

IN COUNCIL SPECIALMEETING OCTOBER 5, 2016 VOL. 133 PAGE 22

ROLL CALL: Mayor Strimling called the meeting to order at 5:00 P.M. (Councilor Thibodeau absent).

ANNOUNCEMENTS: Councilor Ray announced that at the October 17th City Council meeting she will be putting on the agenda for October 17, 2016 a moratorium regarding City Parks and Public Grounds in the R-6 Zone on the Portland Peninsula.

RECOGNITIONS:

“Arts in the Chamber,” Martin Steingesser, Poet; Rudy Gabrielson, Musician.

City of Portland Recognizes Katherine L. Jones for receiving the Lorraine Fluery Award from the Secretary of State.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Costa and seconded by Councilor Duson for passage of the minutes of the September 19, 2016 Regular City Council meeting.

Motion was made by Councilor Hinck and seconded by Councilor Costa to amend the minutes by striking out on Order 61 “and has done work for ImmuCell Corporation.” Passage 8-0.

PROCLAMATIONS:

Proc 11-16/17 Proclamation Honoring Officer Thien Duong as Police Officer of the Month for August 2016 – Sponsored by Mayor Ethan K. Strimling.

Proc 12 – 16/17 Proclamation Honoring George Johns, Jr., Public Works, as Employee of the Month for September 2016 – Sponsored by Mayor Ethan K. Strimling.

APPOINTMENTS:

CONSENT ITEMS:

LICENSES:

Order 61A -16/17 Order Granting Municipal Officers’ Approval of Dutch’s d/b/a Dutch’s. Application for a Class I Restaurant at 28 Preble Street — Sponsored by Michael Russell, Director of Permitting & Inspections Department.

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Motion was made by Councilor Suslovic and seconded by Councilor Ray passage. Passage 8-0.

Order 62 -16/17 Order Granting Municipal Officers' Approval of LB Kitchen, LLC d/b/a LB Kitchen. Application for a Class III & IV Malt & Vinous at 249 Congress Street - Sponsored by Michael Russell, Director of Permitting & Inspections Department.

Motion was made by Councilor Hinck and seconded by Councilor Duson for passage. Passage 8-0.

BUDGET ITEMS:

COMMUNICATIONS:

Com 2-16/17 Communication Re: City Code Chapter 17, Article VIII. Recreational Use of Marijuana by Adults 21 Years of Age or Older – Sponsored by Mayor Ethan K. Strimling.

On November 5, 2013, Portland voters supported the passage of a city ordinance which allows the possession of up to 2.5 ounces of marijuana by adults age 21 and older.

Article VIII. Section 17-113 went into effect almost three years ago on December 6, 2013. The ordinance allows for the possession of marijuana in a public place, but it prohibits the use of marijuana in public and the furnishing of or trafficking in the drug.

Sec. 17-116 requires the Mayor to report to the City Council annually as to the implementation and enforcement of the ordinance.

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 57-16/17 Order Approving the Riverside Recycling Facility Agreement with CPRC Group, LLC – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on September 19, 2016.

Motion was made by Councilor Hinck and seconded by Councilor Ray to pass Order 57 as an emergency. Passage 8-0.

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Order 58-16/17 Order Approving Two-Party Agreement between the City of Portland and the Maine Department of Transportation Re: Forest Avenue and Dartmouth Street – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on September 19, 2016.

Motion was made by Councilor Ray and seconded by Councilor Costa for passage.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic to postpone Order 58 to the October 17, 2016 City Council Meeting. Passage 8-0.

Order 59-16/17 Order Appropriating Funds from the Sale of City-Owned Bayside Property on Somerset Street – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on September 19, 2016.

Motion was made by Councilor Duson and seconded by Councilor Costa to postpone Order 59 to the November 7th City Council meeting. Passage 8-0.

Order 60-16/17 Order Reappropriating Unspent Bond Proceeds Re: Moody-Wilson Storm Drain – Sponsored by Jon P. Jennings, City Manager. This item was given first reading on September 19, 2016.

Motion was made by Councilor Suslovic and seconded by Councilor Ray for passage as an emergency. Passage 8-0.

ORDERS:

Order 63 -16/17 Order Amending the Sidewalk Materials Policy and Map – Sponsored by Jon Jennings, City Manager

Motion was made by Councilor Ray and seconded by Councilor Mavodones for passage. Passage 8-0.

Order 64-16/17 Order Setting Time For Opening of Polls on November 8, 2016 RE: Presidential and General Municipal Election – Sponsored by Katherine L. Jones, City Clerk.

Motion was made by Councilor Suslovic and seconded by Councilor Ray for passage. Passage 8-0.

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Order 65-16/17 Order Approving and Allocating Cumberland County HOME Consortium Funds – Sponsored by the Housing Committee, Jill Duson, Chair.

This is its first reading.

AMENDMENTS:

Order 66-16/17 Amendment to Zoning Map Re: Congress Square as Recreation Open Space (ROS) – Sponsored by the Planning Board, Elizabeth Boepple, Chair.

This is its first reading.

Order 67-16/17 Amendment to Portland City Code Chapter 6 Buildings and Building Regulations Re: Building Energy Use Disclosure Ordinance – Sponsored by the Energy and Sustainability Committee, Councilor Jon Hinck, Chair.

This is its first reading.

EXECUTIVE SESSION:

Executive Session Re: Discussion and Consideration of the City's Legal Rights and Duties Under the State's New General Assistance Rules and Laws and Discussion of City of Portland v. Maine Department of Health and Human Services, et al., AP-15-20 with Corporation Counsel, Pursuant to 1 M.R.S. Section 405(6)(E) – Sponsored by Jon P. Jennings, City Manager.

Motion was made by Councilor Duson and seconded by Councilor Ray to move into executive session pursuant to 1 M.R.S. Section 405 (6)E. Passage 8-0.

Motion was made by Councilor Duson and seconded by Councilor Ray to move out of executive session. Passage 8-0, 7:25 P.M.

BREAK FOR DINNER:

7:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:

EXECUTIVE SESSION:

Executive Session Re: Performance Evaluations of the City Clerk and Corporation Counsel Pursuant to 1 M.R.S. §405(6)(A) – Sponsored by the Nominating Committee, Justin Costa, Chair.

Motion was made by Councilor Costa and seconded by Councilor Suslovic to adjourn the Regular City Council meeting and go into Executive Session pursuant to 1 M.R.S. section 405 (6)(A). Passage 8-0, 7:40 P.M.

Motion was made by Councilor Ray and seconded by Councilor Duson to come out of executive session. Passage 7-0, (Suslovic gone), 9:51 P.M.

LICENSE RENEWALS:

A TRUE COPY.

Katherine L. Jones, City Clerk