

IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 129 PAGE 3

ROLL CALL: Mayor Brennan called the meeting to order at 7:03 P.M. Councilors Duson, Anton, and Leeman were absent.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Coyne and seconded by Councilor Suslovic to approve the minutes of June 17, 2013 Regular City Council Meeting and June 24, 2013 Special City Council Meeting. Passage 6-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

APPOINTMENTS:

CONSENT ITEMS:

LICENSES:

BUDGET ITEMS:

COMMUNICATIONS:

**Com 1-13/14 Communication Appointing Redistricting Committee -
Sponsored by Mayor Michael F. Brennan.**

The Mayor has appointed the following to the Redistricting Committee to address this reapportioning issue:

- (1) Corporation Counsel or designee
- (2) City Clerk or designee;
- (3) MIS Director or designee;
- (4) City Manager or designee;
- (5) Councilor Mavodones; and
- (6) Councilor Anton

**Com 2-13/14 Communication Appointing Nathan Clifford School Re-Use Proposal
Review Committee – Sponsored by Mayor Michael F. Brennan.**

The Review Committee will consist of the following members:

Planning:

Jeff Levine, Planning and Urban Development Director, Co-Chair

Neighborhood Representative:

Caroline Paras, Granite Street, Co-Chair

Economic Development:

Greg Mitchell, Economic Development Director

Anita Lachance:

Public Facilities Director

IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 129 PAGE 4

Design Professional:

Paul Stevens, SMRT

Greater Portland Landmarks:

Carol DeTine, CH Studio

Real Estate Professional:

Sean Dundon, Blackstone Consulting

RESOLUTIONS:

UNFINISHED BUSINESS:

Order 264 12/13 Amendment to Portland City Code Chapter 12: Garbage, Waste and Junk Re: Multi-Family Recycling - Sponsored by the Transportation, Sustainability and Energy Committee, Councilor David A. Marshall, Chair, Councilor Kevin J. Donoghue, Vice-Chair. This item was given first reading on June 17, 2013.

Motion was made by Councilor Marshall and seconded by Councilor Suslovic to refer back to committee. Passage 6-0.

Order 265-12/13 Amendment to Portland City Code Chapter 14 – Land Use, Article III Zoning RE: Permitted Uses in the IL and ILb Zones – Sponsored by the Planning Board, Carol Morrisette, Chair. This item was given first reading on June 17, 2013.

Motion was made by Councilor Suslovic and seconded by Councilor Mavodones for passage. Passage 6-0.

Motion was made by Councilor Suslovic and Councilor Marshall to take Order 267-12/13 out of order. Passage 6-0.

Order 267-12/13 Amendment to Zoning Map from R-6 Residential Zone to B-3 Downtown Business Zone Re: 409 Cumberland Avenue– Sponsored by the Planning Board, Carol Morrisette, Chair. This item was given first reading on June 17, 2013.

Motion was made by Councilor Donoghue and seconded by Councilor Mavodones for passage. Passage 6-0.

IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 129 PAGE 5

Order 266-12/13 Amendment to Portland City Code Chapter 25 Streets, Sidewalks and Other Public Places Article II. Obstructions, Encumbrances and Authorized Events and Article VII. Excavations Section 25-17 (Selling and other prohibited activity) and Section 25-118 (Definitions) – Sponsored by the Public Safety Health and Human Services Committee, Councilor Edward J. Suslovic, Chair. This was given first reading on June 17, 2013.

Motion was made by Councilor Suslovic and seconded by Councilor Mavodones for passage. Passage 6-0.

Order 6-13/14 Order Adopting Citizen Participation Plan – Sponsored by the Housing and Community Development Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on July 15, 2013 at the afternoon Special City Council meeting.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 6-0.

Order 7-13/14 Order Re: CDBG Substantial Amendment for Additional Allocation – Sponsored by the Housing & Community Development Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on July 15, 2013 at the afternoon Special City Council meeting.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 6-0.

Order 8-13/14 Order Approving CDBG Working Group Recommendations – Sponsored by the Housing and Community Development Committee –Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on July 15, 2013 at the afternoon Special City Council meeting.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 6-0.

Order 9-13/14 Order Approving Annual Adjustments to the CDBG Program & Process – Sponsored by the Housing and Community Development

IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 129 PAGE 6

Committee, Councilor Nicholas M. Mavodones, Jr., Chair. This item was given first reading on July 15, 2013 at the afternoon Special City Council meeting.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 6-0.

PUBLIC HEARINGS:

A Public Hearing will be held in City Council Chambers, 389 Congress Street at 7:00 p.m. on July 15, 2013 to take public comment on the proposed amendment to Chapter 17 (Offenses, Miscellaneous Provisions) Article VII of the Portland City Code: “Recreational Use of Marijuana by Adults 21 Years of Age or Older”. (Proposed amendment is included the agenda backup.)

ORDERS:

Order 10-13/14

Order Enacting Citizen Initiative Ordinance Entitled Amendment to Chapter 17 (Offenses, Miscellaneous Provisions) Article VII: “Recreational Use of Marijuana by Adults 21 Years of Age or Older” – Sponsored by Katherine L. Jones, City Clerk.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Failed 1-5 (Coyne, Mavodones, Suslovic, Donoghue, Brennan).

Motion was made by Councilor Coyne and seconded by Councilor Mavodones to postpone. Passage 5-1 (Marshall).

Order 11-13/14

Order Setting Election Date on Citizen Initiated Ordinance Entitled: Amendment to Chapter 17 (Offenses, Miscellaneous Provisions) Article VII: “Recreational Use of Marijuana by Adults 21 Years of Age or Older” – Sponsored by Katherine L. Jones, City Clerk.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 5-1 (Coyne).

Order 12-13/14

**Order Approving Lease with Shucks Maine Lobster, LLC
Re: Portland Ocean Terminal – Sponsored by the Housing and**

IN COUNCIL REGULAR MEETING JULY 15, 2013 VOL. 129 PAGE 7

Community Development Committee, Councilor Nicholas M. Mavodones, Jr. Chair.

Motion was made by Councilor Mavodones and seconded by Councilor Donoghue for passage. Passage 6-0.

Order 13-13/14 Order Approving Second Amendment to Lease Agreement with Ready Seafood Co. Re: Portland Ocean Terminal – Sponsored by the Housing and Community Development Committee, Councilor Nicholas M. Mavodones, Jr., Chair.

Motion was made by Councilor Mavodones and seconded by Councilor Suslovic for passage. Passage 6-0.

Order 14-13/14 Order Amending Towing Schedule and Fees for Nonconsensual Tows - Sponsored by the Transportation, Sustainability, and Energy Committee, Councilor David A. Marshall, Chair.

Motion was made by Councilor Suslovic and Councilor Coyne to increase all fees by 25%. Failed 3-3 (Marshall, Donoghue, Brennan).

Motion was made by Councilor Suslovic and Councilor Coyne to increase Second Re-Tow fee. Failed 3-3 (Marshall, Donoghue, Brennan).

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 5-1 (Coyne).

Motion was made by Councilor Suslovic and seconded by Councilor Coyne to adjourn. Passage 6-0, 11:10 P.M.

A TRUE COPY.

Janice Gardner, Assistant City Clerk