

IN COUNCIL REGULAR MEETING NOV. 1, 2010 VOL. 127 PAGE 35

ROLL CALL: Mayor Mavodones called the meeting to order at 7:02 P.M. Councilor Coyne arrived during the special meeting. Councilor Marshall arrived during Order 69. Councilor Skolnik was absent.

SPECIAL MEETING:

Motion was made by Councilor Anton and seconded by Councilor Waxman to recess the City Council meeting and convene a Special Meeting of the Corporator of the Portland Fish Exchange – Sponsored by Mayor Nicholas M. Mavodones, Jr. Passage, 6-0, 7:07 P.M.

Order 66-10/11 Appointing Directors of the Portland Fish Exchange – Sponsored by the Appointments & Non-Union Personnel Committee, Councilor John R. Coyne, Chair.

This order appoints the following as Directors of the Portland Fish Exchange for a term expiring September 30, 2012.

Class A: Avis Leavitt
Class B: Raymond Swenton
Class C: Thomas Valleau

Motion was made by Councilor Anton and seconded by Councilor Waxman for passage. Passage 6-0.

Motion was made by Councilor Anton and seconded by Councilor Duson to adjourn the Special Meeting and reconvene the City Council Meeting. Passage 7-0, 7:09 P.M.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Motion was made by Councilor Anton and seconded by Councilor Waxman to approve the minutes of the 10/18/10 meeting. Passage 7-0.

ANNOUNCEMENTS:

RECOGNITIONS:

PROCLAMATIONS:

Proc 11-10/11 Honoring Officer Jeffrey Ruth as Police Officer of the Month for September 2010 – Sponsored by Mayor Nicholas M. Mavodones, Jr.

IN COUNCIL REGULAR MEETING NOV. 1, 2010 VOL. 127 PAGE 36

APPOINTMENTS:

Order 67-10/11 Appointing Members of the Portland Widows' Wood Society – Sponsored by Mayor Nicholas M. Mavodones, Jr.

Henry L. Donovan	15 Clifford Street
Robert Duranleau	389 Congress Street
Michael Francouer	33 Autumn Lane
Cyrus Hagge	45 Turner Street
Cheryl Hallett, Treasurer	22 Pride Farm Falmouth, Falmouth
Everett P. Ingalls	125 Neal Street
John C. Knox, President	44 Bramblewood Drive
Thomas M. Pierce	84 Eastern Promenade

Motion was made by Councilor Anton and seconded by Councilor Waxman for passage. Passage 7-0.

Order 68-10/11 Appointing Members of the Sound Oversight Committee – Sponsored by Councilor Dory Richards Waxman.

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

CONSENT ITEMS:

Motion was made by Councilor Duson and seconded by Councilor Anton to separate the consent items. Passage 7-0.

Order 69-10/11 Approving Sale of Easement to Michael and Nina Miller Re: 76 Watson Street – Sponsored by Joseph E. Gray, Jr., City Manager.

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

Motion was made by Councilor Anton and seconded by Councilor Leeman to amend the order by changing the street number to 76. Passage 7-0.

Passage, as amended, 8-0.

IN COUNCIL REGULAR MEETING NOV. 1, 2010 VOL. 127 PAGE 37

Order 70-10/11 Amending Traffic Schedule Re: C Street – Sponsored by the Transportation Committee, Councilor Kevin J. Donoghue, Chair.

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

LICENSES:

Order 71-10/11 Granting Municipal Officer's Approval of Hai Thi Vuong, d/b/a Saigon Restaurant, 795 Forest Avenue. Application for Class III & IV (Beer & Wine) Restaurant License – Sponsored by Linda C. Cohen, City Clerk.

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

Order 72-10/11 Granting Municipal Officers's Approval of Siano's Old Port Pizzeria, LLC, d/b/a Siano's Old Port Pizza, 505 Fore Street. Application to expand licensed area into the parking lot for 1st Annual Fall Chowder Competition on November 21, 2010 from 1:00 P.M. to 4:00 P.M. – Sponsored by Linda C. Cohen, City Clerk.

Motion was made by Councilor Waxman and seconded by Councilor Coyne for passage. Passage 8-0.

PUBLIC HEARINGS:

BUDGET ITEMS:

COMMUNICATIONS:

RESOLUTIONS:

Resolve 3-10/11 Supporting Legislation Prohibiting Guns in Publicly Owned or Controlled Buildings or Facilities that Host Large Public Gatherings – Sponsored by the Public Safety Committee, Councilor Daniel S. Skolnik, Chair.

Motion was made by Councilor Donoghue and seconded by Councilor Marshall to postpone this item to 11/15/10. Passage 8-0.

IN COUNCIL REGULAR MEETING NOV. 1, 2010 VOL. 127 PAGE 38

UNFINISHED BUSINESS:

Motion was made by Councilor Anton and seconded by Councilor Waxman to table the Reconsideration of Order 58-10/11 and the possible action on the order to the end of the meeting. Passage 8-0.

Order 63-10/11 Amendment to Portland City Code Chapter 11 Food and Food Handlers Article II. Food Service Establishments Sections 11-16 and 11-38. – Sponsored by the Health and Recreation Committee, Councilor Dory Richards Waxman, Chair. Given first reading on 10/18/10.

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

Order 64-10/11 Amendment to City Code §14-49 (Zoning Map Amendment) Re: Conditional Rezoning for Property in Vicinity of St. Lawrence Center/Congress Street - Sponsored by the Planning Board, William Hall, Chair. Given first reading on 10/18/10.

Motion was made by Councilor Donoghue and seconded by Councilor Waxman for passage. Passage 7-0 (Anton out).

Order 65-10/11 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Division 7. R-6 Residential Zone – Sponsored by the Planning Board, William Hall, Chair. Given first reading on 10/18/10.

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

ORDERS:

Order 73-10/11 Approving Purchase and Sale Agreement with Ananta LLC for 610 Riverside Street – Sponsored by Joseph E. Gray, Jr., City Manager. Emergency passage requested.

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

IN COUNCIL REGULAR MEETING NOV. 1, 2010 VOL. 127 PAGE 39

AMENDMENTS:

Order 74-10/11 Amendment to Portland City Code Chapter 14. Land Use Article VIII. Regulation of Explosives – Sponsored by the Planning Board, William Hall, Chair. First reading.

Order 75-10/11 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Division 24. Use Regulations and Exceptions - Sponsored by the Planning Board, William Hall, Chair. First reading.

Order 76-10/11 Amendment to Portland City Code Chapter 6. Buildings and Building Regulations Article II. Building Code Re: Maine Uniform Building and Energy Code – Sponsored by Joseph E. Gray, Jr., City Manager. First reading.

Order 77-10/11 Amendment to Portland City Code Chapter 14. Land Use Article III. Zoning Division 1. Generally - Sponsored by Councilor David A. Marshall. First reading.

Motion was made by Councilor Marshall and seconded by Councilor Waxman to refer this item to the Planning Board. Passage 8-0.

Order 78-10/11 Amendment to Portland City Code Chapter 21. Farmer's Markets Article I. In General – Sponsored by Councilor David A. Marshall. First reading.

Motion to Reconsider Postponement of Order 58-10/11, Amendment to Zoning Map Re: 66-68 High Street Rezoning from R-6 Residential Zone to R-7 Compact Urban Residential Zone – Sponsored by Councilor David A. Marshall.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue to reconsider Order 58-10/11. Passage 8-0.

Councilor Anton stated that he would be recusing himself from participation in the discussion and action for Order 58.

Order 58-10/11 Amendment to Zoning Map Re: 66-68 High Street Rezoning from R-6 Residential Zone to R-7 Compact Urban Residential Zone – Sponsored by the Planning Board, William Hall, Chair. Given first reading on 10/4/10. Postponed on 10/18/10 to 11/15/10. Emergency Passage Requested.

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for emergency passage. Failed to receive emergency passage 6-1 (Leeman).

IN COUNCIL REGULAR MEETING NOV. 1, 2010 VOL. 127 PAGE 40

Motion was made by Councilor Marshall and seconded by Councilor Donoghue for passage. Passage 6-1 (Leeman).

LICENSE RENEWALS:

Motion was made by Councilor Donoghue and seconded by Councilor Waxman to adjourn. Passage 5-0 (Leeman, Marshall absent), 8:55 P.M.

A TRUE COPY.

ATTEST _____
Linda C. Cohen, MMC, City Clerk