

IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 127 PAGE 222

ROLL CALL: Mayor Brennan called the meeting to order at 7:10 P.M. (Councilor Duson, Anton, Donoghue, Marshall absent.) (Councilor Donoghue, Marshall, Anton arrived during the Proclamation, Councilor Duson arrived during Order 190).

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic to approve the minutes of May 7, 2012. Passage 5-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 38-11/12 Proclamation Honoring Shelly Jackson, Health and Human Services Department, Barron Center, as Employee of the Month for May, 2012 – Sponsored by Mayor Michael F. Brennan.

Proc 39-11/12 Proclamation Honoring Officer Michael Galietta as Police Officer of the Month for April, 2012 – Sponsored by Mayor Michael F. Brennan.

Proc 40-11/12 Proclamation Honoring Arbor Week – Sponsored by Mayor Michael F. Brennan.

APPOINTMENTS:

Order 189-11/12 Order Appointing Constables Re: Department of Public Services and Police Department - Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Anton and seconded by Councilor Suslovic to amend Order 189 by adding Jeffrey Morse, Police Cadet and deleting Robert Ficket. Passage 8-0.

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

Order 190-11/12 Order Appointing Jeffrey Levine as Director of Planning and Urban Development – Sponsored by Mark H. Rees, City Manager.

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

CONSENT ITEMS:

Order 191-11/12 Declaring “Lobster Fest 2012” as a Festival and Approving Contract and Permits Therefor – Sponsored by Mark H. Rees, City Manager.

Order 192-11/12 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 193-11/12 Declaring 10th Annual Greater Portland Festival of Nations in Deering Oaks Park – Sponsored by Mark H. Rees, City Manager.

Order 194-11/12 Order Declaring “PICNIC Music & Arts Festival” in Lincoln Park – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage of the Consent Items. Passage 8-0, (Councilor Suslovic out.)

LICENSES:

Order 195-11/12 Order Granting Municipal Officer’s Approval of Federal Spice Bistro d/b/a Federal Spice, 225 Federal St. Application for Entertainment with Dance and After Hours Entertainment – Sponsored by Katherine L. Jones, City Clerk.

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

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 15-11/12 Resolution Declaring the Week of May 21st, 2012 “Substance Use Prevention Week” in the City of Portland, Maine – Sponsored by Mayor Michael F. Brennan.

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

UNFINISHED BUSINESS:

Order 91-11/12 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Division 22. Signs – Sponsored by Councilor Edward J. Suslovic and the Planning Board, Carol Morrisette, Chair.

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

PUBLIC COMMENT WILL BE TAKEN ON ALL BUDGET ORDERS (ORDERS 176-11/12 -187-11/12)

Order 176-11/12 Authorizing FY 2013 Administrative Fees in Various Departments – Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was postponed on May 7th, 2012

Motion was made by Councilor Marshall and seconded by Councilor Suslovic to amend Order 176 to reduce the increase in hourly parking from 1.75 to 1.50 and maximum daily from 21.00 to 15.00. Motion failed 4-5 (Dusen, Mavodones, Coyne, Anton, Leeman.)

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

Order 177-11/12 Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2013 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Mark H. Rees, City Manager. This item was given first reading on May7, 2012.

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

Order 178-11/12 Re: Self-Insured Liability Program - Sponsored by Mark H. Rees, City Manager. This item was postponed on May 7, 2012.

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

IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 127 PAGE 225

Order 179-11/12 Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2013 Health and Human Services Budget - Sponsored by Mark H. Rees, City Manager. This item was given first reading on May 7, 2012.

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

Order 180-11/12 Authorizing City Manager to Accept Scholarship Trust Donations and Enter into Trust Agreements – Sponsored by Mark H. Rees, City Manager. This item was postponed on May 7, 2012.

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

Order 181-11/12 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was postponed on May 7, 2012.

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

Order 182-11/12 Amending 2002 Waterfront Tax Increment Financing Plan and Appropriating Funds – Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was given first reading on May 7, 2012.

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

Order 183-11/12 Amending 2003 Bayside Tax Increment Financing Plan and Appropriating Funds – Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was given first reading on May 7, 2012.

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

IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 127 PAGE 226

Order 184-11/12 Amending Creative Portland Development and Arts Tax Increment Financing District and Amending the Development Program for the District – Sponsored by the Housing and Community Development Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on May 7, 2012.

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

Order 185-11/12 Designating FY13 Funds for Specific Island Services – Sponsored by the Finance Committee, Councilor John M. Anton, Chair . This item was given first reading on May 7, 2012.

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

Order 186-11/12 Amendment to Portland City Code Chapter 25 §119 (Streets, Sidewalks and Other Public Places) Re: Excavator's License Fee - Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was given first reading on May 7, 2012.

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

Order 187-11/12 Fiscal Year 2012-2013 Appropriation Resolve - Sponsored by the Finance Committee, Councilor John M. Anton, Chair. This item was given first reading on May 7, 2012.

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

ORDERS:

Order 196-11/12 Approving Modification to Agreement with Maine Department of Transportation Re: Safe Routes to School – Sponsored by Mark H. Rees, City Manager.

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

Order 197-11/12 Accepting Gift of Art for Portland International Jetport – Sponsored by Portland Public Art Committee, Alice Spencer, Chair, and Councilor David A. Marshall, Council Appointee to Public Art Committee.

IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 127 PAGE 227

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

**Order 198-11/12 Approving a Substantial Amendment to the Consolidated Housing and Community Development 2011-2012 Annual Action Plan Re: The Emergency Solutions Grant Program and Accepting Funds in the Amount of \$53,007 to Implement the Amended Plan – Sponsored by Mark H. Rees, City Manager.
This is a first reading.**

**Order 199-11/12 Amending Resolution 13-11/12 to Appropriate Community Development Block Grant Program Income - Sponsored by Mark H. Rees, City Manager.
This is a first reading.**

**Order 200-11/12 Adopting Eastern Cemetery Master Plan and Amending the City's Comprehensive Plan – Sponsored by the Planning Board, Carol Morrisette, Chair.
This is a first reading.**

AMENDMENTS:

**Order 201-11/12 Amendment to Portland City Charter Article II, Section 2 (City Council) Re: Term of At-Large Council Seat – Sponsored by the Legislative Committee, Mayor Michael F. Brennan, Chair.
This is a first reading.**

**Order 202-11/12 Amendment to Portland City Code Chapter 23 Secondhand Goods Article II. Pawnbrokers, Junk Dealers, Secondhand Dealers, and Flea Markets Sections 23-16 thru 23-29 – Sponsored by the Public Safety, Health, and Human Services Committee, Councilor Edward J. Suslovic, Chair.
This is a first reading.**

IN COUNCIL REGULAR MEETING MAY 21, 2012 VOL. 127 PAGE 228

**Order 203-11/12 Amendment to Portland City Code Chapter 15, (Licenses and Permits),
Section 15-6 (Fees) and Section 15-12 (Fees and Expiration Dates) Re:
Flea Markets – Sponsored by the Public Safety, Health and Human
Services Committee, Councilor Edward J. Suslovic, Chair.
This is a first reading.**

Motion was made by Councilor Suslovic and seconded by Councilor Coyne
to adjourn. Passage 9-0, 8:40 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk