

IN COUNCIL REGULAR MEETING MARCH 16, 2009 VOL. 125 PAGE 90

ROLL CALL: Mayor Duson called the meeting to order at 7:05 P.M. All Councilors were present.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Mavodones and seconded by Councilor Anton to approve the minutes of the 3/3/09 meeting (postponed from 3/2/09 due to weather). Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 29-08/09 Honoring Mary Costigan as Employee of the Month for February 2009 – Sponsored by Mayor Jill C. Duson.

Proc 30-08/09 Honoring Kathleen Martin as Employee of the Month for March 2009 – Sponsored by Mayor Jill C. Duson (not presented).

Proc 31-08/09 Honoring Officer Robert Pelletier as Police Officer of the Month for February 2009 – Sponsored by Mayor Jill C. Duson.

APPOINTMENTS:

Order 176-08/09 Making Appointments to Various Boards and Commissions – Sponsored by the Appointments & Non-Union Personnel Committee, Councilor John R. Coyne, Chair.

Name	Board	Term Expires
Daniel Haley, Jr.	Harbor Commission	12/31/11
Leslie Lowry, III	Planning Board	01/31/12
Shalom Odokara	Planning Board	01/31/12
Michael Patterson	Planning Board	01/31/12

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

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CONSENT ITEMS:

Motion was made by Councilor Skolnik and seconded by Councilor Marshall to add an unagendaed item, Order 189-08/09 to the Consent Calendar. Passage 9-0.

Order 177-08/09 Granting Revocable License Re: Holy Trinity Greek Orthodox Church – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 178-08/09 Calling Special Election on May 12, 2009 on the FY'10 Portland School Budget – Sponsored by Linda C. Cohen, City Clerk.

Order 179-08/09 Amending Traffic Schedule Re: Cotton Street – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

Order 180-08/09 Amending Traffic Schedule Re: Center Street – Sponsored by the Transportation Committee, Kevin J. Donoghue, Chair.

Order 181-08/09 Approving Purchase and Sale Agreement Re: Sale of a Portion of 143 Read Street to William B. Goodwin – Sponsored by Joseph E. Gray, Jr., City Manager.

Order 189-08/09 Authorizing Dog Warrant – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Anton and seconded by Councilor Marshall to remove Order 178-08/09 from the Consent Calendar. Passage 9-0.

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

Motion was made by Councilor Anton and seconded by Councilor Marshall for passage of Order 178-08/09.

Motion was made by Councilor Anton and seconded by Councilor Marshall to amend the order by changing the date of the election to June 9th. Failed 4-5 (Duson, Mavodones, Skolnik, Coyne, Waxman).

Passage 9-0.

LICENSES:

Order 182-08/09 Granting Municipal Officer's Approval of Sangillo's Tavern, LLC, d/b/a Sangillo's, at 18 Hampshire Street. Application for Class A Lounge – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 183 was taken out of order.

Order 183-08/09 Amending Fund Balance Policy – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

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

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Order 164-08/09 Designating Congress Street Historic District and Amending the Map of Historic Districts with Landmarks and Historic Landscape Districts – Sponsored by the Historic Preservation Board, John Turk, Chair, and the Planning Board, David Silk, Chair. Postponed on 3/3/09.

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

Motion was made by Councilor Anton and seconded by Councilor Coyne to amend the order by adding, "...this designation shall be repealed on June 30, 2034 unless extended by action of the City Council." Failed 2-7 (Duson, Donoghue, Marshall, Leeman, Skolnik, Waxman, Mavodones)

Motion was made by Councilor Leeman and seconded by Councilor Skolnik to amend the order by requesting an annual report to the Council on April 15th of activities under the ordinance. Passage 9-0.

Passage, as amended, 9-0.

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Order 165-08/09 Amendment to Portland City Code Chapter 14 (Land Use) Article V (Site Plan) and Article IX (Historic Preservation) – Sponsored by Historic Preservation Board, John Turk, Chair and the Planning Board, David Silk, Chair. Given first reading on 2/18/09 and 3/2/09.

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

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Order 173-08/09 Designating McAuley Place Tax Increment Financing District and Adopting the McAuley Place Municipal Development Program as the Municipal Development Program for the District, and Authorizing the Execution of a Credit Enhancement Agreement – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair. Given first reading on 3/3/09.

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

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Order 174-08/09 Approving City/State Agreements with the Maine Department of Transportation and Approving Funds - Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 3/3/09.

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

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Order 175-08/09 Amendment to Zoning Map Re: Rezoning from R-5 Residential Zone to B-2 Community Business Zone Vicinity of 8140-1886 Forest Avenue and Rezoning from B-2 Community Business Zone to R-5 Residential Zone Vicinity of 1838 Forest Avenue – Sponsored by the Planning Board, David Silk, Chair. Given first reading on 3/3/09.

Motion was made by Councilor Mavodones and seconded by Councilor Waxman to postpone this item to April 6, 2009. Passage 9-0.

ORDERS:

Order 184-08/09 Approving Housing Rehabilitation Loan Program Budget Adjustment and Reallocating Certain Housing Program Funds – Sponsored by the Housing Committee, Councilor David A. Marshall, Chair.

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

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Motion was made by Councilor Skolnik and seconded by Councilor Anton to waive the second reading for Order 185-08/09. Passage 9-0.

Order 185-08/09 Approving Collective Bargaining Agreement with Police Superior Officers – Sponsored by Joseph E. Gray, Jr., City Manager. Request to waive second reading.

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

AMENDMENTS:

Order 186-08/09 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 the Planning Board, David Silk, Chair. First reading.

Order 187-08/09 Amendment to Portland City Code Chapter 6, Article VII Green Building Code – Sponsored by the Energy & Environmental Sustainability Committee, Councilor David A. Marshall, Chair. First reading.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to refer this item to the Energy and Environmental Sustainability Committee. Passage 7-0 (Anton out, Leeman gone).

Order 188-08/09 Amendment to Portland City Code Chapter 30 (Vehicles for Hire) Re: Peaks Island Service – Sponsored by Councilor Kevin J. Donoghue. First reading.

LICENSE RENEWALS:

Motion was made by Councilor Waxman and seconded by Councilor Marshall to adjourn. Passage 8-0, 11:29 P.M.

A TRUE COPY.

ATTEST _____
Alexandra J. P. Murphy, Asst. City Clerk