

IN COUNCIL REGULAR MEETING AUG. 20, 2007 VOL. 124 PAGE 14

ROLL CALL: Mayor Mavodones called the meeting to order at 7:17 P.M. Councilor Carr arrived after the minutes.

Annual Meeting of the Corporator of the Portland Fish Pier
Authority – Sponsored by Mayor Nicholas M. Mavodones, Jr.

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to recess the City Council meeting and convene the annual meeting of the Portland Fish Pier Authority. Passage 8-0, 7:18 P.M.

Order 36-07/08 Appointing Directors of the Portland Fish Pier Authority – Sponsored by Mayor Nicholas M. Mavodones, Jr.

This order appoints the following as Directors of the Portland Fish Pier Authority with terms ending on July 31, 2008.

Class A: Nicholas M. Mavodones Jr., Portland City Council
Class B: Terry Stockwell, Fishing Industry
Class C: Kevin Rousseau, Maine DOT

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

Motion was made by Councilor Cohen and seconded by Councilor Duson to adjourn the annual meeting and reconvene the City Council meeting. Passage 8-0, 7:20 P.M.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to approve the minutes of the 8/6/07 meeting. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 6-07/08 Re: Arctic Campaign Memorial Trust – Sponsored by Mayor Nicholas M. Mavodones, Jr.

Proc 7-07/08 Honoring Officer Eric Libby as Police Officer of the Month – Sponsored by Mayor Nicholas M. Mavodones, Jr.

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APPOINTMENTS:

CONSENT ITEMS:

- Order 37-07/08 Accepting Arctic Memorial and Information Plate Re: 1941-1945 Arctic Campaign – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 38-07/08 Declaring 2007 Annual United Way Campaign Kick-Off Celebration as Festival – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 39-07/08 Declaring ‘Munjfest 2007’ a Munjoy Hill Street Festival September 15, 2007 – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 40-07/08 Declaring 16th Annual Sportshoe Center Maine Marathon/Relay and Maine Half Marathon Day Festival – Sponsored by Joseph E. Gray, Jr., City Manager.
- Order 41-07/08 Authorizing Naming of Thames Street – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Cloutier and seconded by Councilor Carr for passage of the Consent Calendar. Passage 9-0.

LICENSES:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

- Order 13-07/08 Granting Municipal Officer’s Approval of ASAC Investments, Inc., d/b/a Goodfellas Bar and Nightclub, at 188 Warren Avenue. Application for Class A Lounge with Liquor and Entertainment with Dance License. Entertainment Inside Only. Outdoor Service of Alcohol. New City and State License – Sponsored by Linda C. Cohen, City Clerk. Postponed on 7/16/07.

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

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Motion was made by Councilor Cohen and seconded by Councilor Donoghue to amend the order as outlined in the packet ending outside service of food and consumption of alcohol and all live bands at 9:00 P.M. Certain patron control measures to be made as outlined in the memo in the packet from the applicant. Passage 9-0.

Passage, as amended, 9-0.

Resolve 2-07/08 Petitioning the U.S. House of Representatives to Commence the Investigation of and Impeachment Proceedings against President George W. Bush and Vice President Richard B. Cheney – Sponsored by Councilor Jill C. Duson and Co-sponsored by Councilor David A. Marshall. Failed to pass by 5 votes on 8/6/07.

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

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to amend the order by requiring the question be sent to the voters in November before having the resolution be sent to the U. S. House of Representatives. Failed 2-7 (Mavodones, Cloutier, Leeman, Duson, Cohen, Carr, Suslovic).

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to amend the order by sending the order and also calling a special election irrespective of each other. Failed 4-5 (Mavodones, Leeman, Cohen, Carr, Suslovic).

Failed 3-6 (Mavodones, Leeman, Cohen, Carr, Suslovic, Donoghue).

Order 33-07/08 Prohibiting Skateboarding on the Sidewalks in the Yellow Zone of the Portland Downtown District – Sponsored by the Public Safety Committee – Councilor David A. Marshall, Chair. Postponed on 8/6/07.

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

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Order 34-07/08 Amendment to Portland City Code Chapter 25 (Streets, Sidewalks and Public Places) Section 18 (Playing Prohibited) Re: Skateboarding and Skating on Public Property – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. Given first reading on 8/6/07.

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

Motion was made by Mayor Mavodones and seconded by Councilor Cloutier to reconsider Resolve 2-07/08. Passed 9-0.

Resolve 2-07/08 failed 4-5 (Leeman, Cohen, Carr, Suslovic, Donoghue).

Order 35-07/08 Amendment to Portland City Code Chapter 6 (Buildings and Building Regulations) Sections 6-116.1 and 6-116.2 (Disorderly Houses) Re: Drug Violations in Disorderly Houses – Sponsored by Councilor James F. Cloutier. Given first reading and referred to the Public Safety Committee on 8/6/07.

Motion was made by Councilor Cloutier and seconded by Councilor Cohen to table this item until after the Pier vote. Passage 8-1 (Suslovic).

PUBLIC HEARINGS:

ORDERS:

Order 43-07/08 was taken out of order.

Order 43-07/08 Authorizing Joint Venture Agreement Re: Improvements to the Cumberland County Civic Center – Sponsored by Councilor James I. Cohen.

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

Motion was made by Councilor Cohen and seconded by Councilor Cloutier to amend the agreement by substituting the language denoted as Draft 2 passed out to the City Council. Passage 8-1 (Suslovic).

Passage, as amended, 9-0.

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Councilor Cohen stated that he would be recusing himself from participation in Order 42-07/08.

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.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to require Mayor Mavodones to recuse himself from participating in this item.

Motion was made by Councilor Cloutier and seconded by Councilor Duson to move the question. Failed 2-6 (Mavodones, Leeman, Carr, Suslovic, Donoghue, Marshall).

Motion to require the Mayor to recuse himself failed 2-6 (Mavodones, Leeman, Cloutier, Duson, Carr, Suslovic).

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic to postpone this item to 9/5/07. Passage 8-0.

Order 35-07/08 Resumed here.

Motion was made by Councilor Cloutier and seconded by Councilor Donoghue for passage.

Motion was made by Councilor Cloutier and seconded by Councilor Donoghue to amend the order by substituting the recommendations of the Public Safety Committee included in the Council packet. Passage 8-0 (Cohen gone).

Order 44-07/08 Authorizing City State Agreement Re: IMT – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

AMENDMENTS:

LICENSE RENEWALS:

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to adjourn. Passage 8-0, 11:41 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk