

IN COUNCIL REGULAR MEETING JUNE 7, 2010 VOL. 126 PAGE 110

ROLL CALL: Mayor Mavodones called the meeting to order at 7:00 P.M. All Councilors were present.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Waxman and seconded by Councilor Coyne to approve the minutes of the 5/17/10 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 32-09/10 Honoring Officer Christopher Sibley as Officer of the Month for April, 2010 – Sponsored by Mayor Nicholas M. Mavodones, Jr.

APPOINTMENTS:

Order 245-09/10 Appointing Ward Clerks Pro Tempore – Sponsored by Linda C. Cohen, City Clerk.

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

CONSENT ITEMS:

Order 246-09/10 Traffic Schedule Amendment – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

Order 247-09/10 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 248-09/10 Declaring “Urban Epic Portland Triathlon” as a Festival and Approving Contract and Permits Therefor – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 249-09/10 Declaring “Lobster Fest 2010” as a Festival and Approving Contract and Permits Therefor – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 250-09/10 Declaring 2010 “Fourth of July” Festival – Sponsored by Joseph E. Gray, Jr., City Manager.

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- Order 251-09/10 Declaring “MunjFest 2010” a Munjoy Hill Street Festival July 18, 2010 - Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 252-09/10 Declaring Fenix Theater Company’s “Shakespeare’s Twelfth Night” at Deering Oaks as a Festival – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 253-09/10 Declaring 8th Annual Greater Portland Festival of Nations in Deering Oaks Park – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 254-09/10 Authorizing City Clerk to Approve Liquor Licenses for Incorporated Civic Organizations – Sponsored by Linda C. Cohen, City Clerk.

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

LICENSES:

- Order 255-09/10 Granting Municipal Officer’s Approval of Po’ Boys & Pickles, LLC, d/b/a Po’ Boys & Pickles, 1124 Forest Avenue. Request to add Outdoor Dining – Sponsored by Linda C. Cohen, City Clerk.

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

Councilor Skolnik said he would be recusing from participation in the discussion and action on Order 256-09/10.

- Order 256-09/10 Granting Municipal Officer’s Approval of Roper and Co. LLC, d/b/a VENUE Music Bar and Grille, 865 Forest Avenue. Application for Class XI Restaurant/Lounge and Entertainment with Dance License with Outdoor Dining. Entertainment Inside Only – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Marshall and seconded by Councilor Anton for passage. Passage 8-0 (Skolnik abstaining).

- Order 257-09/10 Granting Municipal Officer’s Approval of Kirara Inc., d/b/a Fuji Restaurant, 31 Exchange Street. Request to add Outdoor Dining – Sponsored by Linda C. Cohen, City Clerk.

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

Order 258-09/10 Granting Municipal Officer's Approval of Paciarino, LLC, d/b/a Paciarino, 470 Fore Street. Application for Class III & IV (Beer & Wine) and Outdoor Dining – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 235-09/10 Amending City's Comprehensive Plan RE: Sustainable Portland - Sponsored by the Energy and Environmental Sustainability Committee, Councilor David A. Marshall, Chair. Postponed on 5/17/10.

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

Order 236-09/10 Accepting and Approving 2009 Annual Report and 2010 Annual Report and 2010 Annual plan of the Landbank Commission – Sponsored by Councilor Cheryl A. Leeman, City Council Representative to the Landbank Commission. Given first reading on 5/17/10.

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

Order 237-09/10 Amending Waterfront Economic Redevelopment Tax Increment Financing District - Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair. Given first reading on 5/17/10.

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Motion was made by Councilor Leeman and seconded by Councilor Dusan for passage.

Motion was made by Councilor Skolnik and seconded by Councilor Anton to amend the order in the second to the last “whereas” on the first page by removing the language after the words “to improve...” replacing it with the language at the top of page 3. Failed 1-7 (Mavodones, Leeman, Dusan, Marshall, Anton, Waxman, Coyne; Donoghue out).

Motion was made by Councilor Leeman and seconded by Councilor Dusan to amend the order by deleting the amendment, shown as the second paragraph, which was made at the CDC meeting. Passage 7-2 (Donoghue, Anton).***

Passage, as amended, 9-0.

Order 238-09/10 Approving Credit Enhancement Agreement with Waterfront Maine, Limited Partnership Re: Cumberland Cold Storage Property Located at 258 Commercial Street – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair. Given first reading on 5/17/10.

Motion was made by Councilor Leeman and seconded by Councilor Waxman for passage. Passage 8-1 (Anton).

ORDERS:

Order 259-09/10 Approving Purchase and Sale Agreement with Donald St. Jean for 636 Riverside Street – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair.

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

Order 260-09/10 Notice of Public Hearing on Proposed Amendment to Previously Adopted Bond Orders – Sponsored by the Finance Committee, Jill C. Dusan, Chair.

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

*** Clerk Note: This amended the program, Section II(B), by deleting the requirement that the ground level or first floor level space and the berthing along bulkhead of this property is restricted to marine-related uses for the term of this TIF Sub-District.

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- Order 261-09/10 Amending and Replacing Order 152-09/10 (Jetport Fluid Capture and Recovery Improvements) – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading.
- Order 262-09/10 Adopting Development Program for the Portland Downtown District for Fiscal Year 2010-2011 – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.
- Order 263-09/10 Assessing Maintenance and Implementation Assessments in the Portland Downtown District for Fiscal Year 2010-2011 – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.
- Order 264-09/10 Authorizing Master Agreement and Supplemental Services Agreement with Portland's Downtown District – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

AMENDMENTS:

- Order 265-09/10 Amendment to Portland City Code Chapter 14 Article XVIII Section – 14-2001 thru 14-2009 - Sponsored by Gary C. Wood, Corporation Counsel. Request to waive second reading.

LICENSE RENEWALS:

Motion was made by Councilor Marshall and seconded by Councilor Duson to adjourn. Passage 9-0, 9:20 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk