

**MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL**

DATE: Monday, July 21, 2008

A **SPECIAL MEETING** of the City Council was held on **Monday, July 21, 2008** at 6: 35 p.m. in the City Council Chamber with all Members present except for Councilor Twomey, Councilor Silva, and Councilor Gonzalez [Councilor Gonzalez arrived at 6:41 p.m.].

No members of the public were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

Council President Blanchette announces the purpose convening a “Special Meeting” of the Lawrence Council and proceeded by inviting Councilor Kolofoles to present the report of the Ordinance Committee regarding the matter for consideration.

I. ACCEPTANCE OF MINUTES: None.

II. PUBLIC PARTICIPATION: None.

III. PUBLIC HEARINGS: None.

IV: COMMUNICATION FROM MAYOR, CITY OFFICIALS & CITY ATTORNEY: None.

V. APPROPRIATIONS-ORDERS-RESOLUTION: None.

VI. COMMITTEE REPORTS:

**Doc. 158/08: Capital Café and Grill – 89 South Broadway Street – request
permission to place chairs**

. Councilor Kolofoles commenced by suggesting that the Council Members consider waiving City Council Rule 3.5(c)(ii) governing the “Rules of Procedure” for

calling “Special Meetings” of the City Council as recommended by City Attorney Boddy before proceeding

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with any further business. He stated that a vote to waive the Rule was necessary since it appeared that the Council Members may not have been provided the form of notice required by the rule.

[Councilor Gonzalez arrived at 6:41 p.m.].

Council President Blanchette cited Rule 3.5(c)(ii) and stated that the notice of the Special Meeting was provided to the City Council Secretary for distribution to each of the Council Members in accord with the rule. Council President Blanchette stated that the provisions of Rule 3.5(c)(ii) have been met and called upon Councilor Kolofoles to present the report of the Ordinance Committee regarding the agenda item for consideration.

Councilor Kolofoles stated that he believes that the provisions of Rule 3.5 (c)(ii) may not have been met and suggested that the Council Members take action to rectify the possible lack of sufficient notice of the meeting contemplated by the rule. Council President Blanchette asked Councilor Kolofoles to present the report of the Ordinance Committee to the Council Members present.

Councilor Kolofoles presented the report of the Ordinance Committee recommending the approval of the petition presented. The report was presented in the form of a motion to approve which was seconded by Councilor Moran.

By way of discussion, Councilor Kolofoles informed the Council Members that

the petitioners, Maritza Almodovan and Juan Carlos Martinez, were present and available to respond to any questions or concerns of the Council Members. Councilor Kolofoles also stated that both the City Engineer and Inspectional Services Commissioner Myles Burke

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viewed the location subject to the petition and found that the location of the tables and chairs was no more than five feet from the frontage of the business property. He stated that although the location was minimal, the use would not be prohibitive and would only be used until November 1st since the weather would likely end any outdoor café style service by that time.

Upon inquiry by Council President Blanchette, the petitioners explained and discussed their plan to place a few tables and chairs on the sidewalk area for use during business hours. Upon conclusion of his questioning, Council President Blanchette stated that he supports the petition as presented and commented that it will enhance their business.

Upon being granted the floor, Councilor Alvarez-Rodriguez praised the petitions and remarked on their hard work and diligence in their business and stated that she supports the petition as presented.

Upon being granted the floor, Councilor Kolofoles stated that he believed that restricting the use until November 1st was appropriate and asked the petitioners additional questions about the times the business would open and close. Councilor Kolofoles presented a motion to have the permit expire on November 1, 2008. Council President

Blanchette rejected the motion stated that there is already a motion presented for consideration.

Council President Blanchette called the item to the attention of the Council Members present who voted unanimously [7-0] to approve the measure.

Doc. 158/08: Approved

VII. WITHDRAWALS: None.

VIII. OLD BUSINESS: - None.

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IX. TABLED MATTERS:

The following items remained “tabled” without further action:

14/07	Temporary Appointments–proposed amendments to Sec. 2.04.081 of the Municipal Code
288/06	Traffic and Public Safety–5 corners (Floral, School, Hancock, Doyle Streets and Oregon Avenue) - Ord. Comm.
275/07	Marion Avenue – park to be named – Ord. Comm.
6B/08	City Contract Ordinance – Section 3.04.230- Ord. Comm.

X. NEW BUSINESS: None.

XI. ADJOURNMENT:

Upon Motion of Councilor Alvarez-Rodriguez duly seconded by Councilor

Moran, the Council Members present voted to Adjourn as follows: Yes = 6; 1 = No; 2 =

Absent.

Councilor Fielding – Yes
Councilor Gonzalez – Yes
Councilor Moran – Yes
Councilor Abdoo – Yes
Councilor Alvarez-Rodriguez – Yes
Councilor Twomey - Absent
Councilor Silva – Absent
Council Vice President Kolofoles – No
Council President Blanchette – Yes

ADJOURNED

(6:54p.m.)

Attest:

William J. Maloney
City Clerk