

IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 128 PAGE 5

ROLL CALL:

Mayor Brennan called the meeting to order at 7:10 P.M.

SPECIAL MEETINGS:

Motion was made by Councilor Anton and seconded by Councilor Coyne to recess the Regular meeting of the City Council and convene a Special Meeting of the Corporator of the Creative Portland Corporation –Sponsored by Mayor Michael F. Brennan. Passage 9-0, 7:11 P.M.

Order 12-12/13 Order Appointing Member of the Board of Directors of the Creative Portland Corporation – Sponsored by the Nominating Committee, Councilor Cheryl A. Leeman, Chair.

Jessica Lipton Term expires November 30, 2015

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

Motion was made by Councilor Coyne and seconded by Councilor Marshall to adjourn the Special Meeting of the Corporator of the Creative Portland Corporation Passage 9-0, 7:14 P.M.

Motion was made by Councilor Marshall and seconded by Councilor Leeman to convene a Special Meeting of the Corporator of the Portland Development Corporation – Sponsored by Mayor Michael F. Brennan. Passage 9-0, 7:14 P.M.

Order 13-12/13 Order Appointing Director of the Board Directors of the Portland Development Corporation – Sponsored by the Nominating Committee, Councilor Cheryl A. Leeman, Chair.

Jess Knox Term expires September 30, 2015

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

Motion was made by Councilor Marshall and seconded by Councilor Dusen to adjourn the Special Meeting of the Corporator of the Portland Development Corporation and to reconvene the Regular City Council Meeting. Passage 9-0, 7:15 P.M.

IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 128 PAGE 6

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Coyne to approve the minutes of July 2, 2012 meeting. Passage 9-0.

ANNOUNCEMENTS:

Mayor Brennan announced the two City Council Meetings in August will both be held on August 6, 2012. 5:30 P.M. and 7:00 P.M.

RECOGNITIONS:

PROCLAMATIONS:

Proc 1-12/13 Proclamation Honoring Police Officer Nicholas Goodman as Officer of the Month for June, 2012.

Proc 2-12/13 Proclamation Honoring Christina Carlstrom, Finance Department, as Employee of the Month for July, 2012 – Sponsored by Mayor Michael F. Brennan.

APPOINTMENTS:

CONSENT ITEMS:

Order 14-12/13 Order Declaring 87th Annual St. Peter's Bazaar/Street Festival, August 11th and 12th, and Approving Annual Four-Mile Road Race on August 10th – Sponsored by Mark H. Rees, City Manager.

Order 15-12/13 Order Approving Transfer of Funds Under 15 M.R.S.A. 5824(3) and 5826(6) – Sponsored by Mark H. Rees, City Manager.

Order 16-12/13 Order Approving Transfer of Funds Under 15 M.R.S.A. 5824(3) and 5826(6) – Sponsored by Mark H. Rees, City Manager.

Order 17-12/13 Order Approving Transfer of Funds Under 15 M.R.S.A. 5824(3) and 5826(6) – Sponsored by Mark H. Rees, City Manager.

Motion was made by Councilor Duson and seconded by Councilor Marshall for passage of the consent items. Passage 9-0.

IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 128 PAGE 7

LICENSES:

Order 18-12/13 Order Granting Municipal Officer's Approval of Zen Chinese Bistro, LLC d/b/a Zen Chinese Bistro, 45 Danforth Street. Application for a Class I Liquor License with Outdoor Dining on Public Property – Sponsored by Katherine L. Jones, City Clerk.

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

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 2-12/13 Resolution Adopting Capital Improvement Plan (FY 2012 – FY 2017) - Sponsored by Councilor John M. Anton.

Motion by Councilor Anton and seconded by Councilor Suslovic to postpone this item to August 6, 2012. Passage 9-0.

UNFINISHED BUSINESS:

Prior to the roll call vote on Order 9-12/13, Mayor Brennan recessed the meeting at 9:03 P.M. Mayor Brennan resumed the meeting at 9:07 P.M.

Order 210-11/12 Order Approving Revised Municipal/State Agreement for Bayside Trail - Sponsored by Mark H. Rees, City Manager

This item was given a first reading on June 4, 2012. At the June 18, 2012 meeting this item was postponed.

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

Order 7-12/13 Order Approving the Collective Bargaining Agreement with Local 740, International Association of Firefighters, AFL-CIO – Sponsored by Mark H. Rees, City Manager.

This item was given a first reading on July 2, 2012.

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

IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 128 PAGE 8

Order 8-12/13 Amendment to Portland City Code Chapter 19 Peddlers and Solicitors Article II. Street Vendors Sections 19-16 thru 19-23 – Sponsored by Public Safety, Health & Human Services Committee Edward J. Suslovic, Chair.

This item was given a first reading on July 2, 2012.
Motion was made by Councilor Suslovic and seconded by Councilor Duson for passage. Passage 9-0.

Order 9-12/13 Amendment to Portland City Code Chapter 15, (Licenses and Permits), Section 15-12 (Fees and Expiration Dates) Re: Pushcarts – Sponsored by the Public Safety, Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.

This item was given a first reading on July 2, 2012.
Motion was made by Councilor Suslovic and seconded by Councilor Coyne for passage. Passage 9-0.

Order 10-12/13 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Re: Street Vendors – Sponsored by the Public Safety, Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.

This item was given a first reading on July 2, 2012.
Motion was made by Councilor Suslovic and seconded by Councilor Marshall for passage. Passage 9-0.

Com 1-12/13 Communication Re: Food Truck Regulations – Sponsored by the Public Safety, Health & Human Services Committee, Councilor Edward J. Suslovic, Chair.

Order 11-12/13 Amendment to Portland City Code Chapter 25 Streets, Sidewalks and Other Public Places Article II. Obstructions, Encumbrances and Authorized Events and Article VII. Excavations Section 25-17 (Selling and Other Prohibited Activity) and Section 25-118 (Definitions) – Sponsored by the Public Safety, Health and Human Services Committee, Councilor Edward J. Suslovic, Chair.

This item was given a first reading on July 2, 2012.
Motion was made by Councilor Suslovic and seconded by Councilor Coyne for passage.
Failed 3-6 (Duson, Mavodones, Anton, Donoghue, Marshall, Leeman).

IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 128 PAGE 9

ORDERS:

Order 19-12/13 Order Casting Ballot for the Election of Mark Rees to Maine Municipal Association's Legislative Policy Committee – Sponsored by Michael F. Brennan, Mayor.

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

Order 20-12/13 Order Setting 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 Coyne for passage. Passage 8-0.(Leeman gone)

Order 21-12/13 Order Approving Capital Improvement Program in an Amount not to Exceed \$16,668,000 - Sponsored by Mark H. Rees, City Manager.

First reading.

Order 22-12/13 Order Authorizing General Obligation Bonds to Finance a Portion of the Proposed 2013 Capital Improvement Program in an Amount not to Exceed \$16,668,000 – Sponsored by Mark H. Rees, City Manager.

First reading.

Order 23-12/13 Order Appropriating \$16,668,000 of Bond Proceeds for the Proposed 2013 Capital Improvement Program – Sponsored by Mark H. Rees, City Manager.

First reading.

Order 24-12/13 Order Approving the Collective Bargaining Agreement with AFSCME Local 481-07 Supervisors for July 1, 2012 through June 30, 2013 - Sponsored by Mark H. Rees, City Manager.

First reading.

Order 25-12/13 Order Approving the Creation of the Fore India Middle Street Municipal Development District and Tax Increment Financing District, Approving the Development Program for the District, and Authorizing the Execution of a Credit Enhancement Agreement – Sponsored by the Housing and Community Development Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

First reading.

IN COUNCIL REGULAR MEETING JULY 16, 2012 VOL. 128 PAGE 10

Order 26-12/13 Order Approving the Creation of the Bay House Development District and Tax Increment Financing District, Approving the Development Program for the District, and Authorizing the Execution of a Credit Enhancement Agreement – Sponsored by the Housing and Community Development Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

First reading.

AMENDMENTS:

Order 27-12/13 Amendment to Portland City Code Sec. 14-49 (Zoning Text and Map Amendment) Re: Third Amendment to Conditional Agreement for The Village at Ocean Gate (aka Bayhouse) – Sponsored by the Planning Board Carol Morrisette, Chair.

First reading.

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.

First reading.

LICENSE RENEWALS:

REQUEST FOR EXECUTIVE SESSION:

Motion was made by Councilor Donoghue and seconded by Councilor Suslovic to adjourn. Passage 8-0, 10:30 P.M.

A TRUE COPY

ATTEST _____
Carolyn M. Dorr, Deputy City Clerk