

IN COUNCIL REGULAR MEETING JAN. 5, 2009 VOL. 125 PAGE 69

ROLL CALL: Mayor Duson called the meeting to order at 7:03 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 12/15/08 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 15-08/09	Recognizing Big Brothers Big Sisters of Southern Maine – Sponsored by Mayor Jill C. Duson.
Proc 16-08/09	Recognizing Hannaford Supermarkets – Sponsored by Mayor Jill C. Duson.
Proc 17-08/09	Recognizing Maine Audubon – Sponsored by Mayor Jill C. Duson.
Proc 18-08/09	Honoring Officer Joshua Wiseman as Police Officer of the Month for November, 2008 – Sponsored by Mayor Jill C. Duson.
Proc 19-08/09	Recognizing Ellen Grant and The Institute for Civic Leadership – Sponsored by Mayor Jill C. Duson

APPOINTMENTS:

CONSENT ITEMS:

Order 132A-08/09	Declaring Friday, February 6 – Saturday, February 14, 2009 “Portland WinteRush 2009 Festival” – Sponsored by Joseph E. Gray, Jr., City Manager.
	Motion was made by Councilor Coyne and seconded by Councilor Mavodones for passage. Passage 9-0.

LICENSES:

Order 133A-08/09	Granting Municipal Officer’s Approval of Luna Rossa, LLC, d/b/a Luna Rossa, at 188 Middle Street. Application for Class XI Restaurant/Lounge and Entertainment without Dance License. Downtown Overlay Entertainment Zone – Sponsored by Linda C. Cohen, City Clerk.
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Motion was made by Councilor Mavodones and seconded by Councilor Waxman for passage. Passage 9-0.

Order 134A-08/09 Granting Municipal Officer's Approval of Khai Quach d/b/a Thanh Thanh Bida at 250 Read Street. Application for a Class A Lounge and Entertainment with Dance License – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

Com 7-08/09 Receiving the 2008 Annual Report of the Portland Public Art Committee – Sponsored by Councilor David A. Marshall and Jack Soley, Chair of the Portland Public Art Committee.

Com 8-08/09 Receiving Revisions to the *Portland Public Art Committee Guidelines* – Sponsored by Councilor David A. Marshall and Jack Soley, Chair of the Portland Public Art Committee.

Com 9-08/09 Receiving the Report from the Dr. Martin Luther King, Jr. Task Force – Sponsored by Councilor Daniel S. Skolnik and Rachel Talbot Ross, Co-Chairs of the Dr. Martin Luther King, Jr. Task Force.

Order 135A-08/09 Establishing the Dr. Martin Luther King, Jr. Commission in Order to Implement Recommendations of the Task Force – Sponsored by Councilor Daniel S. Skolnik.

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

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Motion was made by Councilor Skolnik and seconded by Councilor Mavodones to amend the order in the third paragraph after the word memorial by adding “to plan and create the memorial.” Passage 9-0.

Passage, as amended, 9-0.

RESOLUTIONS:

Resolve 7-08/09 Supporting High Efficiency Local Option to Maine Uniform Building and Energy Code – Sponsored by Councilor John M. Anton, Chair of the Legislative Committee.

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

Resolve 8-08/09 Supporting Legislation to Include the Greater Portland Region and Cumberland County as Part of the State’s Pinetree Development Zone – Sponsored by Councilor John M. Anton, Chair of the Legislative Committee.

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

UNFINISHED BUSINESS:

ORDERS:

Order 136A-08/09 Approving “Sustainable Portland – Final Report of the Mayor’s Sustainability Task Force” as Part of City of Portland’s Comprehensive Plan – Sponsored by the Planning Board, Janice Tevanian, Chair.

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

Motion was made by Councilor Marshall and seconded by Councilor Mavodones to refer this item to the Energy and Environmental Sustainability Committee.

Motion was made by Councilor Skolnik and seconded by Councilor Donoghue to amend the motion by requiring that this item come back to the Council within 60 days. Failed 1-8 (Duson, Leeman, Mavodones, Marshall, Donoghue, Anton, Coyne, Waxman).

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Passage of referral motion 9-0.

Order 137A-08/09 Calling Special Election of Nine Members to the Portland Charter Commission
– Sponsored by Mayor Jill C. Duson.

Motion was made by Councilor Marshall and seconded by Councilor Coyne to postpone this item to 1/21/09. Passage 7-0 (Mavodones, Anton out).

Order 138A-08/09 Authorizing City Manager to Enter into Negotiations with Ocean Properties,
Ltd. Regarding the Lease and Redevelopment of the Maine State Pier -
Sponsored by Mayor Jill C. Duson.

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

Motion was made by Councilor Mavodones and seconded by Councilor Anton to amend the order by substituting the corrected language as outlined in the agenda. Passage 8-1 (Marshall).

Motion was made by Councilor Leeman and seconded by Councilor Mavodones to amend the amended order in the first paragraph after the word “pier,” changing the wording to “and any adjacent city property as outlined in the RFP, dated October 2006.” Passage 9-0.

Passage, as amended, 7-2 (Marshall, Donoghue).

Order 139-08/09 Amending Order 23-08/09 Adopted August 4, 2008 Relating to HUD Section
108 Loan (Bayside Redevelopment) and Issuance of the City’s Tax Increment
Financing Bonds/Notes – Sponsored by Joseph E. Gray, Jr., City Manager. First
reading.

AMENDMENTS:

Order 140-08/09 Amendment to Portland City Code Chapter 14, Article XI (Public Art Program)
- Sponsored by Councilor David A. Marshall and Jack Soley, Chair of the
Portland Public Art Committee. First reading.

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Order 141-08/09 Amendment to Portland City Code Chapter 14 (Land Use), Article III (Zoning)
Re: Nonconforming Uses – Sponsored by Councilor Daniel S. Skolnik. First
reading.

Motion was made by Councilor Donoghue and seconded by Councilor Coyne to
withdraw this item. Passage 9-0.

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.

Motion was made by Councilor Mavodones and seconded by Councilor
Waxman to postpone this item to 2/2/09. Passage 9-0.

EXECUTIVE SESSION:

Motion was made by Councilor Mavodones and seconded by Councilor
Waxman to go into Executive Session Re: Maine State Pier Project – Sponsored
by Joseph E. Gray, Jr., City Manager. Passage 9-0, 10:54 P.M.

Motion was made by Councilor Marshall and seconded by Councilor Skolnik to
come out of Executive Session. Passage 9-0, 11:09 P.M.

Motion was made by Councilor Mavodones and seconded by Councilor Anton
to adjourn. Passage 9-0, 11:10 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk