

IN COUNCIL REGULAR MEETING SEPT. 21, 2009 VOL. 126 PAGE 23

ROLL CALL: Mayor Duson called the meeting to order at 7:05 P.M. Councilors Skolnik and Waxman were absent.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Donoghue and seconded by Councilor Anton to approve the minutes of the 9/9/09 meeting. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 7-09/10 Honoring Andrew Dziegielewski as Employee of the Month for September, 2009 – Sponsored by Mayor Jill C. Duson.

APPOINTMENTS:

Order 61-09/10 Appointing Wardens and Ward Clerks for the November, 3, 2009 election – Sponsored by Linda C. Cohen, City Clerk.

Warden	Ward Clerk	Precinct
Denise Shames	Aurelia Scott	1-1
Carol Morrisette	Christopher Danse	1-2
James Carlson	Reta Morrill	1-3
David Brackett	Nancy Parker	2-1
Aaron Shapiro	Amy Pulaski	2-2
Katherine Spring	Elaine Spring	3-1
Rebecca Johnson	Dale Kinney	3-2
James Trott	Elizabeth Cyr	4-1
Diane Sbrega	Troy Moon	4-2
Sherwood Merrill	Wealthy Merrill	5-1
Susan Rawcliffe	George Smythe	5-3

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

CONSENT ITEMS:

Order 62-09/10 Accepting Donation from Kiwanis Club Re: Kiwanis Pool – Sponsored by Joseph E. Gray, Jr., City Manager.

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Order 63-09/10 Authorizing Formation of “Long Creek Watershed Management District” as a Non-Capital Stock Non-Profit Corporation – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Anton and seconded by Councilor Marshall for passage of the Consent Calendar. Passage 7-0.

LICENSES:

Order 64-09/10 Granting Municipal Officer’s Approval of LB Old Port, LLC, d/b/a Linda Bean’s Perfect Maine Lobster Roll, 37 Exchange Street. Application for Class I Restaurant License and Outdoor Dining – Sponsored by Linda C. Cohen, City Clerk.

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

Order 65-09/10 Granting Municipal Officer’s Approval of Host International, Inc., d/b/a Shipyard Pub & Café, 1001 Westbrook Street. Application for Class I Restaurant License – Sponsored by Linda C. Cohen, City Clerk.

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

Order 66-09/10 Granting Municipal Officer’s Approval of Walter’s Café, d/b/a Walter’s, Two Portland Square. Application for Class XI Restaurant/Lounge License – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 7-0.

Order 67-09/10 Granting Municipal Officer’s Approval of DiMillo’s Inc., d/b/a DiMillo’s Floating Restaurant, 25 Long Wharf. Application to Expand Class XI Restaurant/Lounge License into the Parking Lot for Special Charity Event, The Seagars by the Sea on September 27, 2009, from 2:00 P.M. to 6:00 P.M. – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 4-09/10 Opposing Question 2 on the November Ballot Seeking to Decrease the Automobile Excise Tax – Sponsored by Councilor John M. Anton.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 6-0 (Leeman out).

Resolve 5-09/10 Opposing Question 4 on the November Ballot Commonly Known as the Taxpayers Bill of Rights II (TABOR II) Which Seeks to Modify Current State Law on Tax and Expenditure Limitations on State and Local Government – Sponsored by Councilor John M. Anton.

Motion was made by Councilor Anton and seconded by Councilor Marshall for passage. Passage 6-0 (Leeman out).

UNFINISHED BUSINESS:

Order 56-09/10 Authorizing General Obligation Bonds in an Amount not to Exceed \$3,500,000 – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr. Chair. Given first reading on 9/9/09.

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

Order 57-09/10 Appropriating \$3,500,000 of General Obligation Bond Proceeds – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading on 9/9/09.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 7-0.

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Order 58-09/10 Authorizing General Obligation Bonds to Finance Equipment Purchases in an Amount not to Exceed \$1,980,000 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair. Given first reading on 9/9/09.

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

Order 59-09/10 Appropriating \$1,980,000 for Various Capital Equipment Projects – Sponsored by the Finance Committee, Nicholas M. Mavodones, Jr., Chair. Given first reading on 9/9/09.

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

Order 60-09/10 Approving the Acceptance and Appropriation of MDOT Safe Routes to School Grant – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 9/9/09.

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

ORDERS:

AMENDMENTS:

Order 68-09/10 Amendment to Portland City Code Chapter 14 Land Use Article III. Zoning Section 14-330.13 – Sponsored by the Public Safety Committee, Councilor Daniel S. Skolnik, Chair. First reading.

Motion was made by Councilor Anton and seconded by Councilor Coyne to refer this item to the Planning Board to be brought back to the City Council on 10/19/09. Passage 5-0 (Mavodones, Donoghue out).

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Order 69-09/10 Amendment to Portland City Code Chapter 14 Land Use Article III. Zoning Section 14-330.13– Sponsored by Councilor David A. Marshall. First reading.

Motion was made by Councilor Anton and seconded by Councilor Marshall to refer this item to the Planning Board to be brought back to the City Council on 10/19/09. Passage 7-0.

Order 70-09/10 Amendment to Portland City Code Chapter 18 Parks, Recreation and Public Buildings and Grounds Article I. in General Section 18-10 Article II. Regulations for Parks and Public Grounds Sections 18-43 – Sponsored by Councilor Dory Richards Waxman. First reading.

LICENSE RENEWALS:

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue to adjourn. Passage 7-0, 8:46 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk