

IN COUNCIL SPECIAL MEETING DEC. 7, 2009 VOL. 126 PAGE 46

ROLL CALL: Mayor Mavodones called the meeting to order at 7:00 P.M. Councilor Coyne arrived after appointments.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Skolnik and seconded by Councilor Anton to approve the minutes of the 11/16/09 meeting. Passage 8-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 13-09/10 Honoring Officer Joseph Bliss as Officer of the Month for October, 2009 - Sponsored by Mayor Nicholas M. Mavodones, Jr.

APPOINTMENTS:

Order 106-09/10 Appointing Constables for 2010 Re: City and Portland Housing Authority – Sponsored by Joseph E. Gray, Jr., City Manager.

PARKING CONTROL

Andy Martin
Paul Willey
John Peverada

PROCESS SERVER, POLICE DEPARTMENT
Kelly Watters

ANIMAL CONTROL, POLICE DEPARTMENT
Debra Estrella

CLIFF ISLAND
Charles Green

PORTLAND HOUSING AUTHORITY
Karin Lavigne
Trevor Nugent
David Gagne
Annette Rogers

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

CONSENT ITEMS:

Consent Calendar was divided into two separate items.

Order 107-09/10 Approving Transfer of Funds Under 15 M.R.S.A. §5824(3) and 5836(6) – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Councilor Anton said he would be recusing himself from participating in the discussion of Order 108-09/10.

Order 108-09/10 Authorizing the Refinancing of an Urban Development Action Grant Loan for Avesta Munjoy Commons LP – Sponsored by Joseph E. Gray, Jr., City Manager.

Motion was made by Councilor Duson and seconded by Councilor Waxman for passage. Passage 8-0 (Anton abstaining).

LICENSES:

Order 109-09/10 Granting Municipal Officers Approval of Sabieng, LLC, d/b/a Sabieng, 21 Forest Avenue. Application for Class III & IV (Beer & Wine) License – Sponsored by Linda C. Cohen, City Clerk.

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

Order 110-09/10 Granting Municipal Officer's Approval of Thermalpixs, LLC, d/b/a Velvet, 446 Fore Street. Application for Class A Lounge, Entertainment with Dance and After Hours Entertainment License. Entertainment Inside Only – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Skolnik and seconded by Councilor Anton for passage. Passage 9-0.

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Order 111-09/10 Granting Municipal Officer's Approval of Figa, LLC, d/b/a Figa, 249 Congress Street. Application for Class I Restaurant with Liquor License – Sponsored by Linda C. Cohen, City Clerk.

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

Order 112-09/10 Granting Municipal Officer's Approval of Big Pig, Inc., d/b/a Katahdin Restaurant, 27 Forest Avenue. Application for Class I Restaurant with Liquor License – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Anton and seconded by Councilor Skolnik for passage. Passage 9-0.

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 99-09/10 Amendment to City Code Sec. 14-49 (Zoning Text and Map Amendment) RE: Conditional Re-Zoning for Property in the Vicinity of Kensington Street – Sponsored by the Planning Board, David Silk, Chair. Given first reading on 11/2/09. Postponed on 11/16/09.

Motion was made by Councilor Leeman and seconded by Councilor Skolnik for passage.

Motion was made by Councilor Leeman and seconded by Councilor Anton to amend the order by removing in, Paragraph 9, the sidewalk on the opposite side of the street or payment for neighborhood improvements. Passage 9-0.

Motion was made by Councilor Leeman and seconded by Councilor Marshall to amend the order by striking the \$5,000.00 contribution for trail improvements and changing it to \$2,500.00 within five years. Passage 6-3 (Anton, Donoghue, Marshall).

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Passage, as amended, 9-0.

Order 103-09/10 Appropriating \$100,000 from Martin's Point Proceeds Re: Architectural-Engineering Services – Sponsored by Joseph E. Gray, Jr., City Manager. Given first reading on 11/16/09.

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

ORDERS:

Order 113-09/10 Establishing Athletic Facilities Task Force – Sponsored by the Health and Recreation Committee, Councilor Dory Richards Waxman, Chair.

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

Order 114-09/10 Approving Board and Committee Application – Sponsored by the Appointments and Non-Union Personnel Committee, Councilor John R. Coyne, Chair.

Motion was made by Councilor Coyne and seconded by Councilor Anton for passage.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to refer this item to the Non-Union Personnel/Appointments Committee. Failed 3-6 (Leeman, Duson, Donoghue, Anton, Coyne, Waxman).

Motion was made by Councilor Duson and seconded by Councilor Anton to amend the order to require the same criminal history disclosure question of those running for elected municipal office. Failed 1-8 (Mavodones, Leeman, Marshall, Donoghue, Skolnik, Anton, Coyne, Waxman).

Motion was made by Councilor Anton and seconded by Councilor Donoghue to amend the order by striking the wording regarding pending criminal complaints or indictments. Passage 9-0.

Motion was made by Councilor Coyne and seconded by Councilor Duson to amend the order by adding a sentence that the applicant agrees to notify the City Clerk if any of the information above the signature changes during the term of office. Passage 9-0.

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Failed 4-5 (Mavodones, Donoghue, Marshall, Skolnik, Waxman).

Order 115-09/10 Approving Lease Agreement with Ready Seafood Co. Re: Portland Ocean Terminal – Sponsored by the Community Development Committee, Councilor Cheryl A. Leeman, Chair.

Motion was made by Councilor Skolnik and seconded by Councilor Leeman for passage. Passage 9-0.

Order 116-09/10 Approving the Amendments to the Rules for the Disposition of Tax Acquired Property - Sponsored by the Community Development Committee, Cheryl A. Leeman Chair and the Housing Committee, Councilor David A. Marshall, Chair.

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

Order 117-09/10 Approving Amendments to SOP1, Law Enforcement Authority, Regarding the Use of Tasers – Sponsored by the Public Safety Committee, Councilor Daniel S. Skolnik, Chair.

Motion was made by Councilor Skolnik and seconded by Councilor Waxman for passage.

Motion was made by Councilor Skolnik and seconded by Councilor Donoghue to amend the order by including the changes in the handout given at the Council meeting, a memo from Chief Craig. Passage 9-0.

Passage, as amended, 6-3 (Mavodones, Leeman, Duson).

AMENDMENTS:

Order 118-09/10 Amendment to Portland City Code Chapter 2 Administration Sections 2-49 & 2-76 Re: Police Citizen Review Sub-Committee – Sponsored by the Public Safety Committee, Councilor Daniel S. Skolnik, Chair. First reading.

LICENSE RENEWALS:

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Motion was made by Councilor Donoghue and seconded by Councilor Coyne to adjourn. Passage 8-0 (Marshall gone), 11:02 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk