

IN COUNCIL SPECIAL MEETING APRIL 5, 2017 VOL. 133 PAGE 77

ROLL CALL: Mayor Strimling called the meeting to order at 5:00 P.M. (Councilors Duson, Ali, arrived during proclamations; Councilor Thibodeau arrived during Order 185.)

ANNOUNCEMENTS:

RECOGNITIONS:

“Arts in the Chamber”, Pigeon – Street Artist and Speaker

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Ray and seconded by Councilor Costa for approval of the March 27, 2017 Special City Council Minutes. Passage 6-0.

PROCLAMATIONS:

Proc 24-16/17 Proclamation Honoring Officer Christopher Coyne as Police Officer of the Month – Sponsored by Mayor Ethan K. Strimling.

Proc 25-16/17 Proclamation Recognizing Starting Strong Day, April 2017 – Sponsored by Mayor Ethan K. Strimling.

Proc 26-16/17 Proclamation Recognizing Longfellow Park’s 90th Anniversary - Sponsored by Councilor Brian Batson.

APPOINTMENTS:

CONSENT ITEMS:

Order 181-16/17 Order Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Wade Roma– Sponsored by Jon P. Jennings, City Manager.

Order 182-16/17 Order Approving Transfer of Funds Under 15 M.R.S. §§5824(3) and 5826(6) Re: Andrea Comeau – Sponsored by Jon P. Jennings, City Manager.

Motion was made by Councilor Costa and seconded by Councilor Ray for passage of the Consent items. Passage 8-0.

LICENSES:

Order 183-16/17 Order Granting Municipal Officers' Approval of Pizza Pie on the Fly dba Noble BBQ. Application for a Class I License at 1706 Forest Avenue – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 184-16//17 Order Granting Municipal Officer's Approval of Portland Mash Tun LLC dba Portland Mash Tun. Application for Outdoor Dining on Public Property at 29 Wharf Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

Motion was made by Councilor Costa and seconded by Councilor Ray for passage. Passage 8-0.

Order 185-16/17 Order Granting Municipal Officers' Approval of Bujabelle LLP dba Bujabelle. Application for Class XI Restaurant/Lounge, Entertainment with Dance, After Hours Entertainment and Outdoor Dining on Private Property at 249 St. John Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 186-16/17 Order Approving Municipal Officers' Approval of Nguoi Dep LLC dba Cong Tu Bot. Application for a Class I FSE License at 59 Washington Avenue – Sponsored by Michael Russell, Director of Permitting and Inspections.

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

Order 187-16/17 Order Granting Municipal Officers' Approval of Bonfire LLC dba Bonfire Country Bar. Application for Entertainment with Dancing and After Hours Entertainment at 37 Wharf Street – Sponsored by Michael Russell, Director of Permitting and Inspections.

Councilor Thibodeau disclosed that his company may have done work for Bonfire.

Motion was made by Councilor Mavodones and seconded by Councilor Duson for passage. Motion failed 1-8 (Mavodones, Duson, Brenerman, Ali, Costa, Ray, Batson, Strimling).

Motion was made by Councilor Duson and seconded by Councilor Costa to postpone Order 187 indefinitely. Passage 9-0.

BUDGET ITEMS:

Order 188-16/17 Order Receiving and Referring City Manager's Fiscal Year 2018 Municipal Budget to the Finance Committee and Setting Date of Public Hearing on the Fiscal Year 2018 Municipal Budget and Fiscal Year 2018 Appropriation Resolve – Sponsored by Jon P. Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Batson for passage. Passage 9-0.

COMMUNICATIONS:

RESOLUTIONS:

Resolve 5-16/17 Resolution Adopting the FY 2017-2018 Housing and Community Development Annual Action Plan Including Appropriations For Community Development Block Grant Program, Home Program, and Emergency Solutions Grant Program and Certifications Pertaining Thereto – Sponsored by Jon P. Jennings, City Manager. This item was given first reading and public comment on March 27, 2017.

Councilor Ali recused himself from the vote; he was a former Board Member of the YMCA.

Motion was made by Councilor Thibodeau and seconded by Councilor Costa for passage. Passage 8-0 (Councilor Ali recused)
IN COUNCIL SPECIAL MEETING APRIL 5, 2017 VOL. 133 PAGE 80

6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

UNFINISHED BUSINESS:

Order 153-16/17 Order Authorizing General Obligation Bonds to Finance a Portion of the City's FY18 Capital Improvement Program in an Amount not to Exceed \$24,340,500 – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on March 6th. This item was given first public comment on March 27, 2017.

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

Motion was made by Mayor Strimling and seconded by Councilor Mavodones to amend Order 153 by removing Thames Street Extension Excavating and Construction from the CIP and changing the bond amount from \$24, 340,500 to \$22,940,500. Motion failed 1-8 (Duson, Mavodones, Brenerman, Ali, Costa, Ray, Thibodeau, Batson).

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

Order 154-16/17 Order Appropriating Bond Proceeds, TIF Funds and Committed Fund Balance in an Amount not to Exceed \$26,965,460 for the City's FY18 Capital Improvement Program – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on March 6, 2017.

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

Order 155-16/17 Order Approving Longfellow, Lyseth, Presumpscot and Reiche Elementary School Renovation Projects with Total Project Costs not to Exceed \$64,260,000 and Authorizing General Obligation Bonds Therefore – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair. This item was given first reading on March 6, 2017, on March 27 this item was postponed to the April 5, 2017 City Council meeting.

Motion was made by Councilor Batson and seconded by Councilor Ray for passage.

IN COUNCIL SPECIAL MEETING APRIL 5, 2017 VOL. 133 PAGE 81

Motion was made by Mayor Strimling and seconded by Councilor Thibodeau to add the language for a tie breaker. Passage 9-0.

Motion was made by Councilor Duson and seconded by Councilor Ray to postpone Order 155 to April 24, 2017. Passage 9-0.

Order 156-16/17 Order Appropriating \$64,260,000 of Bond Proceeds – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on March 6, 2017; on March 27th this item was postponed to April 5, 2017.

Motion was made by Councilor Duson and seconded by Councilor Ray for passage.

Motion was made by Mayor Strimling and seconded by Councilor Duson to amend Order 156 to add the language “and the satisfaction of any necessary conditions”. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Batson to postpone Order 156 to April 24, 2017. Passage 9-0.

Order 157-16/17 Order Submitting Elementary School Renovation Projects Bond Order to Referendum – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on March 6, 2017. Public hearing on March 20, 2017, on March 27th this item was postponed to April 5, 2017.

Motion was made by Councilor Costa and seconded by Councilor Ray for passage.

Motion was made by Mayor Strimling and seconded by Councilor Duson to add the date of a second public hearing and change the date of the School Bond Election to November 7, 2017. Passage 9-0.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau to postpone Order 157 to April 24, 2017. Passage 9-0.

Order 174-16/17 Order Approving Traffic Schedule Amendment Re: Cove Street to Two-Hour and No Parking - Sponsored by Jon P. Jennings, City Manager. This item was given first reading on March 20, 2017.

Motion was made by Councilor Ray and seconded by Councilor Batson for passage. Passage 9-0.

IN COUNCIL SPECIAL MEETING APRIL 5, 2017 VOL. 133 PAGE 82

Order 175-16/17 Order Approving Riverside Street Utility Receivable Agreement between the City of Portland and Maine Department of Transportation – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on March 20, 2017.

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

Order 178-16/17 Order Approving Agreement between Portland and the Maine Department of Transportation Re: Washington Avenue between Congress Street and Cumberland Avenue – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on March 20, 2107.

Motion was made by Councilor Brenerman and seconded by Councilor Ray for passage. Passage 9-0.

Order 180-16/17 Order Approving Airport Improvement Program Grants - Sponsored by Jon P. Jennings, City Manager. This item was given first reading on March 27, 2017.

Motion was made by Councilor Baton and seconded by Councilor Thibodeau for passage. Passage 8-0 (Councilor Ray out).

ORDERS:

Order 189-16/17 Order Setting Time for Opening of Polls on May 9, 2017 Re: School Budget Referendum – Sponsored by Katherine L. Jones, City Clerk.

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

Motion was made by Councilor Mavodones and seconded by Councilor Ray to amend Order 189 by changing the date of the election to June 13, 2017. Passage 8-1(Costa).

Motion was made by Councilor Mavodones and seconded by Councilor Costa for passage as amended. Passage 9-0.

IN COUNCIL SPECIAL MEETING APRIL 5, 2017 VOL. 133 PAGE 83

Order 190-16/17 Order Approving and Authorizing the Fifth Amended Land Exchange Agreement between J.B. Brown & Sons and the City of Portland Upon the Signing of the Related Letter Agreement Re: Canco Road Site for Department of Public Works and Cotton Street Parking Lot – Sponsored by the Economic Development Committee, Councilor David Brenerman, Chair.

Councilor Thibodeau recused himself; his employer represents J.B. Brown & Sons.

Motion was made by Councilor Brenerman and seconded by Councilor Ray for passage. Passage 8-0 (Councilor Thibodeau recused)

Order 191-16/17 Order Accepting and Adopting the 2017 Housing Trust Fund Annual Plan - Sponsored by the Housing Committee, Councilor Jill C. Duseon, Chair.

Motion was made by Councilor Batson and seconded by Councilor Duseon for passage. Passage 9-0.

Order 192-16/17 Order Approving Collective Bargaining Agreement with Communications Employee Association – Sponsored by Jon P. Jennings, City Manager.

This is its first reading.

Order 193-16/17 Order Approving Lyseth Elementary School Renovation Project and Other Miscellaneous Improvements at Reiche, Ocean Avenue, Peaks Island and Riverton Elementary Schools, Lyman Moore and King Middle Schools, and Deering High School with Total Project Costs not to Exceed \$24,000,000 and Authorizing General Obligation Bonds Therefore Subject to the Conditions in This Order – Sponsored by Councilor Belinda Ray.

This is its first reading.

Order 194-16/17 Order Appropriating \$24,000,000 of Bond Proceeds – Sponsored by Councilor Belinda Ray.

IN COUNCIL SPECIAL MEETING APRIL 5, 2017 VOL. 133 PAGE 84

This is its first reading.

**Order 195-16/17 Order Submitting Elementary School Renovation Projects Bond
Order to Referendum – Sponsored by Councilor Belinda Ray.**

This is its first reading.

**Order 196-16/17 Order Approving Lyseth and Presumpscot Elementary School
Renovation Projects with Total Project Costs not to Exceed
\$31,626,000 and Authorizing General Obligation Bonds Therefore
Subject to the Conditions Contained in this Order – Sponsored by
Councilors Nicholas M. Mavodones, Jr. and Jill C. Duson.**

This is its first reading.

**Order 197-16/17 Order Appropriating \$31,616,000 of Bond Proceeds – Sponsored
by Councilors Nicholas M. Mavodones, Jr. and Jill C. Duson.**

This is its first reading.

**Order 198-16/17 Order Submitting Elementary School Renovation Projects Bond
Order to Referendum – Sponsored by Nicholas M. Mavodones, Jr.
And Jill C. Duson.**

This is its first reading.

Motion was made by Councilor Duson and seconded by Councilor Costa to
adjourn. Passage 8-1 (Councilor Thibodeau) 10:20 P.M..

A TRUE COPY.

Katherine L. Jones, City Clerk