

IN COUNCIL REGULAR MEETING NOV. 5, 2007 VOL. 124 PAGE 43

ROLL CALL: Mayor Mavodones called the meeting to order at 7: 05 P.M. Councilor Duson arrived after the minutes.

SPECIAL MEETINGS:

Motion was made by Councilor Cloutier and seconded by Councilor Cohen to recess the City Council meeting and convene the Special Meeting of the Corporator of the Portland Fish Exchange - Sponsored by Mayor Nicholas M. Mavodones, Jr. Passage 8-0, 7:05 P.M.

Order 86-07/08 Appointing James O'Donnell Class C Director of the Portland Fish Exchange – Sponsored by the Appointments and Non-Union Personnel Committee, Councilor Cheryl A. Leeman, Chair.

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic for passage. Passage 8-0.

Motion was made by Councilor Cohen and seconded by Councilor Cloutier to adjourn the Special meeting and convene the Special meeting of the Corporator of the Downtown Portland Corporation – Sponsored by Mayor Nicholas M. Mavodones, Jr. Passage 8-0, 7:06 P.M.

Order 87-07/08 Order Appointing Peter Eiermann Director to Downtown Portland Corporation – Sponsored by the Appointments and Non-Union Personnel Committee, Councilor Cheryl A. Leeman, Chair.

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic for passage. Passage 8-0.

Motion was made by Councilor Cohen and seconded by Councilor Marshall to adjourn the special meeting and reconvene the City Council meeting. Passage 8-0, 7:07 P.M.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Cloutier to approve the minutes of the Special and Regular Meetings of 10/15/07. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

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PROCLAMATIONS:

Proc 17-07/08 Honoring James Davison Police Officer of the Month for September 2007 – Sponsored by Mayor Nicholas M. Mavodones, Jr.

APPOINTMENTS:

Order 88–07/08 Appointing Creative Economy Steering Committee – Sponsored by Councilors James I. Cohen and David A. Marshall.

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic for passage. Passage 9-0.

CONSENT ITEMS:

LICENSES:

Order 89 -07/08 Granting Municipal Officer's Approval of Barra de Navidad, Inc., d/b/a Mexico Lindo II, 865 Forest Avenue. Application for Class XI Restaurant/Lounge with Liquor and Entertainment without Dance License. Inside Only. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

Order 90–07/08 Granting Municipal Officer's Approval of Passage to India, L.L.C., d/b/a Passage to India at 29 Wharf Street. Application for Class I Restaurant with Liquor License. Outside Dining. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

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

BUDGET ITEMS:

COMMUNICATIONS:

Com 3-07/08 Re: Congress Street Corridor Study – Sponsored by Joseph E. Gray, City Manager.

RESOLUTIONS:

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UNFINISHED BUSINESS:

Councilor Cohen said he would be recusing himself from participating in Orders 42 and 42A-07/08.

Order 42-07/08 Authorizing City Manager to Enter into Negotiations with Ocean Properties, LTD. Regarding the Lease and Redevelopment of the Maine State Pier – Sponsored by the Community Development Committee, Councilor James F. Cloutier, Chair. Given public hearing and postponed on 8/20/07. Failed to pass with 5 votes on 9/17. Amended and failed to pass with 5 votes needed on 10/15/07.

Motion was made by Councilor Cloutier and seconded by Councilor Donoghue to postpone this item to the next meeting. Passage 8-0.

Order 42A-07/08 Authorizing the City Manager to Enter into Negotiations with the Olympia Companies Regarding the Lease and Redevelopment of the Maine State Pier – Sponsored by Councilor David A. Marshall. Given public hearing and postponed on 8/20/07. Failed to pass with 5 votes needed on 9/17. Failed to pass with 5 votes needed on 10/15/07.

Motion was made by Councilor Cloutier and seconded by Councilor Donoghue to postpone this item to the next meeting. Passage 8-0.

Order 71A-07/08 Accepting Architect's Recommendation to Build a New School to Replace the Nathan Clifford Elementary School – Sponsored by Mayor Nicholas M. Mavodones, Jr. Failed to pass with 5 votes needed on 10/15/07.

Motion was made by Councilor Leeman and seconded by Councilor Marshall to postpone this item indefinitely. Passage 8-1 (Cloutier).

Order 82-07/08 Granting Municipal Officer's Approval of Legends on Exchange Street, LLC, d/b/a Gridlok, at 1 Exchange Street. Application for Class A Lounge with Liquor. No Entertainment. Inside Only. New City and State License – Sponsored by Linda C. Cohen, City Clerk. Postponed on 10/15/07.

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

PUBLIC HEARINGS:

ORDERS:

Order 91-07/08 Appropriating \$1.2 Million Plus Interest for Payment of Arbitrator's Award in *Scotia Prince, LTD v. City of Portland* – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

AMENDMENTS:

Order 92- 07/08 Amendment to Portland City Code Chapter 25 Streets, Sidewalks and Other Public Places Article VIII. Removal of Snow and Ice Sections 25-171 Through 25-179 – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. First reading.

Order 93-07/08 Amendment to Portland City Code Article II. Obstructions, Encumbrances, and Authorized Events Sections 25-26 Through 25-30; Chapter 18 Parks, Recreation and Public Buildings and Grounds Article II. Regulations for Parks and Public Grounds Section 18-50 – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. First reading.

Order 94-07-08 Amendment to City Code Chapter 14, Article III, Zoning. Division 6 R-5 Residential Zone SS14-118 Conditional Uses. Sponsored by the Planning Board, Michael Patterson, Chair. First reading.

LICENSE RENEWALS:

Motion was made by Councilor Suslovic and seconded by Councilor Duson to adjourn. Passage 8-0 (Cloutier gone), 7:26 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk