

IN COUNCIL REGULAR MEETING FEB. 4, 2008 VOL. 124 PAGE 68

ROLL CALL: Mayor Suslovic called the meeting to order at 7:05 P.M. Councilor Mavodones was absent.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Duson and seconded by Councilor Anton to approve the minutes of the 1/23/08 meeting. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

APPOINTMENTS:

Order 136-07/08 Appointing Members to the Voter Registration Appeals Board – Sponsored by Linda C. Cohen, City Clerk.

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

CONSENT ITEMS:

Order 137-07/08 Approving Purchase and Sale Agreement Re: Sale of Property Located on Randolph Street to George Odencrantz – Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair.

Order 138-07/08 Approving Purchase and Sale Agreement Re: Sale of Property Located on Sarsfield Street to Tom Fehrs and Melinda Bubar – Sponsored by the Housing Committee, Councilor Jill C. Duson, Chair.

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

LICENSES:

Order 139-07/08 Granting Municipal Officer's Approval of The Island Connection, LLC, d/b/a Oasis, at 42 Wharf Street. Application for Class A Lounge with Liquor and Entertainment with Dance License with Outside Dining and Entertainment. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to amend the order by changing the LLC to LTD. Passage 8-0.

Passage 8-0.

Order 140-07/08 Granting Municipal Officer's Approval of ER Entertainment, LLC, d/b/a The Corner Pub, at 446 Fore Street. Application for Class A Lounge with Liquor and Entertainment with Dance License. Entertainment Inside Only. New City and State License. – Sponsored by Linda C. Cohen, City Clerk.

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

Motion was made by Councilor Anton and seconded by Councilor Duson to amend the order by changing the name of the business to Oktoberfest International Tap House. Passage 8-0.

Passage 8-0.

Order 141-07/08 Granting Municipal Officer's Approval of BBG Acquisition, LLC, d/b/a Back Bay Grill, at 65 Portland Street. Application to Upgrade Class I Restaurant with Liquor to include Entertainment without Dance License. Entertainment Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

BUDGET ITEMS:

COMMUNICATIONS:

Com 5-07/08 Re: Harbor Commission's Amendments to Rule 12, Section 12.3 – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Cohen and seconded by Councilor Duson to postpone this item to 2/25/08. Passage 8-0.

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Com 6-07/08 Re: Harbor Commission's Amendments to Rule 21 -Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Cohen and seconded by Councilor Marshall to postpone this item to 2/2/508. Passage 8-0.

Com 7-07/08 Re: Financial Statements and Audit Report for the Fiscal Year Ended June 30, 2007 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair.

RESOLUTIONS:

Resolve 8-07/08 Supporting Creation of More Neighborhood-Based Health Services – Sponsored by Councilor Daniel S. Skolnik.

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

UNFINISHED BUSINESS:

Order 124-07/08 Approving Municipal Officer's Approval of BRG, LLC d/b/a Evangeline, at 190 State Street. Application for Class I Restaurant with Liquor and Entertainment without Dance License. Entertainment Inside Only. Outside Dining. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Anton and seconded by Councilor Duson to postpone this item to 2/25/08. Passage 8-0.

Order 128-07/08 Approving Combined Sewer Overflow Abatement Program – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Order 129-07/08 Authorizing General Obligation Bonds to Finance the City's Six-Year Combined Sewer Overflow Program (CSO) in an Amount not to Exceed \$60,955,000 – Sponsored by Joseph E. Gray, Jr., City Manager. Given a first reading on 1/23/08.

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

Order 130-07/08 Appropriating \$60,955,000 for the Combined Sewer Overflow (CSO) Projects - Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 1/23/08.

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

Order 131-07/08 Amending Prior Orders and Reallocating Excess Bond Proceeds - Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 1/23/08.

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

Order 132-07/08 Amending Prior Orders and Re-Appropriating Excess Bond Proceeds - Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 1/23/08.

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

Order 133-07/08 Approving Contract with the Animal Refuge League of Westbrook – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 1/23/08.

Motion was made by Councilor Cohen and seconded by Councilor Dusen for passage. Passage 6-0 (Donoghue, Anton out).

Order 134-07/08 Amendment to Portland City Code Art. III, Division 20, §14-332.1: Off-Street Parking and Art. V, §14-526: Site Plan Standards - Sponsored by Councilor James I. Cohen. Given first reading on 1/23/08.

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

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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.

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

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to refer this item to the Finance Committee. Passage 8-0.

PUBLIC HEARINGS:

ORDERS:

AMENDMENTS:

Order 142-07/08 Amendment to Portland City Code §14-99 (Zoning Map Amendment) Re: Conditional Rezoning for Property in the Vicinity of Read Street – Sponsored by the Planning Board, Janice Tevanian, Chair. First reading.

Order 143-07/08 Amendment to City Code Chapter 14, Article III. Zoning. Division 22 Signs §14-370 – Sponsored by Mayor Edward J. Suslovic and Councilor James I. Cohen. First reading.

Motion was made by Councilor Cohen and seconded by Councilor Duson to refer this item to the Planning Board. Passage 7-0 (Donoghue out).

Motion was made by Councilor Marshall and seconded by Councilor Anton to waive the rules to add an unagendaed item. Passage 8-0.

Order 144-07/08 Establishing the Elementary School Building Committee and Appointing Members – Sponsored by Mayor Edward J. Suslovic.

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

Motion was made by Councilor Duson and seconded by Councilor Cohen to amend the order by appointing only the School Committee Members recommended by the School Committee Chairman to the Mayor which were Jaimey Caron and Sarah Thompson. Passage 7-1 (Suslovic).

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Passage 8-0.

LICENSE RENEWALS:

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to adjourn. Passage 8-0, 10:52 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk