

IN COUNCIL REGULAR MEETING JUNE 18, 2012 VOL. 127 PAGE 236

ROLL CALL: Mayor Brennan called the meeting to order at 7:05 P.M. (Councilor Duson, Councilor Coyne arrived during Proclamations.)

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Mavodones and seconded by Councilor Anton to approve the minutes of June 4, 2012. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 48-11/12 Proclamation Honoring F. Jean Fraser, Planning & Urban Development Department, as Employee of the Month for June, 2012 – Sponsored by Mayor Michael F. Brennan.

Proc 49-11/12 Proclamation Honoring Officer Michelle Cole and K-9 Kaine as Officer of the Month, May, 2012 – Sponsored by Mayor Michael F. Brennan.

APPOINTMENTS:

CONSENT ITEMS:

Order 217-11/12 Amending Traffic Schedule – Sponsored by Councilor Kevin J. Donoghue.

Order 218-11/12 Amending Traffic Schedule Re: Congress Street at North Street - Sponsored by Councilors Kevin J. Donoghue and David A. Marshall.

Order 219-11/12 Declaring 2012 “Fourth of July” Festival – Sponsored by Mark H. Rees, City Manager.

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

LICENSES:

**Order 220-11/12 Granting Municipal Officer's Approval of S K Foods, Inc.
d/b/a Kushiya Benkay, 653 Congress Street. Application for a Class I
Liquor License – Sponsored by Katherine L. Jones, City Clerk.**

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

**Order 221-11/12 Granting Municipal Officer's Approval of Hot Suppa, LLC
d/b/a Hot Suppa, 703 Congress Street. Application for Outdoor Dining
on Private Property – Sponsored by Katherine L. Jones, City Clerk.**

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

BUDGET ITEMS:

COMMUNICATIONS:

**Com 20-11/12 Communciation Re: Establishment of Mayor's Initiative for Healthy
and Sustainable Food System – Sponsored by Mayor Michael F.
Brennan.**

RESOLUTIONS:

**Resolve 16-11/12 Resolution Calling for Development of an Ordinance and Policy
Documents to Create a Stormwater Management Program Including a
Stormwater Runoff Fee – Sponsored by Councilor Edward J. Suslovic.**

Motion was made by Councilor Suslovic and seconded by Councilor
Dongohue to postpone Resolve 16 to the July 2, 2012 City Council
meeting. Passage 9-0.

UNFINISHED BUSINESS:

**Order 210-11/12 Approving Revised Municipal/State Agreement for Bayside Trail
Sponsored by Mark H. Rees, City Manager. This item was given first
reading on June 4, 2012.**

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to postpone Order 210 to the July 16, 2012 Regular City Council meeting. Passage 9-0.

**Order 211-11/12 Adopting Development Program for the Portland Downtown
District for Fiscal Year 2012-2013– Sponsored by Mark H. Rees, City
Manager. This item was given first reading on June 4, 2012.**

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

**Order 212-11/12 Assessing Maintenance and Implementation Assessments in the
Portland Downtown District for Fiscal year 2012-2013 – Sponsored by
Mark H. Rees, City Manager. This item was given first reading on
June 4, 2012.**

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

**Order 213-11/12 Authorizing Master Agreement and Supplemental Services
Agreement with Portland’s Downtown District – Sponsored by Mark
H. Rees, City Manager. This item was given first reading on June 4,
2012.**

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

**Order 214-11/12 Requesting Amendment to City Code, Sec. 14-49 (Zoning Map
Amendment) RE: Conditional Rezoning for Property in Vicinity of 26-
32 Thomas Street (The Williston West Church Complex) – Sponsored
by Carol Morrisette, Planning Board Chair.**

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to amend Order 214 by inserting #10. “the developer shall replace and or repair the sidewalk and all other public property surrounding the entire Property if said sidewalk or other public property is damaged as a

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result of construction on the Property including, but not limited to, construction of the residential and office uses described in this agreement.”
#11. Under no circumstances shall the Developer be permitted to convert “any residential property in the R-4 zone to an institutional use.”
Passage 7-2, (Duson, Suslovic.)

Motion was made by Councilor Anton and seconded by Councilor Duson to refer this item back to the planning board. Motion failed 3-6 (Duson, Mavodones, Donoghue, Marshall, Suslovic, Brennan).

Motion was made by Councilor Marshall and seconded by Councilor Suslovic for passage as amended. Passage 6-3 (Coyne, Anton, Leeman.)

Order 215-11/12 Amending Chapter 10, Fire Prevention and Protection; Revisions to Articles I, III, V, VII & VIII – Sponsored by Public Safety and Health & Human Services Committee – Councilor Edward J. Suslovic, Chair.

Motion was made by Councilor Suslovic and seconded by Councilor Donoghue to postpone Order 215 to the July 2, 2012 Regular City Council meeting. Passage 9-0.

Order 216-11/12 Amending Chapter 13 (General Assistance) RE: Levels of Assistance – Sponsored by Mayor Michael F. Brennan. This item was given first reading on June 4, 2012.

Motion was made by Councilor Suslovic and seconded by Councilor Duson for passage with an emergency enactor. Passage 9-0.

ORDERS:

Order 222-11/12 Order Approving Project Applications Re: Maine DOT Quality Community Program – Sponsored by the Transportation, Sustainability, and Energy Committee, David A. Marshall, Chair.

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

Order 223-11/12 Instructing the Public Safety, Health and Human Services Committee to Consider an Ordinance or Recommendation Banning the Sale of Non-Recyclable Polystyrene Foam (PSF) Containers – Sponsored by Councilor Edward J. Suslovic.

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

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**Order 224-11/12 Establishing the Nathan Clifford Re-Use Advisory Task Force
- Sponsored by the Housing and Community Development Committee,
Councilor Nicholas M. Mavodones, Jr., Chair.**

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

Motion was made by Councilor Mavodones and seconded by Councilor Coyne to adjourn. Passage 9-0, 11:45 P.M.

A TRUE COPY.

Katherine L. Jones, City Clerk