

IN COUNCIL REGULAR MEETING OCT. 20, 2008 VOL. 125 PAGE 42

ROLL CALL: Mayor Suslovic 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 Anton and seconded by Councilor Cohen to approve the minutes of the 10/6/08 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

American Planning Association's Designation of Commercial Street as One of the Ten Great Streets in America.

PROCLAMATIONS:

Proc 11-08/09 Honoring Detective Karl Rybeck as Officer of the Month for August, 2008 - Sponsored by Mayor Edward J. Suslovic.

Proc 12-08/09 Honoring Officer David Cote as Officer of the Month for September, 2008 - Sponsored by Mayor Edward J. Suslovic.

APPOINTMENTS:

Order 86-08/09 Appointing Members of the Portland Widows' Wood Society – Sponsored by Mayor Edward J. Suslovic.

Henry L. Donovan	15 Clifford Street
Robert Duranleau	389 Congress Street
Michael J. Francouer	33 Autumn Lane
Cheryl Hallett, Treasurer	99 Concord Street
Everett P. Ingalls	125 Neal Street
John C. Knox, President	44 Bramblewood Drive
Thomas M. Pierce	41 Bayview Drive
Paul S. Stevens	32 Pleasant Street

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

CONSENT ITEMS:

Order 87-08/09 Approving Transfer of Funds Under 15 M.R.S.A. Secs. 5824(3) and 5836(6) – Sponsored by Joseph E. Gray, Jr., City Manager.

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

LICENSES:

Order 88-08/09 Granting Municipal Officer's Approval of The Roma, LLC, d/b/a The Roma/Bramhall Pub at 769 Congress Street. Application for Class I Liquor and Entertainment with Dance License – Sponsored by Linda C. Cohen, City Clerk.

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

Order 89-08/09 Granting Municipal Officer's Approval of JACC, Inc., d/b/a 51 Wharf Restaurant, at 51 Wharf Street. Application to expand Class XI Restaurant/Lounge, Entertainment With Dance and Outdoor Dining Licensed Area to Include the Space Formerly Known as Thai'd in Knots Furniture store. Entertainment Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

Order 90-08/09 Granting Municipal Officer's Approval of Red Sun Co., d/b/a Jan Mee at 280 St. John Street. Application for Class I Restaurant with Liquor License – Sponsored by Linda C. Cohen, City Clerk.

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

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

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UNFINISHED BUSINESS:

Order 135-07/08 Amendment to Portland City Code Chapter 25 Streets, Sidewalks and Other Public Places Article VIII. Removal of Snow and Ice Sections 25-173 & 25-174 – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. Given first reading on 1/23/08. Referred to Finance Committee on 2/4/08.

Motion was made by Councilor Marshall and seconded by Councilor Cohen to refer this item to Public Safety Committee.

Motion was made by Councilor Cohen and seconded by Councilor Anton to amend the motion to include a report back to Council by 11/17/08. Passage. 9-0

Passage, as amended, 9-0

Order 83-08/09 Approving HOME Program Funds and Community Housing Development Funds Re: Avesta Housing for Florence House – Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair. Given first reading on 10/6/08.

Motion was made by Councilor Duson and seconded by Councilor Skolnik to postpone this item to 11/17/08. Passage 8-0 (Anton abstaining).

Order 84-08/09 Amendment to Portland City Code Chapter 14 Land Use Article III. Zoning Sections 14-142, 14-332 and 14-485 – Sponsored by the Planning Board, Janice Tevanian, Chair. Given first reading on 10/6/08.

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

Motion was made by Councilor Donoghue and seconded by Councilor Duson to amend the order as outlined in the Council packet in Section 14-332 changing the requirement to one space per dwelling. Passage 9-0.

Motion was made by Councilor Duson and seconded by Councilor Anton to amend the order as outlined in the Council packet in Section 14-142 adding “c. side yard on side street: none.” Passage 9-0.

Passage, as amended, 9-0.

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Councilor Cohen stated that he would be recusing himself from participation in Order 85-08/09.

Order 85-08/09 Amendment to Portland City Code Chapter 32 (Storm Water) – Sponsored by the Energy and Environmental Sustainability Committee, Mayor Edward J. Suslovic, Chair. Given first reading on 10/6/08.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 8-0 (Cohen abstaining).

ORDERS:

Order 91-08/09 Approving CDBG Priority Task Force Recommendations – Sponsored by Mayor Edward J. Suslovic.

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

Order 92-08/09 Creating the Creative Portland Corporation and Approving Articles of Incorporation and By-Laws – Sponsored by the Creative Economy Steering Committee, Councilor James I. Cohen, Chair.

Motion was made by Councilor Cohen and seconded by Councilor Marshall to postpone this item to 11/17/08. Passage 9-0.

Order 93-08/09 Directing City Manager to Enter into Negotiations Re: Collaboration of Creative Portland Corporation and Portland Arts and Cultural Alliance – Sponsored by the Creative Economy Steering Committee, Councilor James I. Cohen, Chair.

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

Motion was made by Councilor Cohen and seconded by Councilor Mavodones to amend the order to substitute the order added to the packet. Passage 9-0.

Motion was made by Councilor Cohen and seconded by Councilor Mavodones to postpone this item to 11/17/08. Passage 9-0.

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- Order 94-08/09 Designating Creative Portland Development and Tax Increment Financing District and Adopting the Creative Portland Development Program as the Municipal Development Program for the District – Sponsored by the Creative Economy Steering Committee, Councilor James I. Cohen, Chair. First reading.
- Order 95-08/09 Accepting and Appropriating Grant from the Davis Family Foundation for Records Preservation – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

AMENDMENTS:

- Order 96-08/09 Amendment to Portland City Code Section 14, Zoning (Space and Bulk Regulations and Exceptions) Re: Public Art Height Limitations - Sponsored by the Planning Board, Janice Tevanian, Chair. First reading.

LICENSE RENEWALS:

REQUEST FOR EXECUTIVE SESSION:

Motion was made by Councilor Anton and seconded by Councilor Mavodones to go into Executive Session pursuant to M.R.S.A. §405(6)(D) of the Maine Freedom of Access law to provide guidance to the City's negotiators on a collective bargaining agreement with the Communications union.– Sponsored by Joseph E. Gray, Jr., City Manager. Passage 9-0, 9:04 P.M.

Motion was made by Councilor Marshall and seconded by Councilor Mavodones come out of Executive Session. Passage 9-0, 9:10 P.M.

Motion was made by Councilor Cohen and seconded by Councilor Marshall to adjourn. Passage 9-0, 9:10 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk