

IN COUNCIL REGULAR MEETING APRIL 2, 2012 VOL. 127 PAGE 203

ROLL CALL: Mayor Brennan called the meeting to order at 7:05 P.M. (Councilor Suslovic absent.)

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Marshall and seconded by Councilor Anton to approve the minutes of March 19, 2012. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 29-11/12 Honoring Detective Kelly Gorham as Officer of the Month for February, 2012 – Sponsored by Mayor Michael F. Brennan.

Proc 30-11/12 Commemorating Genocide and Recognizing a National Day of Mourning in Rwanda – Sponsored by Mayor Michael F. Brennan.

APPOINTMENTS:

Order 146-11/12 Appointing Stephen Smith as Acting Fire Chief – Sponsored by Mark H. Rees, City Manager.

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

Order 147-11/12 Appointing Independent Auditor – Sponsored by the Finance Committee, Councilor John M. Anton, Chair.

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

CONSENT ITEMS:

Order 148-11/12 Declaring Memorial Day Parade and Festival – Sponsored by Mark H. Rees, City Manager.

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Order 149-11/12 Order Declaring Portland Sea Dogs Mother's Day Race – Sponsored by Mark H. Rees, City Manager.

Order 150-11/12 Declaring Portland Sea Dogs Father's Day Race – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Marshall and seconded by Councilor Leeman for passage of the consent items. Passage 7-0. (Councilor Anton out).

Staff requests that Council take up Order 151 separately to offer an amendment.

Order 151-11/12 Declaring State Theatre Presents "Gentlemen of the Road" Concert Tour Festival Day – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Donoghue and seconded by Councilor Duson to amend Order 151 by adding "an authorization to the City Manager to which he would execute and negotiate a contract with the owners of the State Theater, to protect the public's health, safety, and welfare". Passage 8-0.

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

LICENSES:

Order 152-11/12 Granting Municipal Officer's Approval of Roost House of Juice, LLC d/b/a Roost House of Juice, 11 Free St. Application for Class III Liquor License – Sponsored by Katherine L. Jones, City Clerk.

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

Order 153-11/12 Granting Municipal Officer's Approval of Living Your Dream, Inc. d/b/a Plush West End, 106 High St. Application for Outdoor Dining on City Property - Sponsored by Katherine L. Jones, City Clerk.

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

Mayor Brennan asked to have Order 135 taken out of order.

Order 135-11/12 Calling Special Election and Setting Time for Opening of Polls for Election on May 15, 2012 – Sponsored by Katherine L. Jones, City Clerk. This item was postponed on March 19, 2012.

Motion was made by Councilor Anton and seconded by Councilor Marshall to amend Order 135 to have the May election be held on June 12, 2012. Motion failed 2-5 (Councilor Duson, Councilor Mavodones, Councilor Coyne, Councilor Donoghue, Councilor Leeman).

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

BUDGET ITEMS:

Order 154-11/12 Receiving and Referring City Manager's Fiscal Year 2013 Municipal Budget to the Finance Committee and Setting Date of Public Hearing on FY 2013 Municipal Budget and FY 2013 Appropriation Resolve – Sponsored by Mark H. Rees, City Manager.

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

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 28-11/12 Amendment to Portland City Code Chapter 12 Garbage, Wastes and Junk Article II. Garbage and Solid Waste Removal/Recycling Section 12-17.1 – Sponsored by Mark H. Rees, City Manager. Given first reading on 8/1/2012, postponed on 8/15/2011, 9/7/2011, 2/22/2012, 3/19/2012.

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

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Order 32-11/12 Establishing Bulky Waste Tag Fee – Sponsored by Mark H. Rees, City Manager. This item was given first reading on 8/1/2011, postponed on 8/15/2011, 9/7/2011, 2/22/2012, 3/19/2012.

Motion was made by Councilor Anton and seconded by Councilor Coyne to amend Order 32 to ad large bulky waste tag \$40, Small bulky waste tag no charge.

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

Order 143-11/12 Authorizing a Loan from Finance Authority of Maine in an Amount Not to Exceed \$1,000,000 – Sponsored by Mark H. Rees, City Manager. This item was given first reading on March 19, 2012

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

Order 144-11/12 Appropriating \$1,000,000 of Loan Proceeds – Sponsored by Mark H. Rees, City Manager. This item was given first reading on March 19, 2012.

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

ORDERS:

AMENDMENTS:

LICENSE RENEWALS:

REQUEST FOR EXECUTIVE SESSION:

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to adjourn. Passage 8-0, 9:37 P.M.

A TRUE COPY

Katherine L. Jones, City Clerk