

IN COUNCIL REGULAR MEETING FEB. 21, 2007 VOL. 123 PAGE 73

ROLL CALL: Mayor Mavodones called the meeting to order at 7:06 P.M. Councilors Duson and Carr were absent.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to approve the minutes of the 2/5/07 meeting. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 32-06/07 Honoring Officer Thomas Pappas as Police Officer of the Month for December 2006 - Sponsored by Mayor Nicholas M. Mavodones, Jr.

Proc 34-06/07 Honoring Detective Todd Coons as Police Officer of the Month for January 2007- Sponsored by Mayor Nicholas M. Mavodones, Jr.

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.

APPOINTMENTS:

Order 145-06/07 Appointing Members to Various Boards and Committees – Sponsored by the Appointments & Non-Union Personnel Committee, Councilor Cheryl A. Leeman, Chair.

Name	Committee	Term Expires
Madeleine Segal	Police Citizen Review Subcommittee	3/15/10
David Silk	Planning Board	2/28/10
Jisel Lopez	James Rackleff Trust	2/28/10
Mark Noonan	CATV	6/30/08

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic for passage. Passage 7-0.

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Order 146-06/07 Appointing David L. Gagne as Constable for 2007 Re: City and Portland Housing Authority - Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Cloutier and seconded by Councilor Cohen for passage. Passage 7-0.

CONSENT ITEMS:

Order 147-06/07 Amending Traffic Schedule Re: Marginal Way – Sponsored by the Public Safety Committee, Councilor David A. Marshall, Chair.

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

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to amend the order to change the times to 6:00 A.M. to 8:00 P.M. Passage 7-0.

Passage, as amended, 7-0.

LICENSES:

Order 148-06/07 Granting Municipal Officer's Approval of HDH Marine, LLC, d/b/a Maine Sailing Adventures, Maine State Pier, Commercial Street. Application for Class III & IV (Beer & Wine) Excursion Vessel License. New City and State License. – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic for passage. Passage 7-0.

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Order 149-06/07 Granting Municipal Officer's Approval of North Star Café, Inc., d/b/a North Star Café, 225 Congress Street. Application for Class III & IV (Beer & Wine) Restaurant and Entertainment with Dance License. Outside seating. New City and State License – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 7-0.

BUDGET ITEMS:

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COMMUNICATIONS:

Com 6-06/07 Re: Financial Statements and Audit Report for the Fiscal Year Ended June 30, 2006 – Sponsored by the Finance Committee, Councilor James I. Cohen, Chair.

RESOLUTIONS:

UNFINISHED BUSINESS:

Motion was made by Councilor Suslovic and seconded by Councilor Marshall to table Order 123-06/07 to be taken up after Order 142-06/07. Passage 7-0.

Councilor Cohen recused himself from Order 126.

Order 126-06/07 Approving the Sale of the Portland YWCA at 87 Spring Street as a Project of Special Merit (§14-483 (n)) – Sponsored by Councilor Cheryl A. Leeman. Referred to Housing Committee on 1/3/07. Failed to receive 5 votes on 2/5/07.

Motion was made by Councilor Suslovic and seconded by Councilor Marshall for passage. Failed 2-4 (Mavodones, Cloutier, Donoghue, Marshall).

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Order 141-06/07 Approving Contract with the Animal Refuge League of Westbrook – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 2/5/07.

Motion was made by Councilor Cloutier and seconded by Councilor Suslovic for passage. Passage 7-0.

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Order 142-06/07 Amending Portland City Code Chapter 14 (Land Use) Article III, Division 19.7 (Formula Businesses) and Establishing Task Force on Business Diversity – Co-Sponsored by Councilors Kevin J. Donoghue and David A. Marshall. Given first reading on 2/5/07.

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

Motion was made by Councilor Cloutier and seconded by Mayor Mavodones to amend the order by deleting Section 1. Failed 2-5 (Cohen, Donoghue, Marshall, Suslovic, Leeman).

Passage 7-0.

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Motion was made by Councilor Suslovic and seconded by Councilor Cloutier to take up Order 123. Passage 7-0.

Order 123-06/07 Amendment to Order No. 100-06/07 Amendment to Portland City Code Chapter 14 (Land Use) Placing Sunset Provision on Article III, Division 19.7 (Formula Businesses) – Sponsored by Councilor Edward J. Suslovic. Given first reading on 12/18/06. Referred to CDC Committee on 1/3/07. Postponed on 2/5/07.

Motion was made by Councilor Suslovic and seconded by Councilor Cohen to indefinitely postpone. Passage 7-0.

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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.

Motion was made by Councilor Leeman and seconded by Councilor Cloutier to postpone this item to 3/19/2007. Passage 5-2 (Marshall, Donoghue).

PUBLIC HEARINGS:

ORDERS:

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. First reading.

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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. First reading.

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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.

Motion was made by Councilor Cohen and seconded by Councilor Suslovic to postpone this item to 3/5/07. Passage 7-0.

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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. First reading.

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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.

Motion was made by Councilor Cohen and seconded by Councilor Suslovic to postpone this item to 3/5/07. Passage 7-0.

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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. First reading.

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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. First reading.

AMENDMENTS:

LICENSE RENEWALS:

Motion was made by Councilor Suslovic and seconded by Councilor Donoghue to adjourn. Passage 7-0, 9:10 P.M.

A TRUE COPY.

ATTEST _____
Amanda L. Berube, Assistant City Clerk