

IN COUNCIL REGULAR MEETING DEC. 6, 2010 VOL. 127 PAGE 48

ROLL CALL: Mayor Mavodones called the meeting to order at 7:05 P.M. Councilor Coyne was absent.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Leeman and seconded by Councilor Waxman to approve the minutes of the special and regular meetings on 11/15/10. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

Councilor Suslovic introduced visitors from Archangel.

PROCLAMATIONS:

Proc 13-10/11 Proclamation Honoring Detective Joseph Fagone as Officer of the Month for November 2010 – Sponsored by Mayor Nicholas M. Mavodones, Jr. Postponed.

APPOINTMENTS:

CONSENT ITEMS:

Order 90-10/11 Approving Transfer of Funds Under 15 M.R.S.A. Secs. 5824(3) and 5836(6) – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 91-10/11 Approving Transfer of Funds Under 15 M.R.S.A. Secs. 5824(3) and 5836(6) – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 92-10/11 Amending Traffic Schedule Re: Cumberland Avenue – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

Order 93-10/11 Amending Traffic Schedule Re: Walnut Street – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

Order 94-10/11 Accepting Turn-Around at the End of Cobb Avenue as a Public Easement – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 95-10/11 Approving License Agreement with Avesta Oak Street LP Re: 70-82 Oak Street – Sponsored by Joseph E. Gray, Jr., City Manager.

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Councilor Anton noted that he would be recusing himself from participating in the discussion and vote on Order 95.

Motion was made by Councilor Suslovic and seconded by Councilor Waxman to remove vote on Order 95 separately. Passage 8-0.

Motion was made by Councilor Marshall and seconded by Councilor Waxman for passage of Order 95. Passage 7-0 (Anton abstaining).

Motion was made by Councilor Donoghue and seconded by Councilor Duson for passage of the remaining Consent Calendar. Passage 8-0.

LICENSES:

Order 96-10/11 Granting Municipal Officer's Approval of Fifteen Exchange, LLC, d/b/a Fifteen Exchange, 15 Exchange Street. Application for Class I Restaurant License – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 5-10/11 Supporting Modification to the Tier II Combined Sewer Overflow Abatement Implementation Plan - Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Leeman and seconded by Councilor Waxman for passage. Passage 8-0.

UNFINISHED BUSINESS:

Order 77-10/11 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Division 1. Generally - Sponsored by Councilor David A. Marshall. Given first reading and referred to the Planning Board on 11/1/10.

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

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Motion was made by Councilor Anton and seconded by Councilor Donoghue to amend the order by giving it emergency passage. Passage 7-0 (Leeman out).

Passage, as amended, 7-0.

Order 78-10/11 Amendment to Portland City Code Chapter 21. Farmer's Markets Article I. In General – Sponsored by Councilor David A. Marshall. Given first reading on 11/1/10 and postponed on 11/15/10.

Motion was made by Councilor Suslovic and seconded by Councilor Waxman for passage.

Motion was made by Councilor Anton and seconded by Councilor Marshall to amend the order to change the start time to 8:00 A.M. Passage 8-0.

Motion was made by Councilor Marshall and seconded by councilor Duson to amend the order by giving it emergency passage. Passage 8-0.

Passage, as amended, 8-0.

Order 84-10/11 Approving Three-Party Partnership Agreements between the City of Portland, the Maine Department of Transportation and the Portland Area Comprehensive Transportation System - Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 11/15/10.

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

Order 87-10/11 Amendment to Portland City Code Chapter 2, Division 2 (Competitive Process for Contracts) – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. Given first reading on 11/15/10.

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

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ORDERS:

Order 97-10/11 Public Hearing on Issuance of General Obligation Bonds to Finance the City's FY 2010 Capital Improvement Program in an Amount not to Exceed \$9,994,950 – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Order 98-10/11 Adopting FY 2010 Capital Improvement Program in the Amount of \$9,994,950 – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading.

Order 99-10/11 Authorizing General Obligation Bonds to Finance a Portion of the Proposed 2010 Capital Improvement Program in an Amount not to Exceed \$9,994,950 – Sponsored by Councilor Jill C. Duson, Chair. First reading.

Order 100-10/11 Appropriating \$9,994,950 for Capital Improvement Projects for 2010 Capital Improvement Program – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading.

Order 101-10/11 Adopting Policy Statement for the Waterfront Central Zone and Amending the City's Comprehensive Plan – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair.

Motion was made by Councilor Donoghue and seconded by Councilor Waxman to postpone this item to 12/20/10. Passage 8-0.

Order 102-10/11 Establishing Burglar Alarm Permit Fees – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Marshall and seconded by Councilor Suslovic to refer this item to the Public Safety Committee. Passage 8-0.

AMENDMENTS:

Order 103-10/11 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Division 18. Waterfront Central Zone – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair. First reading.

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Order 104-10/11 Amendment to Portland City Code Chapter 2.5. Alarm Systems Article II.
Burglar Alarm Systems Sections 2.5-17 and 2.5-21 – Sponsored by Joseph E.
Gray, Jr., City Manager.

Motion was made by Councilor Suslovic and seconded by Councilor Duson to
refer this item to the Public Safety Committee. Passage 8-0.

Order 105-10/11 Amendment to Portland City Code Chapter 10. Fire Prevention Article VIII.
Signaling Systems for the Protection of Life and Property Section 10-104 –
Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

LICENSE RENEWALS:

Motion was made by Councilor Suslovic and seconded by Councilor Donoghue
to adjourn. Passage 8-0, 8:00 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk