

IN COUNCIL REGULAR MEETING FEB. 18, 2009 VOL. 125 PAGE 82

ROLL CALL: Mayor Duson called the meeting to order at 7:10 P.M. Councilor Leeman was absent. Councilor Skolnik arrived after proclamations.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Anton and seconded by Councilor Waxman to approve the minutes of the special and regular meetings on 2/2/09. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 25-08/09 Honoring Officer Daniel Townsend as Police Officer of the Month for January 2009 – Sponsored by Mayor Jill C. Duson.

Proc 26-08/09 Honoring Portland Fire Department Fire Fighters Professional Fire Fighters Union Local 740 – Sponsored by Mayor Jill C. Duson.

APPOINTMENTS:

Order 154-09/09 Making Appointments to Various Boards and Commissions – Sponsored by the Appointments and Non-Union Personnel Committee, Councilor John R. Coyne, Chair.

Name	Board	Term Expires
Joseph Dwyer	Civil Service Commission	06/30/10
Alan Freedman	Civil Service Commission- Alternate	06/30/11
Jadine O'Brien	Fair Hearing Officer	11/30/11
Diane Davison	Friends of the Parks	06/30/11
Bryan Wentzell	Landbank	06/30/11
Colin Apse	Landbank	06/30/11
Janis Beitzer	Police Citizen Review Subcommittee	03/15/12
Kelly McDonald	Police Citizen Review Subcommittee	03/15/12
Carol Hayden	Police Citizen Review Subcommittee	03/15/10

Motion was made by Councilor Donoghue and seconded by Councilor Skolnik for passage. Passage 8-0.

IN COUNCIL REGULAR MEETING FEB. 18, 2009 VOL. 125 PAGE 83

CONSENT ITEMS:

- Order 155-08/09 Accepting Extension of Bernard Road as a City Way - Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 156-08/09 Approving Purchase and Sale Agreement Regarding the Purchase of a Portion of Bernard Road and Accepting Said Portion of Bernard Road as a City Way— Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 157-08/09 Accepting Beaumont Street as a City Way – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 158-08/09 Granting an Easement to the Portland Water District in the Vicinity of the Portland Expo and Hadlock Field – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Mavodones and seconded by Councilor Marshall for passage of the Consent Calendar. Passage 8-0.

LICENSES:

- Order 159-08/09 Granting Municipal Officer's Approval of 42 Wharf Enterprises, LLC, d/b/a Oasis, at 42 Wharf Street. Application for Class A Lounge and Entertainment with Dance License. Entertainment (outside seasonally) and Outdoor Dining – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 8-0.

- Order 160-08/09 Granting Municipal Officer's Approval of Pearls, LLC, d/b/a Pearl, at 444 Fore Street. Application for Class A Lounge and Entertainment with Dance License – Sponsored by Linda C. Cohen, City Clerk.

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

- Order 161-08/09 Granting Municipal Officer's Approval of Farm to Table, LLC, d/b/a The Farmer's Table, at 205 Commercial Street. Application for Class I Restaurant with Liquor and Outdoor Dining. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

IN COUNCIL REGULAR MEETING FEB. 18, 2009 VOL. 125 PAGE 84

Motion was made by Councilor Skolnik and seconded by Councilor Mavodones for passage. Passage 8-0.

Order 162-08/09 Granting Municipal Officer's Approval of John Lomba & John Graham d/b/a Typewriter Tavern, at 189 Congress Street. Application for Class III & IV (Beer & Wine) and Entertainment without Dance License. Entertainment Inside Only. No Outdoor Dining. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Donohue and seconded by Councilor Marshall to withdraw this item at the request of the applicant. Passage 7-0 (Mavodones out).

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

Com 10-08/09 Re: Financial Statements and Audit Report for the Fiscal Year Ended June 30, 2008 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

RESOLUTIONS:

Resolve 10-08/09 Re: Global Communities Task Force – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Resolve 11-08/09 Resolution in Support of the PACTS "High Priority Project" Candidates – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

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

IN COUNCIL REGULAR MEETING FEB. 18, 2009 VOL. 125 PAGE 85

UNFINISHED BUSINESS:

Order 152-08/09 Amendment to Portland City Code Chapter 5, Article IV Keeping of Domesticated Chickens – Sponsored by Councilor Kevin J. Donoghue, Public Safety Committee Member. Given first reading on 2/2/09.

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

Motion was made by Councilor Donoghue and seconded by Councilor Anton to amend the order by adopting a \$25 per year fee for up to six chickens. Passage 8-0.

Motion was made by Councilor Donoghue and seconded by Councilor Anton to amend the order by changing the setback requirement to be ten feet from property lines. Failed 4-4 (Duson, Mavodones, Coyne, Skolnik).

Passage, as amended, 7-1 (Coyne).

Order 153-08/09 Amendment to Portland City Code Chapter 14 (Land Use), Article III (Zoning) Re: Domestic Animals – Sponsored by Councilor Kevin J. Donoghue, Public Safety Committee Member. Given first reading on 2/2/09.

Motion was made by Councilor Mavodones and seconded by Councilor Waxman for passage. Passage 7-1 (Coyne).

ORDERS:

Order 163-08/09 Authorizing Sale of City-Owned Property at 180 Sunset Street on Cliff Island – Sponsored by Joseph E. Gray, Jr., City Manager.

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

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.

IN COUNCIL REGULAR MEETING FEB. 18, 2009 VOL. 125 PAGE 86

Motion was made by Councilor Anton and seconded by Councilor Coyne to postpone this item to 3/2/09. Passage 8-0.

AMENDMENTS:

- Order 165-08/09 Amendment to Portland City Code Chapter 14 (Land Use) Article V (Site Plan) and Article IX (Historic Preservation) – Sponsored by the Historic Preservation Board, John Turk, Chair and the Planning Board, David Silk, Chair. First reading.
- Order 166-08/09 Amendment to Portland City Code Chapter 14 Land Use Article III. Zoning Sections 14-147 and 14-151 - Sponsored by the Planning Board, David Silk, Chair. First reading.

LICENSE RENEWALS:

- Order 142-08/09 Granting Municipal Officer's Approval of Allied Resources, Inc., d/b/a Cactus Lounge, at 416 Fore Street. Renewal Application for Class A Lounge and Entertainment with Dance License. Downtown Overlay Entertainment Zone – Sponsored by Linda C. Cohen, City Clerk. Postponed on 1/5/09. Reconsidered on 2/2/09 after a 4-4 vote and postponed.

Motion was made by Councilor Mavodones and seconded by Councilor Skolnik for passage.

Motion was made by Councilor Mavodones and seconded by Councilor Skolnik to amend the order by limiting the Entertainment License to three months and that the license be brought back to Council at that time. Failed 2-6 (Duson, Donoghue, Marshall, Anton, Waxman, Coyne).

Failed 2-6 (Duson, Donoghue, Marshall, Anton, Waxman, Coyne).

Motion was made by Councilor Anton and seconded by Councilor Coyne to adjourn. Passage 8-0, 10:22 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk