Councilors Duson, Leeman absent).

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Anton and seconded by Councilor Suslovic to approve the Special and Regular minutes of August 6, 2012. Passage 7-0.

ANNOUNCEMENTS:

In observance of Rosh Hashanah the September 17th Council meeting has been rescheduled to Wednesday, September 19th, at 7:00 p.m.

RECOGNITIONS:

PROCLAMATIONS:

Proc 4-12/13 Proclamation Honoring Officer Matthew Pavlis as Police Officer of the Month – Sponsored by Mayor Michael F. Brennan.

APPOINTMENTS:

Order 42-12/13 Appointing Danielle West-Chuhta as Acting Corporation Counsel and Setting Salary – Sponsored by Mayor Michael F. Brennan.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 7-0.

Order 43-12/13 Appointing Member to the Parks Commission Commission – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Coyne and seconded by Councilor Donoghue for passage. Passage 7-0.

Order 44-12/13 Appointing Library Trustee – Sponsored by Mayor Michael F. Brennan.

Motion was made by Councilor Coyne and seconded by Councilor Mavodones for passage. Passage 7-0.

CONSENT ITEMS:

**Order 45-12/13 Setting Effective Date for Proposed Charter Amendment –
Sponsored by Gary C. Wood, Corporation Counsel.**

Order 46-12/13 Granting Easement to Unitol/Northern Utilities, Inc. to Install Natural Gas Services to Portland Businesses in the Old Port - Sponsored by Mark H. Rees, City Manager.

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

LICENSES:

Order 47-12/13 **Granting Municipal Officer's Approval of Senri, Inc., d/b/a Sapporo Restaurant, 230 Commercial St. Application for a Class I Liquor License. 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 7-0.

**Order 48-12/13 Granting Municipal Officer's Approval of Phnom Penh, LLC
d/b/a Sabieng, 21 Forest Avenue. Application for a Class III & IV
Liquor License – Sponsored by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Suslovic and seconded by Councilor Anton for passage. Passage 7-0.

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**Order 49-12/13 Granting Municipal Officer's Approval of Bill's Pizza Inc.,
d/b/a Bill's Pizza, 177 Commercial St. Application for a Class III & IV
Liquor License. Outdoor Dining on Private Property – Sponsored by
Katherine L. Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Coyne
for passage. Passage 7-0.

**Order 50-12/13 Granting Municipal Officer's Approval of Frank Pierobello
d/b/a Morrill's Corner Pub, 1171 Forest Avenue. Application to add
Entertainment without Dance to current Class A Lounge Liquor
License – Sponsored by Katherine L. Jones, City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Coyne
for passage. Passage 7-0.

**Order 51-12/13 Granting Municipal Officer's Approval of The Paint and Sip
Corp d/b/a Muse Paintbar, 275 Commercial St. Application for Class
III & IV Liquor License. – Sponsored by Katherine L. Jones,
City Clerk.**

Motion was made by Councilor Anton and seconded by Councilor Coyne
for passage. Passage 7-0.

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

**Order 28-12/13 Amendment to Portland City Code Chapter 25, Article VIII. Removal
of Snow and Ice – Sponsored by the Public Safety, Health and Human
Services Committee, Councilor Edward J. Suslovic, Chair.
This item is back before the Council pursuant to Council Rule 19 as
the Council voted 4-4 on a motion to pass the item at the August 6th
Council meeting.**

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Motion was made by Councilor Suslovic and seconded by Councilor Donoghue to postpone Order 28 until the September 19, 2012 City Council meeting. Passage 6-0, (Councilor Anton out).

Order 38-12/13 Identifying Public Parks and Grounds Where Smoking is Prohibited – Sponsored by the Public Safety, Health and Human Services Committee – Councilor Edward J. Suslovic, Chair

Order 39-12/13 Amendment to Portland City Code Chapter 17 (Offenses, Miscellaneous Provisions) Article V (Regulation of Tobacco) – Sponsored by the Public Safety, Health and Human Services Committee – Sponsored by Councilor Edward J. Suslovic, Chair. This item was given first reading on August 6, 2012.

Motion was made by Councilor Suslovic and seconded by Councilor Anton to refer Order 38 & 39 back to Public Safety, Health and Human Service. Passage 7-0.

Order 40-12/13 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Re: R-3 Zone – Sponsored by the Planning Board, Carol Morrisette, Chair. This item was given first reading on August 6, 2012.

Motion was made by Councilor Suslovic and seconded by Councilor Mavodones for passage. Passage 7-0.

Order 41-12/13 Amendment to Portland City Code Chapter 14. Land Use Article III. Division 10. B-2 and B-2b Community Business Zones – Sponsored by the Planning Board, Carol Morrisette, Chair. This item was given first reading on August 6, 2012.

Motion was made by Councilor Mavodones and seconded by Councilor Anton for passage. Passage 7-0.

ORDERS:

Order 52-12/13 Approving Lease with Seaside Healthcare, LLC Re: Baxter Boulevard Curb Cut – Sponsored by Mark H. Rees, City Manager.

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Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 7-0.

**Order 53-12/13 Approving the Recommendations of the Community
Development Block Grant Priority Task Force of 2012 and Creating
a Working Group to Further Work on the Recommendations -
Sponsored by the Housing and Community Development
Committee, Nicholas M. Mavodones, Jr., Chair.**

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 7-0.

**Order 54-12/13 Approving Collective Bargaining Agreement with CEBA,
AFSCME Local 1373 for July 1, 2012 through June 30, 2013 -
Sponsored by Mark H. Rees, City Manager.**

This is its first reading.

**Order 55-12/13 Approving Collective Bargaining Agreement Re: Professional
and Technical City Employee Association – Sponsored by Mark H.
Mark H. Rees, City Manager.**

This is its first reading.

**Order 56-12/13 Approving City/State Agreement with the Maine Department
of Transportation for Proposed Improvements to St. John Street –
Sponsored by Mark H. Rees, City Manager.**

This is its first reading.

**Order 57-12/13 Approving City/State Agreement with the Maine Department
of Transportation for Proposed Improvements to Park Avenue –
Sponsored by Mark H. Rees, City Manager.**

This is its first reading.

**Order 58-12/13 Approving Purchase and Sale Agreement with J&D Investments,
LLC – Sponsored by Mark H. Rees, City Manager.**
This is its first reading.

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AMENDMENTS:

**Order 59-12/13 Amendment to Portland City Code Chapter 14. Land Use Article III.
Zoning Re: Farm Stands - Sponsored by the Planning Board, Carol
Morrisette, Chair.**

This is its first reading.

**Order 60-12/13 Amendment to Portland City Code Chapter 14. Land Use Article III.
Zoning Re: Jurisdiction of Board of Appeals – Sponsored by Gary C.
Wood, Corporation Counsel.**

This is its first reading.

Motion was made by Councilor Mavodones and seconded by Councilor
Coyne to adjourn. Passage 7-0, 8:40 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk