

CITY OF LEWISTON

CITY COUNCIL

APRIL 2, 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, Libby, Christ, Saddlemire, Cayer and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo.

EXECUTIVE SESSION

VOTE (1)

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 Real Estate Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 7-0

7:00pm Regular Meeting

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

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

Pledge of Allegiance.

Moment of Silence.

PUBLIC COMMENT PERIOD

Jason Thompson of 145 Walnut Street thanked the Mayor and the City for their aggressive work in “cleaning up the welfare roles” and working to identify fraud committed by clients in the program. He thanked the Mayor for saving one hundred thousand dollars from the program payouts. Hilary Dow of Auburn updated the Council on the community branding contract and said the communities are rallying behind the initiatives. She thanked the Council for helping with the process.

SPECIAL AMUSEMENT PERMIT FOR DAVINCI’S, 150 MILL STREET

VOTE (2)

Motion by Councilor Cayer, seconded by Councilor Christ:

To grant a Special Amusement permit for live entertainment to Davinci’s, 150 Mill Street. Passed - Vote 7-0

AMENDMENTS TO THE ATHLETIC FIELD USE POLICY

VOTE (3)

Motion by Councilor Butler, seconded by Councilor Cayer:

To approve the proposed amendments to the Athletic Field Use Policy, Policy Manual Number 3, as recommended by the City Administrator and the Recreation Director. Passed - Vote 7-0

AMENDMENTS TO THE FACILITIES USE POLICY

VOTE (4)

Motion by Councilor Saddlemire, seconded by Councilor Cayer:

To approve the proposed amendments to the Facilities Use Policy, Policy Manual Number 28, as recommended by the City Administrator and the Recreation Director. Passed - Vote 7-0

AMENDMENTS TO THE PARK USE POLICY

VOTE (5)

Motion by Councilor Christ, seconded by Councilor Libby:

To approve the proposed amendments to the Park Use Policy, Policy Manual Number 77, as recommended by the City Administrator and the Recreation Director. Passed - Vote 7-0

RESOLVE AUTHORIZING GROW L + A UP TO SIX MONTHS TO ESTABLISH THE FEASIBILITY OF RENOVATING AND REUSING BATES MILL #5

Councilor Butler suggested the group not consider asking for a TIF for the project or plan to use CBDG funds for the renovation. Councilor Saddlemire thanked the group for their work and said the City will lose nothing by having the group work to prove themselves. Councilor D'Auteuil said he would support the group time to work but does not want to issue deadlines since the city has dealt with this long enough. Councilor Cayer noted the building is an eye sore and the community is tired of the building, but he is OK with giving the group until October 4 to prove themselves, and if they cannot, he would be prepared to vote on October 4 to tear it down. At this point, ten residents addressed the Council and all spoke in support of adopting the motion.

VOTE (6)

Motion by Councilor D'Auteuil, seconded by Councilor Libby:

To approve the Resolve authorizing Grow L + A up to six months to establish the feasibility of renovating and reusing Bates Mill #5:

Whereas, the City of Lewiston acquired Bates Mill #5 in 1992; and

Whereas, this Mill has been vacant and underutilized for some time; and

Whereas, since 1997, the City has studied the feasibility of uses such as a convention center;

advertised the availability of the structure for reuse as a private-sector redevelopment; invested in the stabilization of the facility; established a task force to evaluate reuse options; and supported the reuse of the building as a casino facility; and

Whereas, to date, these efforts have been unsuccessful; and

Whereas, the Riverfront Island Master Plan reviewed potential uses for Mill 5 but concluded that the size and configuration of the building made its reuse problematic; and

Whereas, Grow L+A has approached the City and indicated an interest in undertaking one more effort to determine if the Mill can be returned to productive use; and

Whereas, toward this end, this group has requested that the City provide it with up to a six month period to explore the feasibility of renovating and reusing Bates Mill #5; and

Whereas, the City Council is willing to do so subject to Grow L+A meeting certain benchmarks;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the City of Lewiston will not demolish Mill # 5 prior to October 3, 2013 subject to the following:

1. On or before July 3, 2013, Grow L+A must provide letters of interest from organizations seeking a total of at least 75,000 square feet of space in Mill #5; and
2. Providing, by the same date, a pro-forma documenting the feasibility of the Mill #5 reuse project including the percentage occupancy required to support the effort. This should include documentation regarding the availability of historic tax credits, and the process for obtaining the same in support of the project; and
3. A sketch and proforma showing the nature and costs of the proposed public infrastructure within Mill #5, as well as a projection of the annual post construction cost of maintaining such space and the extent to which those costs would be the responsibility of the City.
4. On or before October 3, 2013, Grow L+A must provide an investor acceptable to the City with the capability of undertaking the renovation and reuse project and who is willing to enter into an option agreement with the City for the purchase and redevelopment of Mill #5. Investor acceptability shall be based on an evaluation of the financial capability of that individual/organization as may be supported by the following information and other supporting documentation to be provided by the investor: (a) letters of commitment for sufficient square footage to support the project; (b) a financial plan that will allow the Phase 1 exterior renovation and initial build out to proceed; (c) an acceptable construction schedule; (d) other evidence of financial capability to undertake such a project.

Passed - Vote 4-3 (Councilors Butler, Christ and Desjardins opposed)

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (7)

Motion by Councilor Butler, seconded by Councilor Christ:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section

5822(4)(A), the City Council hereby acknowledges and approves of the transfer of items as outlined on the attached listing, less administrative fees or any portion thereof, in the cases of US Department of Justice Drug Enforcement Administration vs the cases outlined on the attached listing. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program' account.

Passed - Vote 7-0

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

Councilor Cayer asked if the Police Department could work on preparing an ordinance to deal with and address aggressive panhandling.

VOTE (8)

Motion by Councilor Butler, second by Councilor Cayer:

To adjourn at 7:55P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine