

IN COUNCIL SPECIAL MEETING APRIL 28, 2014 VOL. 129 PAGE 92

ROLL CALL: Mayor Brennan called the meeting to order at 7:10 P.M. (Councilors Coyne, Duson arrived during the Recognition.

ANNOUNCEMENTS:

RECOGNITIONS:

State Representative Richard Campbell Will Present a Legislative Special Sentiment to Lieutenant Janine Roberts.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Mavodones for passage of the April 7, 2014 Special City Council Meeting, April 7, 2014 Regular City Council Meeting and the April 14, 2014 Special City Council Meeting. Passage 9-0.

PROCLAMATIONS:

- Proc 28-13/14 Proclamation Honoring Richard (“Dick”) Aronson, Owner of Century Tire on Marginal Way – Sponsored by Mayor Michael F. Brennan.**
- Proc 29-13/14 Proclamation Honoring Vernon Cox, Aviation & Transportation Department, as Employee of the Month for April, 2014 – Sponsored by Mayor Michael F. Brennan, Mayor.**
- Proc 30-13/14 Proclamation Honoring Detective Lisa Sweatt as Officer of the Month for April, 2014 – Sponsored by Mayor Michael F. Brennan, Mayor.**

APPOINTMENTS:

CONSENT ITEMS:

- Order 205-13/14 Order Declaring “Portland Reggae Fest” as a Festival – Sponsored by Mark H. Rees, City Manager.**
- Order 205A-13/14 Order Granting Amended License to Redfern LWS LLC Allowing Foundation Footings in Public Right-of-Way - Sponsored by Mark H. Rees, City Manager.**

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

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LICENSES:

Order 206-13/14 (Tab 6) Order Granting Municipal Officers' Approval of Tao Restaurant LLC d/b/a BaoBao Dumpling House at 133 Spring St. Application for a Class I FSE License – Sponsored by Katherine L. Jones, City Clerk.

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

Order 207-13/14 Order Granting Municipal Officers' Approval of Lazzari, LLC d/b/a Lazzari at 618 Congress St. Application for a Class XI Restaurant/Lounge License – Sponsored by Katherine L. Jones, City Clerk.

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

Order 208-13/14 Order Granting Municipal Officers' Approval of Nova Star Cruises d/b/a Nova Star. Application for a Class I Vessel License – Sponsored by Katherine L. Jones, City Clerk.

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

Order 209-13/14 Order Granting Municipal Officers' Approval of Sol Food Group, LLC d/b/a El Rayo Taqueria at 101 York St. Application to expand existing alcohol service area for event on May 3 & 4, 2014 –Sponsored by Katherine L. Jones, City Manager.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to pass as an emergency. Passage 9-0.

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

Order 210-13/14 (Tab 10) Order Granting Municipal Officer's Approval of Portland Hunt & Alpine Club, LLC d/b/a Portland Hunt & Alpine Club at 75 Market St. Application to Add Outdoor Dining on Public Property – Sponsored by Katherine L. Jones, City Clerk.

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

FY 15 BUDGET ITEMS: PUBLIC HEARING:

PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL SCHOOL BUDGET ORDERS. COUNCIL ACTION ON THE SCHOOL BUDGET WILL TAKE PLACE ON MAY 5, 2014, AT 7:00 P.M. THE PUBLIC REFERENDUM ON THE SCHOOL BUDGET WILL BE HELD ON TUESDAY, MAY 13, 2014.

Order 211-13/14 Order Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is its first reading.

Order 212-13/14 Order Approving Non-State Funded School Construction Debt Service for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is its first reading.

Order 213-13/14 Order Raising and Appropriating Additional Local Funds for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

This is its first reading.

Order 214-13/14 Order Approving Total School Operating Budget for Portland Schools for FY 2015 – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

This is its first reading.

Order 215-13/14 Order Appropriating and Raising Funds for Adult Education for FY 2015 as Required by the Maine Revised Statutes, Title 20-A M.R.S.A. §8603-A(1) – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

This is its first reading.

Order 216-13/14 Order to Raise Local Funds for Food Service in the Portland Public Schools for FY 2015 – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair.

This is its first reading.

COMMUNICATIONS:

Com 11-13/14 Communication Re: Appointment of Project Advisory Committee (PAC) for the State and High Street Two-Conversion Study - Sponsored by Mayor Michael F. Brennan.

As a Communication this item requires no public comment or formal Council action.

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 200-13/14 Order Authorizing Maine DOT Two-Party Agreement Modification for Traffic Signal Improvements on Congress Street and Skyway Drive - Sponsored by Mark H. Rees, City Manager. This item was given first reading on April 7, 2014.

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

Order 201-13/14 Amendment to Portland City Code Chapter 20. Police, Article IV. Additional Authority Section 20-36 Re: Statewide Arrest Powers – Sponsored by the Public Safety Health & Human Services Committee, Councilor Edward J. Suslovic, Chair. This item was given first reading on April 7th, 2014.

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

Order 202-13/14 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning, Division 25, - Space and Bulk Regulations and Exceptions, Section 14-433 Re: Allowing Accessory Structures in R-3 and R-5 Zones to be Converted to Dwelling Units without Meeting Setback Requirements – Sponsored by the Planning Board, Stuart O’Brien, Chair. This item was given first reading on April 7, 2014.

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

Order 203-13/14 Amendment to City Code Chapter 18 (Parks, Recreation and Public Buildings and Grounds) Re: Dedication and Protection of City Parks – Sponsored by Mayor and City Councilors. This item was given first reading on April 7, 2014.

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to postpone to June 16, 2014 City Council meeting. Motion failed 2-7 (Duson, Mavodones, Coyne, Hinck, Leeman, Suslovic, Brennan).

Motion was made by Councilor Hinck and seconded by Councilor Suslovic for passage. Passage 7- 2 (Donoghue, Marshall) .

Order 204-13/14 Amendment to City Code Chapter 2 (Administration) Article III-A Re: Land Bank Commission Amendments – Sponsored by Mayor and City Councilors. This item was given first reading on April 7, 2014.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 8-1 (Marshall).

ORDERS:

Order 217-13/14 Order Accepting 2013 Annual Report of the Land Bank Commission – Sponsored by the Land Bank Commission, Councilor Cheryl A. Leeman and Thomas Jewel, Co-Chairs.

Motion was made by Councilor Leeman and seconded by Councilor Duson for passage. Passage 8-0 (Marshall out).

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Order 218-13/14 Order Approving Sangillos Liquor License Denial Written Decision – Sponsored by the Danielle West-Chuhta, Corporation Council.

Motion was made by Councilor Susloivc and seconded by Councilor Donoghue to postpone Order 218 to the May 5, 2014 City Council Meeting. Passage 9-0.

Order 219-13/14 Order Approving Contract with the Animal Refuge League of Westbrook – Sponsored by Mark H. Rees, City Manager.

This is its first reading.

AMENDMENTS:

Order 220-13/14 Amendment to Zoning Map Re: Bramhall, Boothby, Congress, Longfellow, and Monument Squares; Lobsterman Plaza; and Lincoln, Tommy's, Post Office, and Bell Buoy Parks – Sponsored by the Planning Board, Stuart O'Brien, Chair.

This is its first reading.

Order 221-13/14 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning, Division 8.5 R-OS Recreation and Open Space, Sections 14-153, 14-154, 14-157, and 14-158 Re: Revising the Recreation and Open Space Standards - Sponsored by the Planning Board, Stuart O'Brien, Chair.

This is its first reading.

Order 222-13/14 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning, Division 28. Jurisdiction of Board of Appeals, Section 14-474 Re: Conditional Use Permit Standards – Sponsored by the Planning Board, Stuart O'Brien, Chair.

This is its first reading.

Motion was made by Councilor Suslovic and seconded by Councilor Marshall to adjourn. Passage 9-0, 9:35 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk