

IN COUNCIL SPECIAL MEETING APRIL 27, 2010 VOL. 126 PAGE 86

ROLL CALL: Mayor Mavodones called the meeting to order at 7:35 P.M. All Councilors were present.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Anton and seconded by Councilor Marshall to approve the minutes of the 4/5/10 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PRESENTATIONS:

Presentation by King Middle School Students as Part of a School Project on Civic Engagement Re: Recycling in Public Spaces.

PROCLAMATIONS:

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| Proc 25-09/10 | Honoring Anne Marie Taylor as Employee of the Month for April 2010 – Sponsored by Mayor Nicholas M. Mavodones, Jr. |
| Proc 26-09/10 | Honoring Officer Stacey Gagnon as Officer of the Month for March 2010 – Sponsored by Mayor Nicholas M. Mavodones, Jr. |
| Proc 27-09/10 | Declaring Municipal Clerk's Week May 2 – May 8, 2010 – Sponsored by Mayor Nicholas M. Mavodones, Jr. |
| Proc 28-09/10 | Declaring April 27, 2010 Community Partnerships for Protecting Children Day – Sponsored by Mayor Nicholas M. Mavodones, Jr. |

APPOINTMENTS:

CONSENT ITEMS:

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| Order 180A-09/10 | Accepting Donation of a Big Belly Solar Powered Trash Compactor from the Peaks Environmental Action Team – Sponsored by Joseph E. Gray, Jr., City Manager. |
| Order 181A-09/10 | Declaring 2010 "Old Port Festival Day" – Sponsored by Joseph E. Gray, Jr., City Manager. |

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- Order 182A-09/10 Declaring the 24th Annual Southern Maine Pride Celebration of Diversity Festival and Approving Contract and Permits Therefor – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 183A-09/10 Declaring “The Greek Heritage Festival” June 24, 2010 – June 26, 2010 – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 184A-09/10 Declaring 2010 “Summer Events/Concert Series Festival” – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 185A-09/10 Declaring Compass Project’s 7th Annual “Family Boat Building Event” Festival July 11, 2010 – July 13, 2010 – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 186A-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.

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

LICENSES:

- Order 187A-09/10 Granting Municipal Officer’s Approval of Sol Food Group, LLC, d/b/a El Rayo Taqueria, 101 York Street. Application for Outdoor Entertainment without Dance License – Sponsored by Linda C. Cohen, City Clerk.

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

- Order 188A-09/10 Granting Municipal Officer’s Approval of SOJU, LLC, d/b/a SOJU, 511 Congress Street. Application for a Class I Restaurant with Liquor License – Sponsored by Linda C. Cohen, City Clerk.

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

- Order 189A-09/10 Granting Municipal Officer’s Approval of MCDC, LLC, d/b/a Havana South, 50 Wharf Street. Application for a Class I Restaurant with Liquor and Entertainment with Dance License. Entertainment, Unamplified and Inside Only. Outdoor Dining (Private Property) Requested – Sponsored by Linda C. Cohen, City Clerk.

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

FY11 SCHOOL BUDGET ITEM: PUBLIC HEARINGS:

Public Comment Will Be Taken At This Council Meeting On All School Budget Orders. Council Action On The School Budget Will Take Place At The City Council Meeting On May 3, 2010 At 7:00 P.M. The Public Referendum On The School Budget Will Be Held On Tuesday, May 11, 2010.

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| Order 190A-09/10 | Approving Contribution to Total Cost of Funding Public Education from Kindergarten to Grade 12 for Portland Schools for FY2011 – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 191-09/10 | Approving Non-State Funded Debt Service for Portland Schools for FY2011 – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 192-09/10 | Authorizing and Appropriating Additional Local Funds for Portland Schools for FY2011 – Sponsored by Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 193-09/10 | Approving Total Budget Summary for Portland Schools for FY2011 – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 194-09/10 | Appropriating Funds from Non-Tax Revenues for Food Service in the Portland Public Schools – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 195-09/10 | Appropriating and Raising Funds for Adult Education as Required by the Maine Revised Statutes, Title 20-A M.R.S.A. §8603-A(1) – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 196-09/10 | Ratifying Final Fiscal Year 2008-2009 Expenditures and Revenues – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |
| Order 197-09/10 | Reducing Local Option Funds by Unanticipated State School Subsidy for Portland Schools for FY2011 – Sponsored by the Finance Committee, Councilor Jill C. Duson, Chair. First reading. |

BUDGET ITEMS:

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COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Com 8-09/10 Re: Harbor Commission Amendments to Rule 17 and Rule 18 – Sponsored by Joseph E. Gray, Jr., City Manager. Postponed on 4/5/10.

ORDERS:

Order 198-09/10 Renaming Franklin Street Arterial to Franklin Street – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

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

Order 199-09/10 Approving CDBG Consolidated Five-Year Plan and Annual Action Plan (First Program Year Action Plan) – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Motion was made by Councilor Skolnik and seconded by Councilor Duson to postpone the public hearing for this item to a special meeting on May 10, 2010 at 7:00 P.M. Passage 9-0.

Order 200-09/10 Authorizing Sale of Portion of City Land known as the Adam School Site to Avesta Housing – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Order 201-09/10 Accepting an Additional National Neighborhood Stabilization Program Grant of \$400,000 and Appropriating \$1,729,136 Million in National Neighborhood Stabilization Program Funds for Affordable Housing Development to Avesta Housing for the Proposed Project on a Portion of City Property Known as the Adam School Site – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

AMENDMENTS:

Councilor Anton stated that he would be recusing himself from participation in the discussion of and action on Order 202-09/10.

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Motion by Councilor Duson and seconded by Councilor Donoghue to waive the second reading. Passage 8-0 (Anton abstaining).

Order 202-09/10 Amendment to City Code §14-49 (Zoning Text and Map Amendment) Re: Conditional Rezoning for Property in the Vicinity of Congress Street and Whitney Avenue – Sponsored by Councilors Daniel S. Skolnik, Jill C. Duson, and David A. Marshall. First reading.

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

LICENSE RENEWALS:

REQUEST FOR EXECUTIVE SESSION:

Motion was made by Councilor Duson and seconded by Councilor Waxman to go into Executive Session, Pursuant to 1 M.R.S.A. §405(6)e, Re: Muslim Community Center at 118 Anderson Street. Passage 7-2 (Donoghue, Anton). 8:29 P.M.

Motion was made by Councilor Marshall and seconded by Councilor Skolnik to come out of Executive Session. Passage 9-0, 8:53 P.M.

Councilor Anton stated that he will be recusing himself from participation in the discussion of the Adams School Property.

Motion was made by Councilor Marshall and seconded by Councilor Waxman to go into Executive Session Pursuant to 1 M.R.S.A. §405(6)c, Re: Proposed Sale of Adams School Property – Sponsored by Gary C. Wood, Corporation Counsel, and Joseph E. Gray, Jr., City Manager. Passage 8-0 (Anton abstaining), 8:55 P.M.

Motion was made by Councilor Coyne and seconded by Councilor Marshall to come out of Executive Session. Passage 8-0 (Anton absent), 9:30 P.M.

Motion was made by Councilor Coyne and seconded by Councilor Marshall to adjourn. Passage 8-0, 9:31 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk