

IN COUNCIL REGULAR MEETING MAY 5, 2008 VOL. 124 PAGE 104

ROLL CALL: Mayor Suslovic called the meeting to order at 7:04 P.M. All Councilors were present.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Cohen and seconded by Councilor Leeman to approve the minutes of the 4/28/08 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

- Proc 34-07/08 Honoring Officer Terrence Fitzgerald as Police Officer of the Month for March, 2008 – Sponsored by Mayor Edward J. Suslovic.
- Proc 35-07/08 Honoring Karl Rybeck as Employee of the Month for April, 2008 – Sponsored by Mayor Edward J. Suslovic.
- Proc 36-07/08 Recognizing 2nd Annual Festival of the Book – Sponsored by Mayor Edward J. Suslovic.
- Proc 37-07/08 Recognizing Youth Empowerment Day May 9th – Sponsored by Mayor Edward J. Suslovic.

APPOINTMENTS:

CONSENT ITEMS:

- Order 227-07/08 Declaring 2008 “Fourth of July” Festival – Sponsored by Joseph E. Gray, City Manager.
- Order 228-07/08 Declaring Compass Project’s 5th Annual “Family Boat Building Event” Festival July 13, 2008 – July 15, 2008 – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 229-07/08 Declaring “Portland Peace” Festival on Eastern Prom Park – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage of the Consent Calendar. Passage 9-0.

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ORDERS:

Order 249-07/08 Approving Lease with Bay Ferries Re: Ocean Gateway Ferries - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair.

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

LICENSES:

PUBLIC HEARINGS:

FY09 BUDGET ITEMS: PUBLIC HEARING

Public Comment Will Be Taken At This Council Meeting On All City Budget Orders, And The Appropriation Resolve. A City Council Workshop To Discuss The City Budget Will Be Held On May 12, 2008, At 5:00 P.M. In The City Council Chambers. Council Action On The City Budget Will Take Place At The City Council Meeting On May 19, 2008 At 7:00 P.M.

Order 230-07/08 Holding Public Hearing on the FY 2008-2009 Municipal Program Budget - Sponsored by the Finance Committee, Councilor James Cohen, Chair.

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

BOND ORDERS:

Order 231-07/08 Setting Public Hearing on Issuance of City of Portland General Obligation Bonds in an Amount not to Exceed \$1,780,000 for Capital Equipment Projects FY2009 - Sponsored by Joseph E. Gray, Jr., City Manager.

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

Order 232-07/08 Authorizing General Obligations Bonds to Finance the Acquisition and Installation of Capital Equipment in an Amount not to Exceed \$1,780,000 - Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Order 233-07/08 Appropriating \$1,780,000 for Various Capital Equipment for the Fiscal Projects for the Fiscal year 2009 – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

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Order 234-07/08 Authorizing FY 2009 Administrative Charges and Changes in Various Departments – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair.

Motion was made by Councilor Skolnik and seconded by Councilor Anton to postpone this item to 5/19/08. Passage 9-0.

Order 235-07/08 Authorizing Non-Union Wage Adjustment – Sponsored by the Appointments/Non-Union Personnel Committee, Councilor John M. Anton, Chair. First reading.

Order 236-07/08 Authorizing City Manager to Enter into Certain Agreements to Implement the FY2009 Human Resources and Certain Fringe Benefits Budgets - Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Order 237-07/08 Re: Self-Insured Liability Program - Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Skolnik and seconded by Councilor Anton to postpone this item to 5/19/08. Passage 9-0.

Order 238-07/08 Authorizing City Manager to Enter into Certain Agreements to Implement the FY 2009 Health and Human Services Budget - Sponsored by Joseph E. Gray, Jr. City Manager. First reading.

Order 239-07/08 Authorizing City Manager to Accept Scholarship Fund Donations and Enter into Trust Agreements – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Skolnik and seconded by Councilor Cohen to postpone this item to 5/19/08. Passage 9-0.

Order 240-07/08 Authorizing Corporation Counsel to Undertake Civil Actions to Collect Delinquent Personal Property Taxes - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair.

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Motion was made by Councilor Skolnik and seconded by Councilor Cohen to postpone this item to 5/19/08. Passage 9-0.

Order 241-07/08 Amending 2002 Waterfront Tax Increment Financing Plan and Appropriating Funds – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Order 242-07/08 Amending 2003 Bayside Tax Increment Financing Plan and Appropriating Funds – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

BUDGET RELATED ORDINANCE AMENDMENTS:

Order 243-07/08 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 James I. Cohen, Chair. First reading.

Order 244-07/08 Amendment to Portland City Code Section 24-72 (c) Re: Sewer User Charges – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 245-07/08 Amendment to Portland City Code Section 10-18 (Fire Prevention Code) Re: Amendment to Permit Fees – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 246-07/08 Amendment to Portland City Code Section 15-12 Re: Business License Fees – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 247-07/08 Ratifying Final Fiscal Year 2006-2007 Expenditures and Revenues - Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

APPROPRIATION RESOLVE:

Order 248-07/08 Fiscal Year 2008-2009 Appropriation Resolve - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

SCHOOL BUDGET ITEMS:

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Order 206-07/08 Authorizing Expenditure of \$37,747,708 for Regular Instruction - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 207-07/08 Authorizing Expenditure of \$13,170,613 for Special Education – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

Motion was made by Councilor Mavodones and seconded by Councilor Cohen for passage. Passage 8-0 (Skolnik out).

Order 208-07/08 Authorizing Expenditure of \$2,931,616 for Career and Technical Education - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

Motion was made by Councilor Mavodones and seconded by Councilor Cohen for passage. Passage 8-0 (Skolnik out).

Order 209-07/08 Authorizing Expenditure of \$1,044,016 for Other Instruction – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

Motion was made by Councilor Mavodones and seconded by Councilor Dusen for passage. Passage 8-0 (Skolnik out).

Order 210-07/08 Authorizing Expenditure of \$5,677,729 for Student and Staff Support - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

Motion was made by Councilor Mavodones and seconded by Councilor Cohen for passage. Passage 8-0 (Skolnik out).

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Order 211-07/08 Authorizing Expenditure of \$3,286,197 for System Administration - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

Motion was made by Councilor Cohen and seconded by Councilor Mavodones for passage. Passage 8-0 (Skolnik out).

Order 212-07/08 Authorizing Expenditure of \$4,387,731 for School Administration – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 213-07/08 Authorizing Expenditure of \$1,642,597 for Transportation and Buses - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 214-07/08 Authorizing Expenditure of \$9,563,208 for Facilities Maintenance - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 215-07/08 Authorizing Expenditure of \$5,360,305 for Debt Service and Other Commitments – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

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Order 216-07/08 Authorizing Expenditure of \$774,436 for All Other Expenditures - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 217-07/08 Approving State/Local EPS Funding Allocation for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 218-07/08 Approving Non-State Funded Debt Service for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 219-07/08 Approving Additional Local Funds for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 220-07/08 Approving Total Budget Summary for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

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Order 221-07/08 Reducing Local Option Funds by Unanticipated State School Subsidy for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

Order 222-07/08 Appropriating and Raising \$1,839,317 for Adult Education as Required by the Maine Revised Statutes, Title 20-A M.R.S.A. §8603-A(1) – Sponsored by the Finance Committee, Councilor James I. Cohen. Given first reading and public hearing on 4/28/08.

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

Order 223-07/08 Appropriating \$2,118,100 from Non-Tax Revenues for Food Service in the Portland Public Schools – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. Given first reading and public hearing on 4/28/08.

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

AMENDMENTS:

Order 250-07/08 Amendment to Portland City Code Chapter 4 Amusements Division 2 (License) Section 4-51 (Required) – Sponsored by Councilor Daniel S. Skolnik. First reading.

Motion was made by Councilor Skolnik and seconded by Councilor Donoghue to refer this item to the Public Safety Committee to come back on 5/19/08. Passage 9-0.

LICENSES:

Order 251-07/08 Amending Order 199-07/08 for Family Fun Entertainment, LLC, d/b/a The Stadium, at 504 Congress Street for After Hours Entertainment for Yarmouth High School Project Graduation on June 9, 2008, extending the event hours to 6:30 A.M. – Sponsored by Linda C. Cohen, City Clerk.

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Motion was made by Councilor Cohen and seconded by Councilor Anton to postpone this item to 5/19/08. Passage 9-0.

LICENSE RENEWALS:

Motion was made by Councilor Cohen and seconded by Councilor Anton to adjourn. Passage 9-0, 9:41 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk