

IN COUNCIL SPECIAL MEETING APRIL 30, 2007 VOL. 123 PAGE 98

ROLL CALL: Mayor Mavodones called the meeting to order at 7:09 P.M. All Councilors were present.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Cohen and seconded by Councilor Suslovic to approve the minutes of the 4/4/07 meeting. Passage 9-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 43-6/07 Honoring Officer Eric McCusker as Officer of the Month for March, 2007
Sponsored by Mayor Nicholas M. Mavodones, Jr.

Proc 44-06/07 Recognizing Municipal Clerks' Week – Sponsored by Mayor Nicholas M. Mavodones, Jr.

APPOINTMENTS:

CONSENT ITEMS:

Order 184-06/07 Setting Time for Opening of the Polls for Special Election on June 12, 2007 –
Sponsored by Linda C. Cohen, City Clerk.

Order 185-06/07 Amending the Rose Bleier Memorial Art Award Trust Agreement – Sponsored
by Joseph E. Gray, Jr., City Manager.

Order 186-06/07 Declaring Memorial Day Parade and Festival – Sponsored by Joseph E. Gray,
Jr., City Manager.

Order 187-06/07 Declaring 2007 “Old Port Festival Day” – Sponsored by Joseph E. Gray, Jr.,
City Manager.

Order 188-06/07 Declaring 2007 “Summer Events/Concerts Series Festival” – Sponsored by
Joseph E. Gray, Jr. City Manager.

Motion was made by Councilor Donoghue and seconded by Councilor Cloutier to approve the Consent Calendar. Passage 9-0.

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LICENSES:

Order 189-06/07 Granting Municipal Officer's Approval of Luis Rodriguez, d/b/a Tu Casa at 70 Washington Avenue. Application for Class IV (Beer Only) License. No Entertainment. Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

Order 190-06/07 Granting Municipal Officer's Approval of Oliver Outerbridge, d/b/a Bonobo at 46 Pine Street. Application for Class III & IV (Beer & Wine) License. No Entertainment. Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

Order 191-06/07 Granting Municipal Officer's Approval of Portland Downtown District and Lively Arts Foundation, d/b/a Alive at Five Outdoor Concert Series. License for Incorporated Civic Organization to Serve Beer at Special Events at Monument Square on July 12, 19, 26 and August 6, 13, 20 of 2007, from 5:00 P.M. to 8:00 P.M. – Sponsored by Linda C. Cohen, City Clerk.

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

Order 192-06/07 Granting Municipal Officer's Approval of Local 188, LLC, d/b/a Local 188 at 685 Congress Street. Application for Class I Restaurant with Liquor License. Entertainment without Dance. Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

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Order 193-06/07 Granting Municipal Officer's Approval of Francisco's Inc., d/b/a Francisco's Blue House Café at 1081 Brighton Avenue. Application for Class I Restaurant with Liquor License. No Entertainment. Inside Only – Sponsored by Linda C. Cohen, City Clerk.

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

Order 194-06/07 Granting Municipal Officer's Approval of Bogey's Bar & Grill, at 1158 Riverside Street. Application to Expand Licensed area for a Class XI Restaurant/Lounge with Liquor to Include the First Floor Function Room – Sponsored by Linda C. Cohen, City Clerk.

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

Councilor Cloutier said he would be recusing himself from participation in Order 195-06/07.

Order 195-06/07 Granting Municipal Officer's Approval of International Business Group, d/b/a Digger's/Liquid Blue, 440-446 Fore Street. Renewal of Class A Lounge, Entertainment with Dance and After Hours Entertainment License. Inside Only. Old Port Overlay Zone – Linda C. Cohen, City Clerk.

Motion was made by Councilor Carr and seconded by Councilor Cohen to postpone this item to 6/4/07. Passage 8-0.

BUDGET ITEMS:

Order 196-06/07 Receiving and Referring to the Finance Committee FY2008 Budget Estimates of the School Committee – Sponsored by Joseph E. Gray, Jr., City Manager.

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

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COMMUNICATIONS:

Com 8-06/07 Receiving the Final Committee Report of the Maine Narrow Gauge Railroad Extension Study – Sponsored by Councilor James I. Cohen, Chair of the Maine Narrow Gauge Extension Study Committee.

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 175-06/07 Placing Charter Amendments on the Ballot on November 6, 2007 Re: Full-Time Elected Mayor – Sponsored by Councilors David A. Marshall and Kevin J. Donoghue. Postponed on 3/19/07.

Motion was made by Councilor Marshall and seconded by Councilor Cloutier to postpone this item to 6/18/07. Passage 9-0.

Order 176-06/07 Amendment to the Portland City Charter Re: Full-Time Elected Mayor – Sponsored by Councilors David A. Marshall and Kevin J. Donoghue. Given first reading on 3/19/07 and postponed on 4/4/07.

Motion was made by Councilor Cloutier and seconded by Councilor Marshall to postpone this item to 6/18/07. Passage 9-0.

Order 182-06/07 Approving Purchase and Sale Agreement Re: Sale of Property Located on Anderson Street to William Simpson – Sponsored by the Community Development Committee, Councilor James F. Cloutier. Postponed on 4/4/07.

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

Order 183-06/07 Approving Amendments to Scrap Metal Recycling Facilities Rules – Sponsored by Joseph E. Gray, Jr., City Manager. Postponed on 4/4/07.

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

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Motion was made by Councilor Cohen and seconded by Councilor Cloutier to postpone this item to 6/4/07. Passage 9-0.

PUBLIC HEARINGS:

ORDERS:

Order 197-06/07 Setting Public Hearing on Issuance of City of Portland General Obligation Bonds in an amount not to exceed \$990,000 for Capital Equipment Purchases – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Order 198-06/07 Setting Public Hearing on Issuance of City of Portland General Obligation Bonds in an amount not to exceed \$1,700,000 for the Purpose of Financing a New Clubhouse Facility at Hadlock Stadium – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Motion was made by Councilor Cohen and seconded by Councilor Cloutier to amend the order to 5:00 P.M. Passage 9-0.

Passage, as amended, 9-0.

Order 199-06/07 Adopting Early FY 2008 Capital Improvement Program – Sponsored By Joseph E. Gray, Jr., City Manager

Motion was made by Councilor Cloutier and seconded by Councilor Carr to postpone this item to a special meeting at 5:00 P.M. on 5/21/07. Passage 9-0.

Order 200-06/07 Authorizing General Obligation Bonds to Finance Improvements to Hadlock Stadium in an Amount not to Exceed \$1,700,000 – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

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Motion was made by Councilor Cloutier and seconded by Councilor Cohen to postpone this item to a special meeting at 5:00 P.M. on 5/21/07. Passage 9-0.

Order 201-06/07 Appropriating \$1,700,000 for Improvements to Hadlock Stadium - Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Motion was made by Councilor Carr and seconded by Councilor Marshall to postpone this item to a special meeting at 5:00 P.M. on 5/21/07. Passage 9-0.

Order 202-06/07 Approving Lease with Portland Sea Dogs Re: Hadlock Field – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Motion was made by Councilor Cohen and seconded by Councilor Cloutier to postpone this item to a special meeting at 5:00 P.M. on 5/21/07. Passage 9-0.

Order 203-06/07 Approving the Purchase and Sale Agreement with the Inn at Diamond Cove, LLC, Re: Hospital and Barracks on Great Diamond Island – Sponsored by Joseph E. Gray, Jr., City Manager.

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

AMENDMENTS:

Councilors Cohen and Donoghue said they would be recusing themselves from participation in Order 204-06/07.

Order 204-06/07 Amendment to Portland City Code Chapter 28 (Traffic and Motor Vehicles) Re: Trucks and Buses Prohibited on Certain Streets – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. First reading.

Motion was made by Councilor Cloutier and seconded by Councilor Carr to postpone the second reading to 6/4/07. Passage 7-0.

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Order 205-06/07 Amendment to Portland City Code Chapter 14, Article III, Zoning: Division 12.B-3, B-3b and B-3c Downtown Business Zones §§14-217, 218, 220 – Sponsored by the Planning Board, Michael J. Patterson, Chair. First reading.

Motion was made by Councilor Suslovic and seconded by Councilor Duson to postpone the second reading to 6/4/07. Passage 8-0 (Donoghue out).

Order 206-06/07 Amendment to Zoning Map Re: B-3c to B-3 Rezoning Area Vicinity of 575 Congress Street – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. First reading.

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to postpone the second reading to 6/18/07. Passage 8-0 (Donoghue out).

Order 207-06/07 Amendment to Portland City Code Chapter 15 (Licenses and Permits) Re: Applications – Sponsored by the Public Safety Committee, Councilor David A. Marshall Chair. First reading.

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to postpone the second reading to 6/4/07. Passage 8-0 (Donoghue out).

LICENSE RENEWALS:

Motion was made by Councilor Carr and seconded by Councilor Suslovic to adjourn. Passage 9-0, 8:37 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk