

CITY OF LEWISTON

CITY COUNCIL

MAY 4, 2004

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

THE HONORABLE LIONEL C. GUAY, JR., MAYOR, PRESIDING.

PRESENT: Councilors Mendros, Bernier, O'Brien, Jean, Connors, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

LEWISTON YOUTH ADVISORY UPDATE

Tarrah Bowen presented an update to the Council regarding the clock tower restoration project, noting the project should be completed by July 4. She also showed the PSA video the members made regarding street numbering and public safety.

PRESENTATION OF THE ALFRED A. PLOURDE SCHOLARSHIP

Council President Renee Bernier presented the \$500 scholarship to Tarrah Bowen, chairperson of the Lewiston Youth Advisory Council. Tarrah's scholarship essay was on The Role of the Young Political Leader in the New Millennium.

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (146-2004)

Motion by Councilor Jean, seconded by Councilor Rousseau:

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 \$788.75, or any portion thereof, in the case of the State of Maine vs. Gerald Morrissette, CE-04-0023 and 04DEA433713 Court Records; the transfer of \$323.00 or any portion thereof, in the case of the State of Maine vs. Leroy Mosley, CE-04-0022 and 04DEA433932 Court Records; and the transfer of \$643.00 or any portion thereof, in the case of the State of Maine vs. Derek Rojas, CE-04-0022 and 04DEA-433902. 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

TO POSTPONE ACTION ON THE RESOLUTION OF CONDEMNATION FOR PROPERTIES AT 95-109 MAIN STREET

VOTE (147-2004)

Motion by Councilor Jean, seconded by Councilor Rousseau:

To postpone action on the Resolution of Condemnation for the properties at 95-109 Main Street to the City Council meeting of May 20, 2004. Passed - Vote 7-0

APPROVAL OF PARTIAL ABATEMENT OF PROPERTY TAXES

VOTE (148-2004)

Motion by Councilor Jean, seconded by Councilor Rousseau:

To approve the recommendation from the City Administrator and the General Assistance Director to issue a partial abatement of property taxes for 2001 and 2002 for Case Number 2004-1; said application submitted under M.R.S.A., Title 36, section 841 (2).
Passed - Vote 7-0

AMENDMENTS TO THE TRAFFIC SCHEDULE

Councilor Paradis asked about the cost of installing and removing traffic signs, suggesting that if a business requests this action, they should help to cover some of the costs.

VOTE (149-2004)

Motion by Councilor Paradis, seconded by Councilor Jean:

To adopt the proposed amendment to the Traffic Schedule to regulate parking on a portion of Bates Street. Passed - Vote 7-0

**PRESENTATION REGARDING UPCOMING SUMMER
CONSTRUCTION PROJECTS**

Director of Public Services Chris Branch presented to the Council a powerpoint presentation which outlined numerous upcoming construction projects this summer, ranging from street paving to water line replacement to sidewalk installation and more.

**PUBLIC HEARING ON THE 2005 FISCAL YEAR (FY05) COMMUNITY
DEVELOPMENT BLOCK GRANT BUDGET AND ADOPTION OF
PROGRAM BUDGET**

VOTE (150-2004)

Motion by Councilor Jean, seconded by Councilor Paradis:

To conduct a public hearing to receive public comments on the proposed CBDG FY2005 program budget. Passed - Vote 7-0

At this point, Mayor Guay opened the public hearing to receive citizen input and comment.

Estelle Rubinstein and Sherri Howard spoke in favor of funding for Androscoggin Head Start. John Bennett spoke in favor of funding needed for the Salvation Army, noting they lost \$30,000 in funding from the United Way over the years, and they serve the needs of citizens when other agencies and the City can not. Laurier Lachance spoke in favor of funds for the SEARCH program, noting they provide elderly services. Representatives of the new African Immigrant Association spoke and said they are requesting funding from the program, saying they are a new program to assist the new residents of Lewiston, and the committee is not recommending that any new agencies receive funding this year. Brenda Ackers spoke in favor of funding for Head Start and the African Immigrants Association, saying she is a new resident of Lewiston and feels both of these agencies are beneficial. Susan Robin addressed the Council and suggested that the City’s policy of not funding new agencies be changed, and feels the new organizations should receive city funds, since the agencies service local residents. Kristine Kimball, executive director of Lewiston Time Dollar Exchange noted her group is new and was denied funding, and said it is very frustrating to try to start an agency that can help people and not receive assistance from the City.

Mayor Guay then closed the hearing. Councilors and staff discussed the requests from all agencies and the decision not to fund new agencies, since all agencies that currently receive funding will be phased out over the next few years, since the CDBG federal funds that they receive will be phased out and the City will no longer be receiving these funds. It was noted that all of these agencies do good work and provide a needed service to many residents.

VOTE (151-2004)

Motion by Councilor Paradis, seconded by Councilor Jean:

To adopt the schedule of funds for the FY2005 CDBG budget as recommended by the Community Development Block Grant Review Committee:

PUBLIC SERVICE ACTIVITIES

A.W.A.P.	\$5,118
Advocates for Children/Parent Resource Center	\$1,600
Advocates for Children/Healthy Families	\$1,600
African Immigrants Association	\$0
American Red Cross Disaster Relief	\$2,559
Androscoggin Head Start/Childhood Enrichment	\$42,867
Androscoggin Home Health/Lewiston Home Care	\$9,279
Catholic Charities of Maine/Fellowship House	\$2,559
Catholic Charities of Maine/S.E.A.R.C.H.	\$3,199

CITY COUNCIL**MAY 4, 2004**

Big Brothers/Big Sisters	\$960
Big Brothers/Big Sisters Mentoring Program	\$960
Child Health Center/Kid's Korner	\$1,679
Common Ties Mental Health Coalition	\$640
Community Artisans Guild	\$0
Hope Haven Emergency Shelter	\$2,559
LA Arts	\$5,758
Literacy Volunteers	\$960
Maine Rural Workers Coalition	\$0
MPC After School Program	\$9,597
MPC Summer Program	\$0
911 Education Program	\$0
Norwich House	\$7,678
Pathways Day Care	\$9,597
Pathways Workplace	\$7,038
Pathways Extended Employment	\$3,199
St. Martin de Porres Residence	\$4,799
Salvation Army	\$0
Sexual Assault Crisis Center	\$1,280
Tri-County Mental Health Services	\$0
Trinity Jubilee Center - Maternal & Child Program	\$5,758
Y.W.C.A. Intervention	\$2,559
Contingency Fund	\$0
SUBTOTAL	\$133,802.00

ECONOMIC DEVELOPMENT

50/50 Commercial Rehab.	\$100,000
Downtown Improvement Program	\$83,198
LAEGC	\$25,000

CITY COUNCIL

MAY 4, 2004

Bates Mill Redevelopment	\$0
Lew/Auburn Transit Committee (LATC)Fixed Route	\$0
Lewiston Time Dollar Exchange	\$0.00
SUBTOTAL	\$208,198.00

HOUSING REHAB

Housing Rehab Loan Program	\$0
Tall Pines Complex Rehab.	\$100,000
Rehab Office Administration	\$50,000
SUBTOTAL	\$150,000.00

NEIGHBORHOOD IMPROVEMENTS

Enhanced Neighborhood Policing (LPD)	\$4,000
Lewiston Housing Authority - Drouin Building	\$0
Lisbon Street (LPW)	\$0
Spruce Street (LPW)	\$0
Park Street Amenities (LPW)	\$0
Sidewalk Rehab/Handicap Ramp (LPW)	\$0
Sisters Of Charity Health System - Lots To Gardens	\$0
Southern Gateway - Canal Street Improvements	\$190,000
Southern Gateway - Development	\$350,000
Maple Street Streetscape	\$0
SUBTOTAL	\$544,000.00

PARKS AND RECREATION

Kennedy Park Rehabilitation	\$10,000
SUBTOTAL	\$10,000

ADMINISTRATION & PLANNING

C.D. Administration	\$205,000
SUBTOTAL	\$205,000.00

TOTAL OF ALL PROGRAMS \$1,251,000.00

Passed - Vote 7-0

VOTE (152-2004)

Motion by Councilor Jean, seconded by Councilor Rousseau:

To authorize the submission of the program to the Department of Housing and Urban Development. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT TO THE BUSINESS LICENSING ORDINANCE

Mayor Guay opened the hearing. No members of the public spoke for or against this item. Mayor Guay then closed the hearing.

VOTE (153-2004)

Motion by Councilor O'Brien, seconded by Councilor Jean:

That the proposed amendment to the City Code of Ordinances, Chapter 22 "Businesses", Article VI "Food Service Establishments", Section 22-169 "Pushcarts, roving diners in streets and public places", receive final passage by a roll call vote. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMIT FOR CHANCES PUB

Mayor Guay opened the public hearing. No members of the public spoke for or against this issue. Mayor Guay then closed the hearing.

VOTE (154-2004)

Motion by Councilor O'Brien, seconded by Councilor Jean:

To grant a special amusement permit for dancing and entertainment to Chances Pub, 675 Main Street. Passed - Vote 7-0

PUBLIC HEARING FOR OUTDOOR ENTERTAINMENT PERMIT FOR THE SOURCE GUITAR AND ARTS FESTIVAL

Mayor Guay opened the public hearing. No members of the public spoke for or against this issue. Mayor Guay then closed the hearing. Richard Willing of L/A Arts and Charlene Belanger of WCSH, the two sponsoring organizations, addressed the Council and outlined the details for this event.

VOTE (155-2004)

Motion by Councilor Paradis, seconded by Councilor Jean:

To conduct a public hearing on an application for an outdoor entertainment event for the Source: Guitar & Arts 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 L/A Arts and WCSH-6 for outdoor music concerts for the Festival to be held at Railroad Park on June 26, 2004 (rain date June 27, 2004), 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

REQUEST FOR USE OF CITY SERVICES FOR THE SOURCE GUITAR AND ARTS FESTIVAL

Councilor Paradis noted this is a great project, but expressed concerns about the cost to the City regarding the in-kind services such as waiving the tipping fees, increased presence of police, etc.

VOTE (156-2004)

Motion by Councilor Connors, seconded by Councilor Jean:

To approve the request from L/A Arts and WCSH 6 for the use of city services for the Source: Guitar & Arts Festival to be held June 26, 2004 (rain date June 27, 2004) at Railroad Park, Oxford Street:

The City Council authorizes the City Administrator to work with L/A Arts and WCSH-6 to ensure the City's support of The Source: Guitar & Arts Festival and to coordinate with the Festival organizers the following City services, subject to any limitations that may be challenging due to physical limitations:

- 1) Use of Railroad Park, subject to completion of appropriate forms with the Department of Recreation and Parks.
- 2) Dumpster for trash and waiver of tipping fees.
- 3) Tables and chairs from the Multi-Purpose Center and the Armory, to be delivered to Railroad Park.
- 4) Police security and First Aid for the Festival, to be available at the discretion of the Chief of Police.
- 5) Installation of tent over Main stage of Festival in Railroad Park.
- 6) Traffic barricades and signs to be installed at the discretion of the Police Department and Public Works Department.
- 7) Parking and electricity for 24' RV behind stage in Railroad Park.
- 8) Use of electricity and City Electrician before and during the Festival on June 26 or 27, 2004.
- 9) Establishment of a buffer zone for vendors. All vendors will need L/A Arts approval to participate in the Festival. A description and map of the buffer zone shall be provided to the City Clerk's Office no later than June 1, 2004.
- 10) Free use of City owned parking areas along Oxford and Lincoln adjacent streets.
- 11) Waiver of license fees for non-profit vendors.

Passed - Vote 6-1 (Councilor Paradis opposed)

**EXTENSION OF TEMPORARY CLOSURE OF A PORTION OF PARK STREET
ALLEY AND A PORTION OF PINE STREET**

VOTE (157-2004)

Motion by Councilor O'Brien, seconded by Councilor Jean:

To authorize an extension of the closure of the portion of Park Street Alley from Pine Street to the Library property line of the original library building to August 31, 2004, and an extension of the closure of the northern lane of Pine Street from Lisbon Street to Park Street to June 11, 2004, for the renovation work related to the Lewiston Public Library project.

Passed - Vote 7-0

**AUTHORIZATION TO FUND ADDITIONAL CONSTRUCTION FOR THE
COLISEE PROJECT THROUGH A FUTURE BOND ISSUE**

The City Administrator made a presentation regarding the proposed renovation plans for the Colisee to upgrade the facility. He noted there have been problems in the past with the ticketing system, congestion at the concession stands resulting in lost revenue, and numerous other issues that the former owner did not finalize such as a pro shop, box seats and others. These items are contractual obligations the Colisee has with the Maineiacs and these items need to be completed, or the team has the right to leave since the contract was not fulfilled. Councilor Mendros stated he feels this is a lot of money and wonders when this will end. Councilor Bernier stated the upgrades to the building are needed not just for the hockey team but for the building itself so it can be fully functional and hold many events, noting it should be viewed as an economic development project. Councilor Rousseau spoke in support of this project, noting the facility needs to be modernized to be competitive. Councilor Paradis stated he shares some of Councilor Mendros' concerns regarding the high price tag, and wonders if we will recoup the investment in the long run.

Residents Ryan Reed, Ken St. Amand, Rose Wilson and Larry Gilbert addressed the Council and asked for their support of this project, noting the great impact it will have. Matt McKnight representing the Maineiacs stated they have received a great response in the community and game attendance has increased, and they appreciate the strong support from the community.

VOTE (158-2004)

Motion by Councilor Jean, seconded by Councilor Rousseau:

To grant authorization to fund the additional construction for the Colisee project and to finance the amount of \$1,500,000 through the issuance of a future bond issue.

Passed - Vote 7-0

REPORTS AND UPDATES

No reports were presented at this time.

OTHER BUSINESS

No other business was presented at this time.

EXECUTIVE SESSION

Mayor Guay announced that due to the late hour, this item will be postponed to the next Council meeting.

VOTE (159-2004)

Motion by Councilor Bernier, second by Councilor O'Brien:

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

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine