IN COUNCIL SPECIAL MEETING APRIL 28, 2008 VOL. 124 PAGE 96

ROLL CALL: Mayor Suslovic called the meeting to order at 7:00 P.M. All Councilors were present.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Mavodones and seconded by Councilor Cohen to approve the minutes of the 4/7/08 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 31-07/08 Honoring Lyman Moore Middle School 2008 Odyssey of the Mind State Division Champions – Sponsored by Mayor Edward J. Suslovic.

Proc 32-07/08 Honoring Cora Brown – Sponsored by Mayor Edward J. Suslovic.

Proc 33-07/08 Honoring Cheverus High School Debate Team as 2008 State of Maine Champions – Sponsored by Mayor Edward J. Suslovic.

Proc 34-07/08 Recognizing Municipal Clerks Week May 4-10 – Sponsored by Mayor Edward J. Suslovic.

APPOINTMENTS:

CONSENT ITEMS:

Order 197-07/08 Setting Time for Opening of Polls for Election on May 13, 2008, and June 10, 2008 - Sponsored by Linda C. Cohen, City Clerk.

Order 198-07/08 Declaring "The Greek Heritage Festival" June 26, 2008 to June 28, 2008 – 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 9-0

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Order 224-07/08 Approving Change in Street Names on Peaks Island – Sponsored by Joseph E. Gray, Jr., City Manager.

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

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Order 194-07/08 Declaring Building at 86 Commercial Street a Dangerous Structure and Approving Demolition - Joseph E. Gray, Jr., City Manager. Postponed on 4/7/08.

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

LICENSES:

Order 199-07/08 Granting Municipal Officer's Approval of Family Fun Entertainment, LLC, d/b/a The Stadium, at 504 Congress Street for After Hours Entertainment for Yarmouth High School Project Graduation on June 2, 2008 – Sponsored by Linda C. Cohen, City Clerk.

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

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to amend the order by changing the date to June 9, 2008. Passage 9-0.

Passage, as amended, 9-0.

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Order 200-07/08 Granting Municipal Officer's Approval of Holy Trinity Greek Orthodox Church, d/b/a Greek Food Festival. License for Incorporated Civic Organization to Serve Alcohol At Special Events at 133 Pleasant Street on June 26, 27, and 28, 2008, from 11:30 A.M. to 9:30 P.M. – Sponsored by Linda C. Cohen, City Clerk.

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

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Order 201-07/08 Granting Municipal Officer's Approval of Jola Functions, LLC, d/b/a Jones Landing, at 6 Welch Street, Peaks Island. Application for Class XI Restaurant/Lounge with Liquor and Entertainment with Dance License – Sponsored by Linda C. Cohen, City Clerk. Renewal.

Motion was made by Councilor Cohen and seconded by Councilor Donoghue to postpone this item to 6/2/08. Passage 9-0.

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Order 202-07/08 Granting Municipal Officer's Approval of Linda Thai, d/b/a Thanh Thanh Bida, at 250 Read Street. Application for Class IV (Beer) and Entertainment with Dance License. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

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Order 203-07/08 Granting Municipal Officer's Approval of Our Three Sons, Corp., d/b/a G & R DiMillo's Bayside, at 118 Preble Street. Application to upgrade from Class I Restaurant With Liquor and Entertainment With Dance License to Class XI Restaurant/Lounge With Liquor and Entertainment With Dance License. Entertainment Inside Only. Outside Dining. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

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Order 204-07/08 Granting Municipal Officer's Approval of Shade Tree Group, LLC, d/b/a Port City Music Hall/The Front Lounge, at 504 Congress Street. Application for Class IX Lounge With Liquor and Entertainment With Dance License. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

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Order 205-07/08 Granting Municipal Officer's Approval of O'Brien and Sons, Inc., d/b/a O'Brien's Bar & Grill, at 45 Danforth Street. Application for Class A Lounge With Liquor and Entertainment with Dance License. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

RECONSIDERATION:

Order 177-07/08 Authorizing the Design, Construction and Equipping of Ocean Avenue Elementary School with Total Project Costs not to Exceed $20,164,591 and Authorizing the Issuance of General Obligation Bonds in an Amount not to Exceed $19,690,417 Therefore - Sponsored for Reconsideration by Mayor Edward J. Suslovic. Postponed on 3/17/08. Failed on 4/7/08.

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to reconsider Order 177-07/08. Passage 9-0.

Original motion for passage made by Councilor Mavodones and seconded Duson by Councilor. Passage 9-0.

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Order 178-07/08 Authorizing Appropriation for the Design, Construction and Equipping of Ocean Avenue Elementary School - Sponsored for Reconsideration by Mayor Edward J. Suslovic. Given first reading on 3/17/08. Amended and failed on 4/7/08.

Motion was made by Councilor Mavodones and seconded by Councilor Duson to reconsider Order 178-07/08. Passage 9-0.

Motion was made by Councilor Marshall and seconded by Councilor Leeman to reconsider the amendment. Passage 9-0.

Councilor Leeman withdrew her amendment.

Original motion for passage made by Councilor Mavodones and seconded by Councilor Duson.

Motion was made by Councilor Mavodones and seconded by Councilor Cohen to amend the order by striking $19,690,417 in the first paragraph and replacing it with $20,164,591 Passage 9-0.

Passage, as amended, 9-0.

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Order 179-07/08 Calling June 10, 2008 Special Municipal Election and Placing Ocean Avenue Elementary School Bond Referendum on the Ballot – Sponsored for Reconsideration by Mayor Edward J. Suslovic. Postponed on 3/17/08. Failed on 4/7/08.

Motion was made by Councilor Anton and seconded by Councilor Mavodones to reconsider Order 179-07/08. Passage 9-0.

Original motion to indefinitely postpone was made by Councilor Duson and seconded by Councilor Mavodones. Withdrawn by Councilor Duson.

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

Motion was made by Councilor Mavodones and seconded by Councilor Cohen to amend the order by adding reference to the actual ballot. Passage 9-0.

Passage, as amended, 9-0.

FY09 SCHOOL BUDGET ITEMS: PUBLIC HEARING

Public comment will be taken at this Council meeting on all school budget orders. Council action on the school budget will take place at the City Council meeting on May 5, 2008 at 7:00 P.M. The public referendum on the school budget will be held on Tuesday, May 13, 2008.

Order 206-07/08 Authorizing Expenditure of $37,747,708 for Regular Instruction - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 207-07/08 Authorizing Expenditure of $13,170,613 for Special Education – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 208-07/08 Authorizing Expenditure of $2,931,616 for Career and Technical Education - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 209-07/08 Authorizing Expenditure of $1,044,016 for Other Instruction – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 210-07/08 Authorizing Expenditure of $5,677,729 for Student and Staff Support - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 211-07/08 Authorizing Expenditure of $3,286,197 for System Administration - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 212-07/08 Authorizing Expenditure of $4,387,731 for School Administration – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 213-07/08 Authorizing Expenditure of $1,642,597 for Transportation and Buses - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 214-07/08 Authorizing Expenditure of $9,563,208 for Facilities Maintenance - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 215-07/08 Authorizing Expenditure of $5,360,305 for Debt Service and Other Commitments – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 216-07/08 Authorizing Expenditure of $774,436 for All Other Expenditures - Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 217-07/08 Approving State/Local EPS Funding Allocation for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 218-07/08 Approving Non-State Funded Debt Service for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 219-07/08 Approving Additional Local Funds for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 220-07/08 Approving Total Budget Summary for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 221-07/08 Reducing Local Option Funds by Unanticipated State School Subsidy for Portland Schools for FY 2009 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 222-07/08 Appropriating and Raising $1,839,317 for Adult Education as Required by the Maine Revised Statutes, Title 20-A M.R.S.A. §8603-A(1) – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

Order 223-07/08 Appropriating $2,118,100 from Non-Tax Revenues for Food Service in the Portland Public Schools – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair. First reading.

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 195-07/08 Authorizing Amendment to Contract Zone for Property in the Vicinity of Fore River Parkway – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 4/7/08.

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

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Order 196-07/08 Amendment to Portland City Code Chapter 21 Public Markets, Chapter 25 Streets, Sidewalks, and other Public Places, Chapter 19 Peddlers and Solicitors, Chapter 15 Licenses and Permits (Re: Farmers Market) – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. Given first reading on 4/7/08.

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

ORDERS:

Order 225-07/08 Approving Annual Pearl Place Affordable Housing TIF Report - Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair.

Councilor Anton stated that he would recuse himself from participating in this discussion.

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

AMENDMENTS:

Order 226-07/08 Amendment to Portland City Code Chapter 14 Streets, Land Use Article III (Zoning), Division 12 (B-3, B-3b and B-3c Downtown Business Zones) Section 14-217 – Sponsored by Councilor Cheryl A. Leeman. First reading.

Motion was made by Councilor Mavodones and seconded by Councilor Duson to postpone the public hearing on this item to 5/19/08. Passage 8-0 (Anton gone).

LICENSE RENEWALS:

Motion was made by Councilor Skolnik and seconded by Councilor Marshall to adjourn. Passage 8-0, 9:03 P.M.

A TRUE COPY.

ATTEST_____
Linda C. Cohen, MMC, City Clerk