

IN COUNCIL REGULAR MEETING JAN. 4, 2010 VOL. 126 PAGE 55

ROLL CALL: Mayor Mavodones called the meeting to order at 7:10 P.M. Councilor Skolnik arrived after roll call; Councilors Donoghue and Marshall arrived after Approval of the Minutes.

SPECIAL MEETING:

Motion was made by Councilor Coyne and seconded by Councilor Marshall to recess the City Council meeting and convene a Special Meeting of the Corporator of the Portland Fish Exchange – Sponsored by Mayor Nicholas M. Mavodones, Jr. Passage 7-0, 7:10 P.M.

Order 128-09/10 Appointing Directors of the Portland Fish Exchange – Sponsored by Mayor Nicholas M. Mavodones, Jr.

This order appoints the following Portland Fish Exchange Directors for terms expiring October 31, 2010.

Class D	Dory Richards Waxman
Class E	Pat Finnigan

Motion was made by Councilor Anton and seconded by Councilor Coyne for passage. Passage 7-0.

Motion was made by Councilor Anton and seconded by Councilor Waxman to adjourn the Special meeting and reconvene the City Council meeting. Passage 7-0, 7:12 P.M.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Anton and seconded by Councilor Coyne to approve the minutes of the 12/21/09 meeting. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 16-09/10 Honoring the Greater Portland CA\$H Coalition – Sponsored by Mayor Nicholas M. Mavodones, Jr.

APPOINTMENTS:

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CONSENT ITEMS:

Order 129-09/10 Accepting Donation from the Hall School 5th Grade Class for the City's Skatepark – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Donoghue and seconded by Councilor Marshall for passage of Order 129-09/10. Passage 9-0.

Order 130-09/10 Accepting Donation from Maine Community Foundation for the City's Skatepark – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 131-09/10 Accepting Donation from Greater Portland Masters for Aquatic Division - Sponsored by Joseph E. Gray, Jr., City Manager.

Order 132-09/10 Establishing Scholarship Trust in Memory of Theodore Johnson - Sponsored by Joseph E. Gray, Jr., City Manager.

Order 133-09/10 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 Waxman and seconded by Councilor Anton for passage of the Consent Calendar. Passage 9-0.

LICENSES:

Order 134-09/10 Granting Municipal Officer's Approval of J.P. Pizza, LLC, d/b/a Pat's Pizza Old Port, 30 Market Street. Application for Class XI Restaurant/Lounge – Sponsored by Linda C. Cohen, City Clerk.

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

Order 135-09/10 Granting Municipal Officer's Approval of Siano's Old Port Pizzeria, LLC, d/b/a Siano's Old Port Pizzeria, 503 Fore Street. Application for Class I Restaurant With Liquor and Entertainment Without Dance License. Outdoor Dining Requested (City Property). Entertainment Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

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Motion was made by Councilor Anton and seconded by Councilor Donoghue to waive the second reading of Order 139-09/10. Passage 8-1 (Skolnik).

Order 139-09/10 Amendment to Portland City Code (Chapter 9, Elections) Re: Procedures of Peaks Island Council Re: Vacancies – Sponsored by Councilor Kevin J. Donoghue. First reading.

Motion was made by Councilor Anton and seconded by Councilor Marshall for emergency passage.

Motion was made by Councilor Donoghue and seconded by Councilor Anton to amend the order by changing the first “shall” to “may.” Passage 7-2 (Duson, Skolnik).

Passage, as amended, 9-0.

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 9-09/10 Supporting Relocation of USS John F. Kennedy to the City of Portland – Sponsored by Mayor Nicholas M. Mavodones, Jr.

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

UNFINISHED BUSINESS:

Order 118-09/10 Amendments to Portland City Code Chapter 2 Administration Sections 2-49 & 2-76 Re: Police Citizen Review Subcommittee – Sponsored by the Public Safety Committee, Councilor Daniel S. Skolnik, Chair. Given first reading on 12/7/09 and postponed on 12/21/09.

Motion was made by Councilor Marshall and seconded by Councilor Duson for passage. Failed 1-8 (Mavodones, Leeman, Duson, Marshall, Donoghue, Anton, Coyne, Waxman).

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Motion was made by Councilor Anton and seconded by Councilor Duson to waive second reading for Order 124A-09/10. Passage 7-0 (Coyne out; Skolnik gone).

Order 124A-09/10 Approving Purchase and Sale Agreement with Richard & Diane Hayes – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Anton and seconded by Councilor Waxman for emergency passage. Passage 7-0.

Order 124-09/10 Order of Condemnation Pursuant to 30-A M.R.S.A. §3402 RE: CSO Fall Brook III Sewer Easements at Thurlow St., Loring Ave., and Rye Rd. – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 12/21/09.

Motion was made by Councilor Leeman and seconded by Councilor Duson to indefinitely postpone this item. Passage 7-0.

Order 125-09/10 Amendment to Portland City Code Chapter 14 Land Use Section 14-388, Land Use Code – Sponsored by the Planning Board, David Silk, Chair. Given first reading on 12/21/09.

Motion was made by Councilor Leeman and seconded by Councilor Marshall for passage. Passage 7-1 (Duson).

Order 126-09/10 Amendment to Portland City Code Chapter 2. Administration Article IV. Civil Service – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 12/21/09.

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

Order 127-09/10 Amendment to Portland City Code Re: Land Use Code Re: Places of Assembly in Residential Zones – Sponsored by the Planning Board, David Silk, Chair. Given first reading on 12/21/09.

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Motion was made by Councilor Donoghue and seconded by Councilor Marshall for emergency passage. Passage 7-0 (Donoghue out).

ORDERS:

Order 136-09/10 Establishing Integrated Solid Waste Management Task Force – Sponsored by Mayor Nicholas M. Mavodones, Jr.

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

Order 137-09/10 Accepting and Approving 2009 Annual Report and 2010 Annual Plan of the Public Art Program – Sponsored by Councilor David A. Marshall and the Portland Public Art Committee, Jack Soley, Chair. First reading.

AMENDMENTS:

Order 138-09/10 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Re: Waynflete School Overlay Zone – Sponsored by the Planning Board, David Silk, Chair. First reading.

LICENSE RENEWALS:

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to adjourn. Passage 7-0 (Leeman gone), 9:56 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk