

CITY OF LEWISTON

CITY COUNCIL

JULY 15, 2008

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

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Mayor Gilbert, Councilors T. Peters, N. Peters, Poulin, Theriault, Bailey, Dube, Reed, City Administrator James Bennett, and City Clerk Kathleen Montejo.

The Council workshop regarding a review of proposed fee changes and review of overdue stormwater accounts began at 6:10pm and ended at 6:55pm.

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Mayor Gilbert, Councilors T. Peters, N. Peters, Poulin, Theriault, Bailey, Dube, Reed, City Administrator James Bennett, and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

The National Anthem was sung by LYAC member Mackenzi Masselli.

Moment of Silence.

The Mayor announced at this time that agenda items 21, 12 and 22 would be taken out of order and addressed at this time. Mayor Gilbert also stated that he would be recusing himself from these items since he is the current president of the Franco American Heritage Center.

REVIEW OF THE REQUEST TO RENAME COURTHOUSE PLAZA IN MEMORY OF JUDGE ARMAND A. DUFRESNE, JR.

Rita Dube, executive director of the Franco American Heritage Center, addressed the Council and said the Center submitted the request to rename the park after Judge Dufresne in honor and tribute to his great work in the city and state. Local residents, former mayors and state judges Clifford, Beliveau and Couturier each addressed the Council, stating they worked with Judge Dufresne who had a long and distinguished career as city attorney, county attorney, judge of probate, superior court judge, associate justice of the supreme court and chief justice of the supreme court, the first and only Franco American to serve as chief justice in Maine. Council President T. Peters introduced the family members who were present including Judge Dufresne's widow, daughter, sisters, granddaughters and nephew. The family noted the Judge would be flattered and pleased to have Courthouse Plaza renamed in memory of him. Ms. Dube noted the Center will work with the City to have a plaque installed and a dedication ceremony later this fall.

VOTE (178-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To rename Courthouse Plaza as “Judge Armand A. Dufresne, Jr. Plaza”, in memory of Judge Dufresne. Passed - Vote 7-0

PUBLIC HEARING ON A NEW LIQUOR LICENSE APPLICATION AND SPECIAL AMUSEMENT PERMIT FOR THE FRANCO AMERICAN HERITAGE CENTER, 46 CEDAR STREET

Council President T. Peters opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Council President T. Peters then closed the hearing.

VOTE (179-2008)

Motion by Councilor N. Peters, seconded by Councilor Reed:

To authorize the City Clerk’s Office to approve a new liquor license application and special amusement permit for the Franco American Heritage Center, 46 Cedar Street.
Passed - Vote 7-0

REQUEST FOR FINANCIAL SUPPORT FROM THE FRANCO AMERICAN HERITAGE CENTER FOR THE FESTIVAL FRANCO FUN CELEBRATION

Rita Dube, executive director of the Franco American Heritage Center, stated for the past two years the Festival has paid rent to the Colisee in the amount of nine thousand dollars to hold the festival. In the past, the festival has received a one thousand dollar sponsorship from the City. Ms. Dube noted the festival is a three day event that brings economic dollars to the city and local restaurants, hotels, stores and gas stations, and is a celebration of local heritage. Mr. Bennett noted the request for funding was received after the budget was adopted and this money is not in the current budget, so therefore the request was denied. He noted that the Council can vote to appropriate these funds from the contingency account if they so choose. Councilor Poulin inquired about any in kind support the City could offer instead of a financial contribution. Ms. Dube said that since the festival is held inside the Colisee and the work is done mostly by volunteers, there really isn’t a need for any in kind support work from the City anymore. Ms. Dube noted the recent financial support by the city for other local festivals such as the Somali, Liberty and Balloon festivals. Councilor N. Peters noted there are other festivals that operate in the city that do not request city funds, such as the Greek Festival. Councilor T. Peters asked Administration to prepare a policy for the future that will address donations to festivals and non-profit groups, noting that they are using taxpayers money and taxpayers are saying enough is enough regarding taxes. Councilor Theriault echoed Councilor T. Peters comments.

VOTE (180-2008)

Motion by Councilor Reed, seconded by Councilor Poulin:

To appropriate \$1,000 from the Contingency Account for a donation to the Festival Franco Fun event. Passed - Vote 6-1 (Councilor N. Peters opposed)

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (181-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

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:

- 1) transfer of 13.34% of \$2,350, less administrative fees, or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Yasser Al-Sudany, CE-07-0004, Exhibit N-114, 08-DEA-499077;
- 2) the transfer of 13.34% of \$70,000, less administrative fees, or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Yasser Al-Sudany, CE-07-0004, Exhibit N-122, 08-DEA-499080;
- 3) the transfer of 6% of \$12,887.05, less administrative fees or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Merle Crossman, Kimberly Andrews and Michele Smith, CE-08-0025, Exhibit N-1, 08-DEA-500493;
- 4) the transfer of 5% of \$9,316, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Joseph Law, CE-07-0029, Exhibit N-14, 08-DEA-501088;
- 5) the transfer of 16% of \$4,903, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Elizabeth Young, CE-08-0024, Exhibit N-14, 08-DEA-501186;
- 6) the transfer of 70% of \$13,510, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Dennis Tremblay, CE-08-0017, Exhibit N-7, 08-DEA-501310.
- 7) the transfer of 16% of \$2,400, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Laura Jarvis, CE-07-0013, Exhibit N-60, 08-DEA-499644.
- 8) the transfer of 16% from the proceeds from the sale of a 2002 Honda Civic, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Laura Jarvis, CE-07-0013, Exhibit N-61, 08-DEA-499718.

9) the transfer 8% of \$15,530, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. Kenneth Beaudoin, CE-07-0019, Exhibit N-38, 08-DEA-499953.

10) the transfer of \$1,027 or any portion thereof, in the case of the State of Maine vs. Matthew Knowlton, CR-08-447.

11) the transfer of \$563 or any portion thereof, in the case of the State of Maine vs. Robert True, CR-08-193.

12) the transfer of \$542 or any portion thereof, in the case of the State of Maine vs. Carl Neimi, CR-08-1649.

13) the transfer of \$600 or any portion thereof, in the case of the State of Maine vs. Troy Jenkins, CR-08-332.

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', funds to be deposited in Account No. 590-3514050 at People's Heritage Bank.

Passed - Vote 7-0

AUTHORIZATION FOR GRANT APPLICATION AND ACCEPTANCE OF FUNDS FROM THE US DEPARTMENT OF JUSTICE'S 2008 JUSTICE ASSISTANCE GRANT

VOTE (182-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To authorize the Chief of Police to submit a grant application to the U.S. Department of Justice's 2008 Justice Assistance Grant program and, if said grant is awarded to the City, to accept the grant award from the U.S. Department of Justice, and to authorize the City Administrator and the Finance Director to administer said funds accordingly. Passed - Vote 7-0

APPOINTMENTS TO THE CITIZENS COMMISSION ON LEWISTON-AUBURN COOPERATION AND APPOINTMENT OF THE COUNCIL REPRESENTATIVE TO THE ENERGY SAVING COMMITTEE

VOTE (183-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To appoint Ronald Bissonnette as a member of the Citizens Commission on Lewiston-Auburn Cooperation for a three year term, said term to expire January 4, 2011 and to appoint Councilor Dube as the City Council's representative to the Energy Savings Committee. Passed - Vote 7-0

**APPROVAL FOR THE FESTIVAL FRANCO FUN COMMITTEE TO PLACE
TEMPORARY DIRECTIONAL SIGNS IN THE PUBLIC RIGHT OF WAY**

VOTE (184-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To authorize the Festival Franco Fun Committee to place one temporary, directional sign at Hewlett Square from July 16 to August 3 to promote the upcoming festival.

Passed - Vote 7-0

**AMENDMENT TO THE RESOLUTION REGARDING LEWISTON AND AUBURN'S
SISTER CITY IN FRANCE**

VOTE (185-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To amend the Resolution regarding Lewiston and Auburn's sister city relationship with a town in France in order to correctly identify the exact region in France:

**RESOLVE - SISTER CITY RELATIONSHIP
~~“COMMUNAUTE’ DE COMMUNES DU PAYS FOYEN~~
PINEUILH**

WHEREAS, The Cities of Lewiston and Auburn have enjoyed the many benefits from 133 years of joint cooperation; and

WHEREAS, the cities have promoted joint relationships between themselves and other cities to increase potential cultural, economic, and knowledge bases; and

WHEREAS, it is recognized that there is strong French heritage in both cities; and

WHEREAS, the connection with other French cultures have provided opportunities to enrich our own community; and

WHEREAS, Francois Gauthier, the Consul General De France has visited our community and enjoyed the vitality of pride of our French heritage; and

WHEREAS, Consul General Gauthier has established a relationship between ~~“Communaute’ De Communes Du Pays Foyen~~ Pineuilh, France and the cities of Lewiston and Auburn; and

WHEREAS, both communities believe that there is a benefit from commencing relations between the students of both communities; and

WHEREAS, future successes will build from the foundation of these young relationships,

Now, Therefore, Be It Resolved by the City Councils of Lewiston and Auburn, that the cities enter into a "Sister City" international relationship with a region of Southern France near Bordeaux, known as "~~Communaute' De Communes Du Pays Foyen~~ Pineuilh."

Passed - Vote 7-0

BALLOT FOR 2009 SLATE OF EXECUTIVE COMMITTEE AND OFFICERS FOR THE MAINE MUNICIPAL ASSOCIATION

VOTE (186-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To approve the slate of nominees as presented on the Maine Municipal Association Ballot for Election of the 2009 Executive Committee and Officers. Passed - Vote 7-0

VOTE (187-2008)

Motion by Councilor T. Peters, seconded by Councilor Theriault:

To dispense with the reading of the minutes of the meetings of May 6 and 15, 2008 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

APPROVAL FOR THE LEWISTON FARMER'S MARKET ASSOCIATION TO PLACE TEMPORARY DIRECTIONAL SIGNS IN THE PUBLIC RIGHT OF WAY

VOTE (188-2008)

Motion by Councilor T. Peters, seconded by Councilor Theriault:

To authorize the Lewiston Farmer's Market Association to place six temporary, directional signs in the public right of ways, at the intersections of Lincoln Street and Main Street, Lincoln Street and Cedar Street, Lisbon Street and Main Street, Sabattus Street, Central Avenue and Webster Street, East Avenue and Lisbon Street and Lisbon Street and Pine Street, from 9am to 7pm on Tuesdays until October 28, during the days the market is operating. Passed - Vote 7-0

ANNUAL APPOINTMENTS TO THE LEWISTON YOUTH ADVISORY COUNCIL

VOTE (189-2008)

Motion by Councilor Theriault, seconded by Councilor Poulin:

To appoint the following fourteen local youth to the Lewiston Youth Advisory Council for a one year term, said term to begin July 2008 and end June 2009: Athena Andoniades, Matthew Beauparlant, Devin Bergeron, John Goulet, Ray Goulet, Veronica Irish, Luke Jensen, Travis Laliberte, Holly Lavorgna, Mackenzi Masselli, Sarah Patrie, Nicole Pelletier, Clarissa Smith, and Tim Stretton. Passed - Vote 7-0

VOTE (190-2008)

Motion by Councilor T. Peters, seconded by Councilor N. Peters:

In the interest of time, to not hold roll call votes during this meeting unless required to do so.
Passed - Vote 5-2 (Councilors Poulin and Reed opposed)

PUBLIC HEARING AND FINAL PASSAGE FOR AMENDMENTS TO SEVERAL ORDINANCES TO REMOVE THE REFERENCES TO FEE AMOUNTS FROM THE ORDINANCES

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing. Councilor Poulin stated he was opposed to the ordinance change, noting he feels it removes oversight for the fees and would make the process too easy to change with the fees in the Policy Manual rather than the ordinances.

VOTE (191-2008)

Motion by Councilor Theriault, seconded by Councilor T. Peters:

That the proposed amendments to the City Code of Ordinances, Chapter 1, "General Provisions", Chapter 10, "Amusements and Entertainments", Chapter 14, "Animals", Chapter 22, "Businesses", Chapter 38, "Fire Prevention and Protection", Chapter 46, "General Assistance", Chapter 50, "Offenses and Miscellaneous Provisions", Chapter 62, "Solid Waste" and Chapter 70, "Traffic & Vehicles", to remove the fee amounts from the City Code, receive final passage by a roll call vote. Passed - Vote 6-1 (Councilor Poulin opposed)

AMENDMENTS TO THE CITY POLICY MANUAL REGARDING ADJUSTMENTS TO VARIOUS FEES FOR LICENSES, PERMITS, VIOLATIONS AND SERVICES

Chris Aceto of Main Street inquired about the landlord trash pick up fees, noting they increased from no fee at all to \$225 for a six unit building. Mr. Bennett reviewed the history of the program saying rental apartments were the only business that received free trash pick up in the city and therefore the charges for this service were added by the Council. Councilor T. Peters stated the fees were increased to cover the cost for the city to provide the service, noting the solid waste cost is still subsidized by the city and it should be even higher to break even. Mr. Aceto said he feels the single family homes are not paying for trash pick up and therefore the larger apartments are subsidizing them, saying the two and three unit buildings are exempt. Michael Reed of 171 Oak Street agreed with Mr. Aceto saying that everyone ought to pay for trash pick up regardless of the number of units. Joseph Roy of 9 Venise Avenue said that the process worked well in the past when trash was picked up five days a week when the city owned the trash trucks.

VOTE (192-2008)

Motion by Councilor T. Peters, seconded by Councilor Theriault:

To approve the proposed amendments to the City Policy Manual regarding adjustments to various fees for licenses, permits, violations and services, to be effective July 16, 2008.

Passed - Vote 6-1 (Councilor Poulin opposed)

PUBLIC HEARING AND FIRST PASSAGE FOR AMENDMENTS TO THE SOLID WASTE ORDINANCE REGARDING THE ELIMINATION OF SOLID WASTE COLLECTION FOR CHURCHES AND PRIVATE SCHOOLS

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing. Councilor Dube inquired if the churches and schools have been notified of this change and asked if there has been any feedback on this. Public Works Director Paul Boudreau stated they were all notified by registered mail and his office has not received any calls on this. Mr. Bennett stated this Council action was part of the budget and saved approximately \$25,000. He also noted that several years ago, the city eliminated city wide trash pick up for churches, but some existing churches were grandfathered, creating a situation where some churches receive this service and others do not.

VOTE (193-2008)

Motion by Councilor Reed, seconded by Councilor T. Peters:

That the proposed amendments to the City Code of Ordinances, Chapter 62 “Solid Waste”, Section 62-13 “Municipal collection of solid waste and recyclable materials”, 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

PUBLIC HEARING ON A NEW LIQUOR LICENSE APPLICATION AND SPECIAL AMUSEMENT PERMIT FOR THE ANDROSCOGGIN BANK COLISEE, 190 BIRCH STREET

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

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To authorize the City Clerk’s Office to approve a new liquor license application and special amusement permit for the Androscoggin Bank Colisee, 190 Birch Street.

VOTE (194-2008)

Motion by Councilor T. Peters, seconded by Councilor Reed:

To amend the motion to include the phrase: “to become effective upon completion of the actual property transfer” at the end of the motion. Passed - Vote 7-0

Vote on original motion as amended:

VOTE (195-2008)

Motion by Councilor Theriault, seconded by Councilor N. Peters:

To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for the Androscoggin Bank Colisee, 190 Birch Street, to become effective upon completion of the actual property transfer. Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE
LEWISTON SOCIAL CLUB, 339 LISBON STREET**

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing. Sylvio Martin of 134 North Temple Street, president of the Club, was present to answer any questions.

VOTE (196-2008)

Motion by Councilor T. Peters, seconded by Councilor Theriault:

To grant a special amusement permit for live entertainment to the Lewiston Social Club, 339 Lisbon Street. Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE ACME
SOCIAL CLUB, 255 PARK STREET**

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing. Marc Mason, 60 Lafayette Street, president of the club was present to answer any questions. Councilor Reed stated he felt there was a high number of police calls in the log. Mr. Mason stated that on Friday and Saturday evenings, he hires a police officer to be present at the club, and since they are on site, then tend to write up more problems because they are there. Deputy Chief Bussiere concurred with this statement and said the Department does not find the number of calls to be excessive and supports the renewal of the permit.

VOTE (197-2008)

Motion by Councilor Poulin, seconded by Councilor Reed:

To grant a special amusement permit for live entertainment to the Acme Social Club, 255 Park Street. Passed - Vote 7-0

**PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ENTERTAINMENT
PERMIT FOR THE LEWISTON FARMER'S MARKET CONCERTS**

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

VOTE (198-2008)

Motion by Councilor Bailey, seconded by Councilor T. Peters:

To conduct a public hearing on an application for an outdoor entertainment event for the Lewiston Farmer's Market concerts, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the Lewiston Farmer's Market committee for outdoor music concerts for the Market to be held at Kennedy Park on Tuesday afternoons until October 28, 2008, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances.

Passed - Vote 7-0

PUBLIC HEARING FOR APPROVAL OF OUTDOOR ENTERTAINMENT PERMIT FOR THE SIXTEENTH ANNUAL GREAT FALLS BALLOON FESTIVAL

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing. Councilor Theriault inquired about the CSO work being done in the area and if it would be done in time for the festival.

VOTE (199-2008)

Motion by Councilor Reed, seconded by Councilor Dube:

To conduct a public hearing on an application for an outdoor entertainment event for the Great Falls Balloon Festival, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the Great Falls Balloon Festival Committee for outdoor music concerts for the annual Festival to be held at Railroad Park on August 15-17, 2008, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances. Passed - Vote 7-0

PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ENTERTAINMENT PERMIT FOR A FUNDRAISING CONCERT IN KENNEDY PARK AND REQUEST FOR WAIVER OF THE PARK ORDINANCE TO ALLOW COMMERCIAL ACTIVITY IN THE PARK

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing. Councilor Bailey explained the details of this event. Councilor Theriault felt the restroom locations at the Trinity Church were a distance for the elderly and suggested checking with the Recreation Dept about using the facilities for Kennedy Park pool instead.

VOTE (200-2008)

Motion by Councilor Reed, seconded by Councilor Dube:

To conduct a public hearing on an application for an outdoor entertainment event for the Kennedy Park playground equipment fundraising concert, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, for an outdoor music concert to be held at Kennedy Park on Saturday, August 23, with a raindate of Saturday, August 30, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances, and to grant a waiver of the City's Park Ordinance to allow a one day concert in Kennedy Park to serve as a fundraiser for the Park's playground equipment fund and to waive all related permit and licensing fees associated with the event. Passed - Vote 7-0

PUBLIC HEARING REGARDING CHANGE OF LOCATION FOR POLLING PLACES FOR WARDS 2, 4 AND 6 FOR ALL FUTURE ELECTIONS

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

Councilor N. Peters questioned why Ward Two would leave Montello since it is the ward with the highest turnout. Councilor T. Peters said it would be ideal to have all voting occur in city owned buildings, yet he noted there would be a parking problem at the Armory if the city added other wards at this location. Councilor Poulin echoed his comments about parking issues at the Armory. Councilor Reed questioned why the city would consolidate locations just before the largest election in many years. Councilors concurred that the Ward Four location should move due to safety issues and concerns, but suggested revisiting the issue of the other locations after the Presidential election.

VOTE (201-2008)

Motion by Councilor T. Peters, seconded by Councilor N. Peters:

To change the polling location for Ward Four from the Hillview Community Center to the Multi-Purpose Center. Passed - Vote 7-0

VOTE (202-2008)

Motion by Councilor Theriault, seconded by Councilor Bailey:

To adopt the Order to Change the Polling Locations for all future elections:

ORDERED, that after conducting a public hearing to receive citizen input and comment, held on July 15, 2008, the Municipal Officers, in accordance with Title 21-A MRSA, section 631, subsection 1, approve the Certificate of Consolidating of Voting Places, consolidating the City's current five voting locations (seven wards) into four polling locations for all future regular elections; and

FURTHER ORDERED, that the following locations are hereby designated as the voting

locations for the city’s wards:

Lewiston Memorial Armory Gymnasium	Wards 1 and 3
Montello Elementary School Gymnasium	Ward 2
Lewiston Lodge of Elks	Ward 6
Multi-Purpose Center Gymnasium	Wards 4, 5, and 7

AND, BE IT FURTHER ORDERED that this Certificate be recorded with the City Clerk and that she immediately file an attested copy with the Secretary of State’s Office, in accordance with Title 21-A, section 631, subsection 1.

Passed - Vote 7-0

**CONDEMNATION HEARING FOR THE BUILDING LOCATED AT
55 OLD LISBON ROAD**

City Administrator Bennett explained the background information regarding this item and noted the Order of Condemnation has been agreed to by the property owner (Frank Corrao), his attorney, city staff and the city attorney. Mr. Bennett stated that Mr. Corrao agreed with the findings regarding a dangerous building and will remove the identified hazards in ninety days. The Consent Decree will be filed with the court if this work is not done. It was noted the cause of the fire is still under investigation by the State Fire Marshall’s Office.

Mayor Gilbert opened the public hearing to receive citizen input and comment. Frank Corrao of 55 Old Lisbon Road addressed the Council and said he was against the use of the word “condemnation” since this is referring to his family home, he feels this term applied a stigma to the property that it is condemned and this is where he and his family reside. He said he is doing everything that the City has requested with reservations and did a major clean up of the property today, noting he has one hundred acres which will take time to clear. Mayor Gilbert then closed the hearing.

Mr. Bennett said the term condemnation is a legal term that the City has to use for this process and it is defined in state law. He noted if the property is cleaned up in ninety days, the Order of Condemnation will not go into effect; however if the conditions of the agreement are not met in ninety days, then the agreement will be filed with the court. Councilor T. Peters noted this issue needs to move forward since the fire occurred almost a year ago. He said if the work is completed, the Council could consider expunging the record so there is no reference to the property being condemned. He noted that both sides have reached an agreement that needs to be followed and it is a fair agreement to both sides.

VOTE (203-2008)

Motion by Councilor T. Peters, seconded by Councilor Dube:

To approve the Order of Condemnation and to authorize the City Administrator to sign the Order of Condemnation on behalf of the City Council. Passed - Vote 7-0

**PRESENTATION FROM THE LIBRARY DIRECTOR REGARDING THE LIBRARY'S
LONG RANGE PLANNING PROCESS**

Library Director Rick Speer and Chairperson of the Library's Board of Trustees Judith Head addressed the Council about the Library's intent to begin a long range planning process. They outlined the goals and objectives of the process and presented the national manual they are using as a guide. They said this will be a citizen driven process with 14-18 citizens serving on the planning committee and they would suggest that one Councilor serve as well. Councilor Dube expressed interest in serving. The group is coordinating a public planning forum on September 25 and hoping to return to Council in January 2009 with an update. Ms. Head noted the board is very enthusiastic about this process. Councilor T. Peters inquired about the budget for this planning process. Mr. Speer said they are not hiring an outside consultant and will do the work with volunteers. Councilor Peters asked him to report back to Council with their results and he feels the Council will need to fund this process in the future. Councilor Theriault asked if the Library has meet all of the goals from the 1990 long range plan. Mr. Speer said that most of those goals have been met, such as a community meeting space, cultural center, etc.

**RECEIPT OF SUMMARY INFORMATION FROM PREVIOUS COUNCIL
WORKSHOP REGARDING INCREASING ENERGY COSTS AND SCHEDULING OF
AN ADDITIONAL WORKSHOP ON THIS TOPIC**

Councilor T. Peters suggested that the city staff contact the congressional delegation to make sure that the city is tapping into all available programs and resources to help the citizens this winter.

VOTE (204-2008)

Motion by Councilor T. Peters, seconded by Councilor Theriault:

To receive the "white paper" report from city staff regarding the June 10 Council workshop pertaining to the increasing energy costs and to direct the City Administrator to set up a Council workshop to further review this issue. Passed - Vote 7-0

**UPDATE REGARDING THE JOINT CONSOLIDATION EFFORTS WITH
THE CITY OF AUBURN**

The City Administrator reported that the Commission is working with a new consultant who is analyzing the Assessing Departments of the two cities and looking at having this service done on a county level basis, potentially eliminating about one to one and a half positions. By the end of the week, the contract for the IT consultant should be ready which will involve a review of the software packages in both cities. Councilor T. Peters said the next meeting is July 24 in Auburn and he has attended the last couple of meetings and in the next few meetings, the Commission should know if the merger of the Assessing Departments will work. The Mayor said the IT consultant contract, which will be about \$35,000 - \$40,000, will be paid from the state grant. He asked to see the financial reports for the Commission. Mr. Bennett said that LAEGC handles all of this but he will get copies of the report to the Mayor and Council. The Mayor said that this

process has already taken over two and a half years regarding the work of the Commission and nothing has been consolidated as of yet. He suggested the group needs to get more aggressive for any action to occur and he suggested the group either move forward or be abandoned. Councilor Reed suggested that slow and steady work on this issue to get it done right is better than rushing things through just for the sake of saying they were done.

The following items on the agenda were not taken up in the interest of time:

Item 26 - Discussion regarding formatting ideas for next year's municipal budget

Item 27 - Receipt of final report from the Dispatch Committee for Androscoggin County

Item 28 - Reports and Updates

Item 29 - Other Business

VOTE (205-2008)

Motion by Councilor T. Peters, second by Councilor N. Peters:

To adjourn at 10:00 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine