IN COUNCIL REGULAR MEETING MAY 18, 2009 VOL. 125 PAGE 121

ROLL CALL: Mayor Duson called the meeting to order at 7:10 P.M. Councilor Anton arrived after Appointments and Councilor Coyne arrived after Resolutions.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Skolnik and seconded by Councilor Waxman to approve the minutes of the 5/4/09 meeting. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 36-08/09 Honoring Robert K. Mitton, Sr. – Sponsored by Mayor Jill C. Duson. Postponed to 6/1/09.

Proc 37-08/09 Honoring Arbor Week – Sponsored by Mayor Jill C. Duson.

Proc 38-08/09 Declaring Week of May 18, 2009 Abyssinian Week – Sponsored by Mayor Jill C. Duson.

Proc 39-08/09 Declaring Public Works Week – Sponsored by Mayor Jill C. Duson.

APPOINTMENTS:

CONSENT ITEMS:

Order 271-08/09 Approving Transfer of Funds Under 15 M.R.S.A. Secs. 5824(3) and 5826(6) – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 272-08/09 Declaring Compass Project's 6th Annual "Family Boat Building Event" Festival July 12, 2009 – July 14, 2009 – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Marshall and seconded by Councilor Waxman for passage of the Consent Calendar. Passage 8-0.

LICENSES:

Order 273-08/09 Granting Municipal Officer's Approval of Portland Regency, Inc., d/b/a Portland Regency Hotel, at 20 Milk Street. Application to Expand Class I-A Hotel with Liquor License to Include Outdoor Dining – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

ORDERS 255-270 ARE THE CITY BUDGET ORDERS FOR 2010. THE PUBLIC HEARING ON THESE ORDERS WAS HELD ON MAY 4, 2009. ON MAY 12, 2009 THE VOTERS APPROVED THE SCHOOL BUDGET. THE FUNDING FOR THAT BUDGET AND THE CITY BUDGET IS CONTAINED IN THE APPROPRIATION RESOLVE (ORDER 270).

Order 255-08/09 Authorizing FY 2010 Administrative Charges and Changes in Various Departments – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given public hearing and postponed on 5/4/09.

Motion was made by Councilor Anton and seconded by Councilor Marshall for passage.

Motion was made by Councilor Skolnik and seconded by Councilor Mavodones to amend the order by not increasing the fee for accident reports for persons whose property is involved when they go to the Police Department in person to pick up the report; to waive fees for criminal reports for people involved who go to the Police Department to pick up the report; and to raise the fee for copies of 911 recordings from $25 to $30 (not $40).

Motion failed 4-5 (Marshall, Anton, Coyne, Mavodones and Leeman)

Passage 9-0.

* * * * *

Order 256-08/09 Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2010 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 257-08/09 Re: Self-Insured Liability Program - Sponsored by Joseph E. Gray, Jr., City Manager. Given public hearing and postponed on 5/4/09.

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

* * * * *

Order 258-08/09 Order Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2010 Health and Human Services Budget - Sponsored by Joseph E. Gray, Jr. City Manager. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 259-08/09 Authorizing City Manager to Accept Scholarship Trust Donations and Enter into Trust Agreements – Sponsored by Joseph E. Gray, Jr., City Manager. Given public hearing and postponed on 5/4/09.

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

* * * * *

Order 260-08/09 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given public hearing and postponed on 5/4/09.

Motion was made by Councilor Mavodones and seconded by Councilor Coyne for passage.

Motion was made by Councilor Leeman and seconded by Councilor Mavodones to amend the order by asking for a report to come back to the Council of City activity on Civil Actions. Passed 8-1 (Skolnik).

Passage, as amended 9-0.

* * * * *

Order 261-08/09 Amending 2002 Waterfront Tax Increment Financing Plan and Appropriating Funds – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 262-08/09 Amending 2003 Bayside Tax Increment Financing Plan and Appropriating Funds – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 263-08/09 Amending 2008 Creative Portland Development TIF District – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

Motion was made by Councilor Marshall and seconded by Councilor Skolnik for passage.

Motion was made by Councilor Marshall and seconded by Councilor Mavodones to amend the order by changing the percentage from 1 to 57 (or $30,000). Passage 9-0.

Passage, as amended, 9-0.

* * * * *

Motion was made by Councilor Anton and seconded by Councilor Donoghue to reconsider Order 255-08/09.

Motion was made by Councilor Anton and seconded by Councilor Donoghue to amend the order by waiving the fee for criminal reports for people involved who

go to the Police Department to pick up the report. Passed 6-3 (Coyne, Leeman, Mavodones).

Motion was made by Councilor Skolnik and seconded by Councilor Anton to amend the order by raising the fee for copies of 911 recording from $25 to $30 (not $40). Failed 1-8 (Leeman, Marshall, Donoghue, Duson, Mavodones, Waxman, Coyne, Anton).

Passage, as amended 9-0.

BUDGET RELATED ORDINANCE AMENDMENTS:

Order 264-08/09 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 Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 265-08/09 Amendment to Portland City Code Section 24-72 (c) Re: Sewer User Charges– Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 266-08/09 Amendment to Portland City Code Section 28-86 Re: Parking Meter Rates – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

Motion was made by Councilor Skolnik and seconded by Councilor Waxman for passage. Passage 9-0.

* * * * *

Order 267-08/09 Amendment to Portland City Code Chapter 2.5 (Alarms) Re: Fire Alarm Fees – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 268-08/09 Amendment to Portland City Code Section 5 (Animals and Fowl) Re: Impoundment Fees – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

* * * * *

Order 269-08/09 Ratifying Final Fiscal Year 2007-2008 School Expenditures and Revenues - Sponsored by Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

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

APPROPRIATION RESOLVE:

Order 270-08/09 Fiscal Year 2009-2010 Appropriation Resolve - Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading and public hearing on 5/4/09.

Motion was made by Councilor Mavodones and seconded by Councilor Skolnik for passage.

Motion was made by Councilor Mavodones and seconded by Councilor Anton to amend the order by changing the following language and figures: The Resolve will need to be amended to reflect the Finance Committee's recommendation on the budget for FY2010 for general municipal purposes in the amount of $189,018,287 and on the recommended budget for FY2010 for school purposes in the amount of $91,337,043. In addition, the tax levy will need to be amended to reflect the Finance Committee's recommendation of $66,397,351 for municipal purposes and $66,672,223 for school purposes. This results in a combined tax levy of $133,069,574 for FY2010. The tax rate would be $17.74 per $1,000 of valuation, a 0% increase. Passage 9-0.

Passage, as amended, 9-0.

ORDERS:

Order 274-08/09 Approving Rental Car Concession Agreements at Portland International Jetport – Sponsored by Joseph E. Gray, Jr., City Manager.

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

* * * * *

Order 275-08/09 Amending and Reducing the Geographical Boundaries of Creative Portland Development and Arts District and Tax Increment Financing District – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair. First reading.

* * * * *

Order 276-08/09 Approving the Creation of the PowerPay/Portland Public Market 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 Community Development Committee, Councilor Cheryl A. Leeman, Chair. First reading.

AMENDMENTS:

LICENSE RENEWALS:

Motion was made by Councilor Coyne and seconded by Councilor Waxman to adjourn. Passage 8-0 (Skolnik gone), 9:13 P.M.

A TRUE COPY.

ATTEST_____
Alexandra Murphy, Assistant City Clerk