

## **IN COUNCIL REGULAR MEETING MARCH 19, 2007 VOL. 123 PAGE 84**

**ROLL CALL:** Mayor Mavodones called the meeting to order at 7:03 P.M. All Councilors were present.

### **APPROVAL OF MINUTES OF PREVIOUS MEETING:**

Motion was made by Councilor Cloutier and seconded by Councilor Cohen to approve the minutes of the regular meeting of 3/5/07 and the special meeting of 3/12/07. Passage 9-0.

### **ANNOUNCEMENTS:**

### **RECOGNITIONS:**

### **PROCLAMATIONS:**

- Proc 35-06/07 Honoring Nicholas Goodman, Robert Johnsey, and Benjamin Roper as Employees of the Month for February 2007 - Sponsored by Mayor Nicholas M. Mavodones, Jr.
- Proc 37-06/07 Honoring Officer Martin Ney as Police Officer of the Month for February 2007 – Sponsored by Mayor Nicholas M. Mavodones, Jr.
- Proc 38-06/07 Honoring Andrew Martin as Employee of the Month for March 2007 – Sponsored by Mayor Nicholas M. Mavodones, Jr.

### **CONSENT ITEMS:**

- Order 169-06/07 Authorizing Dog Warrant – Sponsored by Linda C. Cohen, City Clerk.
- Order 170-06/07 Declaring 7<sup>th</sup> Annual Buddy Walk – Sponsored by Councilor James F. Cloutier.
- Motion was made by Councilor Suslovic and seconded by Councilor Cohen to approve the Consent Calendar. Passage 9-0.

### **LICENSES:**

- Order 171-06/07 Granting Municipal Officer's Approval of Bernadette Maglione, d/b/a Blue Stone Lounge, 1192 Forest Avenue. Application for Class XI Restaurant/Lounge and Entertainment with Dance 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 Carr for passage. Passage 9-0.

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Order 172-06/07      Granting Municipal Officer's Approval of El on Wheels, LLC, d/b/a El Camino, 182 Ocean Avenue. Application for Class XI Restaurant/Lounge License. No Entertainment. Outside Dining. 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 Leeman and seconded by Councilor Carr to postpone this item to 4/4/07. Failed 2-7 (Mavodones, Cloutier, Duson, Suslovic, Carr, Donoghue, Marshall).

Passage 8-1 (Leeman)

### **BUDGET ITEMS:**

### **COMMUNICATIONS:**

### **RESOLUTIONS:**

### **UNFINISHED BUSINESS:**

Order 144-06/07      Amendment to Portland City Code §14-217.5 (j) (2) Fees - Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair. Given first reading on 2/5/07. Postponed on 2/21/07.

Motion was made by Councilor Marshall and seconded by Councilor Duson to postpone this item to 4/4/07. Passage 9-0.

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Order 150-06/07      Reallocating \$4,000,000 in Authorized Bonds for the Portland Public Library for the Purchase, Renovation, Furnishing and Equipping of the Portland Public Market for Use as the Portland Public Library and Approving an Additional \$1,000,000 in General Obligation Bonds for the Same Purposes – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 2/21/07. Postponed on 3/5/07.

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

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to amend the order by changing the first date in the first "Whereas" to 3/1/04 and striking the 2<sup>nd</sup> and 3<sup>rd</sup> "Be It Further Ordered." Passage 9-0.

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Passage, as amended, 8-1 (Leeman).

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Order 151-06/07      Amending Order No. 163-03/04 Adopted March 1, 2004 and Re-Appropriating Bond Proceeds – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 2/21/07. Postponed on 3/5/07.

Motion was made by Councilor Cloutier and seconded by Councilor Cohen for passage. Passage 8-1 (Leeman).

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic to table Order 152 until after the vote on Order 156. Passage 8-1 (Leeman).

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Order 153-06/07      Approving Memorandum of Understanding with the Portland Public Library – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 2/21/07. Postponed on 3/5/07.

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

Motion was made by Councilor Cohen and seconded by Councilor Duson to amend the Memorandum of Understanding as outlined in Amended Attachment 1. Passage 9-0.

Passage, as amended, 8-1 (Leeman).

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Order 154-06/07      Authorizing City Manager to Request Offers for Sale of Portland Public Library Building and Property Located at 5 Monument Square – Sponsored by Joseph E. Gray, Jr., City Manager. Postponed on 2/21/07 and 3/5/07.

Motion was made by Councilor Carr and seconded by Councilor Duson for passage. Passage 8-1 (Leeman).

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Order 155-06/07      Appropriating up to \$3,375,000 in Proceeds from the Sale of the Portland Public Library Building and Property Located at 5 Monument Square – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 2/21/07. Postponed on 3/5/07.

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Motion was made by Councilor Cohen and seconded by Councilor Suslovic for passage. Passage 8-1 (Leeman).

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Order 156-06/07      Authorizing Purchase and Sale Agreement with Canal Congress, LLC Re: Portland Public Market – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 2/21/07. Postponed on 3/5/07.

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

Motion was made by Councilor Cohen and seconded by Councilor Suslovic to amend the by adding the Purchase and Sale Agreement as outlined in Attachment 1. Passage 9-0.

Passage, as amended, 8-1 (Leeman).

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Order 152-06/07      Submitting Bonds for Portland Public Library Project to Referendum – Sponsored by Joseph E. Gray, Jr., City Manager. Postponed on 3/5/07.

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

Motion was made by Councilor Duson and seconded by Councilor Carr to amend the order in the first paragraph by changing 3/5/07 to 3/19/07. Passage 8-1 (Leeman).

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Com 7-06/07      Re: Harbor Commission Revised Rules 2.4, 3.3, 4.1, 9.2, and 20.1 – Sponsored by Joseph E. Gray, Jr., City Manager. Postponed on 3/5/07.

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Order 166-06/07      Amendment to Portland City Code Chapter 21 (Public Markets) Re: Section 21-1 Designation and Products Sold – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 3/5/07.

Motion was made by Councilor Suslovic and seconded by Councilor Carr for passage. Passage 8-0 (Donoghue out).

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### **PUBLIC HEARINGS:**

### **ORDERS:**

Order 173-06/07      Approving Wayfinding Signage Portion of Portland Peninsula Traffic Plan – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

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

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Orders 174-06/07      Discontinuing Winslow Street; Discontinuing Conant Street- Sponsored by the Planning Board, Michael J. Patterson, Chair.

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

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to amend the order at the end of each paragraph, after Planning Department, by adding “but otherwise retaining no public easement.” Passage 9-0.

Passage, as amended, 9-0.

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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.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to postpone this item to 4/4/07. Passage 9-0.

### **AMENDMENTS:**

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. First reading.

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Motion was made by Councilor Suslovic and seconded by Councilor Carr to adjourn. Passage 9-0, 9:58 P.M.

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ATTEST \_\_\_\_\_

Linda C. Cohen, MMC, City Clerk