

CITY OF LEWISTON

CITY COUNCIL

JANUARY 8, 2013

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:00 P.M.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Butler, D’Auteuil, Christ, Saddlemire, Cayer and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo.

Absent/Excused: Councilor Libby (Note – Under the City Charter, the Mayor is permitted to cast a vote in the absence of a City Councilor.)

Pledge of Allegiance to the Flag.

Moment of Silence.

EXECUTIVE SESSION

VOTE (1)

Motion by Councilor Butler, seconded by Councilor Cayer:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (C) to discuss an Economic Development issue regarding Contract Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

Passed - Vote 6-0-1 (Councilor D’Auteuil abstained due to a conflict of interest)

Session started at 6pm and ended at 6:15pm

VOTE (2)

Motion by Councilor Butler, seconded by Councilor Cayer:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (A) to discuss personnel matter regarding the annual evaluation of the City Administrator. Passed - Vote 7-0

Session started at 6:15pm and ended at 7:00pm

7:00pm Regular Meeting

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Butler, D’Auteuil, Christ, Saddlemire, Cayer and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo.

Absent/Excused: Councilor Libby (Note – Under the City Charter, the Mayor is permitted to cast a vote in the absence of a City Councilor.)

Pledge of Allegiance to the Flag.

Moment of Silence.

PUBLIC COMMENT PERIOD

Dan Gregoire of 19 Mitchell Street and former Biddeford Mayor Joanne Twomey addressed the Council and recommended against approving any agreements with Casella. Ms. Twomey spoke of her work in Biddeford and said she has opposed their presence for 30 years and cited numerous problems with the company. Mike Reynolds of Summer Street also spoke against a 20 year contract with Casella. Perry Aberle, a former Biddeford City Councilor, also spoke against signing a contract with Casella.

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE LEWISTON ELKS LODGE, 1675 LISBON STREET

Mayor Macdonald opened the public hearing to receive citizen input and comment. No member of the public spoke for or against this item. The Mayor then closed the hearing.

VOTE (3)

Motion by Councilor Butler, seconded by Councilor Christ:

To grant a special amusement permit for live entertainment to the Lewiston Elks Lodge, 1675 Lisbon Street. Passed - Vote 6-0 Mayor Macdonald cited a conflict of interest regarding this item and noted he would be abstaining from voting.

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR CDDL & ASSOCIATES, 33 SABATTUS STREET

Mayor Macdonald opened the public hearing to receive citizen input and comment. No member of the public spoke for or against this item. The Mayor then closed the hearing.

VOTE (4)

Motion by Councilor Cayer, seconded by Councilor Saddlemire:

To grant a special amusement permit for live entertainment to CDDL & Associates, 33 Sabattus Street. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR LAND USE CODE AMENDMENTS REGARDING ZONING DEFINITIONS AND ZONING DISTRICT REGULATIONS

Mayor Macdonald opened the public hearing to receive citizen input and comment. No member of the public spoke for or against this item. The Mayor then closed the hearing.

VOTE (5)

Motion by Councilor Christ, seconded by Councilor Cayer:

That the proposed amendment to Appendix A, Article II "Definitions" and Article XI "District Regulations", of the City Zoning and Land Use Code, concerning zoning regulations, receive

final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE
BUSINESS LICENSING ORDINANCE REGARDING THE ADOPTION OF THE
STATE OF MAINE RULES FOR HEALTH INSPECTIONS**

Mayor Macdonald opened the public hearing to receive citizen input and comment. No member of the public spoke for or against this item. The Mayor then closed the hearing.

VOTE (6)

Motion by Councilor Christ, seconded by Councilor Saddlemire:

That the proposed amendment to the City Code of Ordinances, Chapter 22, “Businesses”, Article II “Licenses”, Section 22-49 receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regular City Council meeting for final passage.

Passed - Vote 7-0

**RESOLVE – CITY OF LEWISTON SUPPORT OF ANAEROBIC DIGESTION OF
WASTEWATER SOLIDS**

VOTE (7)

Motion by Councilor Saddlemire, seconded by Councilor Butler:

To approve the Resolve entitled City of Lewiston supports anaerobic digestion of wastewater solids:

Whereas, the Lewiston –Auburn Water Pollution Control Authority is constructing anaerobic digestion facilities to improve the efficiency of the wastewater treatment plant serving Lewiston

Whereas, in addition to reducing the volume of solids to be managed the anaerobic digestion process will produce methane rich digester gas to be used to generate electricity

Whereas, the energy produced will be a renewable resource and reduce the need to utilize energy produced from fossil fuels to operate the wastewater treatment facilities

Whereas, the Lewiston-Auburn Water Pollution Control Authority is looking to sell renewable energy credits and the approval of the Legislative Body of the host Municipality is required by Maine statute;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the Anaerobic Digestion of wastewater treatment solids at the Lewiston-Auburn Water Pollution Control Authority enjoys the full support of the City of Lewiston. In addition, the City fully supports the generation of electricity at the facility from the digester gas produced and the sale of energy credits thus created.

Passed - Vote 7-0

ANNUAL APPOINTMENTS TO VARIOUS CITY BOARDS AND COMMITTEES

Mayor Macdonald announced the following Mayoral appointments:

Community Forestry Board – Douglas Beck and James Sorcek – three year terms

Finance Committee – Robert Reed – three year term

Historic Preservation Review Board – William Clifford, Jennifer Ferguson and Mark Lee – three year terms each

Planning Board – Michael Marcotte – full member – five year term

VOTE (8)

Motion by Councilor Saddlemire, seconded by Councilor Christ:

To approve the Mayor’s nominations and to approve the following appointments:

911 Committee – Heather Hunter, Finance Director – 2 year term

Cable TV Advisory Committee – Laurent Gilbert Jr. – 2 year tmer

Library Board of Trustees – ZamZam Mohamud, Philip Isaacson and Anne Kemper – three year terms each

Passed - Vote 7-0

VOTE (9)

Motion by Councilor Saddlemire, seconded by Councilor Cayer:

To appoint Christina Berry to serve a three year term on the L & A Transit Committee.

Passed - Vote 7-0

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

Councilor Butler noted the DVD filmed by the LYAC students regarding homeless youth at LHS will be shown next week in the Chambers and he invited everyone to attend.

EXECUTIVE SESSION

VOTE (10)

Motion by Councilor Butler, seconded by Councilor Christ:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (C) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 7-0

Session started at 7:45pm and ended at 8:15pm.

VOTE (11)

Motion by Councilor Butler, second by Councilor Christ:

To adjourn at 8:16 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine