

CITY OF LEWISTON

CITY COUNCIL

MARCH 16, 1999

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

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Lynch, Kelly, Carignan, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, Student Representatives Karen Gagnon & Johanna Mathieu and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

City Wide PTO Presentation

Jan Phillips, Robert Reed and Paul Beaudet, all members of the City Wide Parent/Teacher Organization, spoke to the Council about the importance of state and local educational funding as well as parental involvement with the school system. All stressed the importance of maintaining excellence in Lewiston schools and the need to achieve educational distinction in Lewiston. Mr. Beaudet outlined the need to lobby state representatives to receive 55% level funding; the need to support the school budget; repeal the Coultrap Amendment; fund education at a rate to maintain pace with current technology in order to compete globally; and to place education as the city's number one priority. Michelle Savard of the L-A Economic Growth Council spoke to the important role that education plays in a community's economic development.

L/A Excels Presentation

Donald Harwick, president of Bates College, spoke about the L/A Excels initiative. He stated the project's goal is to establish a common vision for the future for both Lewiston and Auburn, and stressed the need to establish ourselves as communities of excellence. Mr. Harwick outlined the 5 major areas the program will be focusing on:

- 1) educational aspirations
- 2) economic development
- 3) leadership development
- 4) quality of culture/diversity of culture
- 5) quality of life

He invited all community members to an L/A Excels convention to be held on May 1, 1999.

APPOINTMENTS TO BOARDS AND COMMITTEES

LAKE AUBURN WATERSHED COMMITTEE - 3 Year Term
Christopher C. Branch, Public Works Director

VOTE (1)

Motion by Councilor Carignan, seconded by Councilor Bilodeau:

To dispense with the reading of the minutes of the March 2, 1999, meeting and to accept and place them on file as prepared by the City Clerk.

Passed - Vote 7-0

**RESOLUTION SUPPORTING THE LEWISTON HIGH SCHOOL
GIRLS BASKETBALL TEAM**

VOTE (2)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

That the resolution supporting the Lewiston High School Girls Basketball Team be adopted. Passed - Vote 7-0

START ME RIGHT LEGISLATION

Motion by Councilor Bilodeau, second by Councilor Carignan to adopt a Resolution in support of the Start ME Right legislation. Mayor Tara provided the Council with information about this program and stressed the importance of supporting such initiatives. She noted there are 12 LD's in the legislative packet the Start ME Right coalition is promoting. Councilors Bilodeau and Putnam felt it was important to review the individual LD's to learn the specifics of each bill. Councilors Lynch, Kelly and Samson stated the need to review the financial impacts of each bill as well. There was a discussion regarding the wording of the resolution and suggested changes to the resolution. Many Councilors suggested the need to postpone this item until copies of all of the LD's can be reviewed.

VOTE (3)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To table, until the April 6th council meeting, the adoption in support of the Start ME Right Legislation.

Passed - Vote 5-2 Councilors Albert and Carignan opposed.

**CONTINUATION OF THE PUBLIC HEARING PERTAINING TO
THE HUMAN RESOURCES CODE AMENDMENT**

The ordinance amendment pertaining to human resources received its first reading at this time. Councilor Putnam stated the Ordinance Committee had met and recommends approval of this item.

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

That the ordinance amendment pertaining to the name change to "human resources" receive first passage by a yea or nay vote.
Passed- Vote 7-0

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Samson

That section 7(c) of the Rules Governing the City Council be suspended to allow for a second reading at this time.
Passed - Vote 7-0

The ordinance amendment pertaining to the human resources received its second reading at this time.

VOTE (6)

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

That the ordinance amendment pertaining to the name change to "human resources" receive final passage by a yea or nay vote.
Passed - Vote 7-0

**PUBLIC HEARING PERTAINING TO THE GENERAL ASSISTANCE
CODE AMENDMENT**

The ordinance amendment pertaining to general assistance received its first reading at this time.

VOTE (7)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

That the ordinance amendment pertaining to the burial and cremation costs receive first passage by a yea of nay vote.
Passed - Vote 7-0

VOTE (8)

Motion by Councilor Putnam, seconded by Councilor Samson:

That section 7(c) of the Rules Governing the City Council be suspended to allow for a second reading at this time.
Passed - Vote 7-0

The ordinance amendment pertaining to general assistance received its second reading at this time.

VOTE (9)

Motion by Councilor Carignan, seconded by Councilor Albert:

That the ordinance amendment pertaining to the burial and cremation costs receive final passage by a yea or nay vote.
Passed - Vote 7-0

**PUBLIC HEARING PERTAINING TO THE
MODIFICATION OF SPACE AND BULK STANDARDS CODE AMENDMENT**

The ordinance amendment pertaining to the modification of space and bulk standards received its first reading at this time.

VOTE (10)

Motion by Councilor Albert, seconded by Councilor Kelly:

That the ordinance amendment pertaining to modification of bulk and space standards receive first passage by a yea or nay vote. Passed - Vote 7-0

**PUBLIC HEARING PERTAINING TO FITNESS AND RECREATIONAL
SPORTS CENTERS CODE AMENDMENT**

The ordinance amendment pertaining to fitness and recreational sports centers received its first reading at this time.

VOTE (11)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

That the ordinance amendment pertaining to fitness and recreational sports centers as a conditional use in the Office-Residential District receive first passage by a yea or nay vote. Passed - Vote 7-0

VOTE (12)

Motion by Councilor Lynch, seconded by Councilor Kelly:

That section 7(c) of the Rules Governing the City Council

be suspended to allow for a second reading at this time.
Passed - Vote 7-0

The ordinance amendment pertaining to fitness and recreational sports centers received its second reading at this time.

VOTE (13)

Motion by Councilor Bilodeau, seconded by Councilor Lynch:

That the ordinance amendment pertaining to fitness and recreational sports centers as a conditional use in the Office-Residential District receive final passage by a ye or nay vote. Passed - Vote 7-0

TAX INCREMENT FINANCING DISTRICT FOR PENMOR LITHOGRAPHERS

VOTE (14)

Motion by Councilor Kelly, second by Councilor Putnam:

To establish the tax increment financing district and authorize the City Administrator to execute the attached Development Assistance and Tax Increment Financing Agreement. Passed - Vote 7-0

LEWISTON RACEWAY REDEVELOPMENT TAX INCREMENT FINANCING DISTRICT AMENDMENT

Development Director Greg Mitchell stated this represents changes to the financial plan of the existing TIF agreement which will provide support for a new business. Councilor Kelly noted this will bring 210 full-time equivalent jobs to the area.

VOTE (15)

Motion by Councilor Samson, second by Councilor Bilodeau:

To amend the Lewiston Raceway Redevelopment Tax Increment Financing District and authorize the City Administrator to execute the attached Development Assistance and Tax Increment Financing Agreement. Passed - Vote 7-0

TAX INCREMENT FINANCING DISTRICT FOR DIAMOND PHOENIX

VOTE (16)

Motion by Councilor Kelly, second by Councilor Bilodeau:

To continue the public hearing on establishing a tax

increment financing district for Diamond Phoenix and the Lewiston Development Corporation to the April 6, 1999 City Council meeting. Passed - Vote 7-0

DISTRICT COURT SITE LOCATION UPDATE

Bill Johnson, a local developer, informed the Council he is excited about this project and feels it will work as a community and public/private partnership. He stated it is important for this project to be downtown to encourage future development in this area. Councilors Kelly and Carignan noted Mr. Johnson's past support in development efforts - LL Bean building and others.

VOTE (17)

Motion by Councilor Lynch, second by Councilor Samson:

Whereas it is in the best interest of the City of Lewiston to maintain the District Court in the downtown area, and

Whereas it is the belief of the City of Lewiston that the retrofitting of the former Music Hall (Lewiston Hardware building) will assist in maximizing the impact on downtown development and the restoration of a significant historical building, and

Whereas the City of Lewiston is prepared to act in partnership with the State Court system to accomplish these goals,

It is therefore endorsed by the City Council of the City of Lewiston to recommend the District Court be located in the former Music Hall building on Lisbon Street.

Passed - Vote 7-0

POLICY FOR VACATING OF PROPOSED WAYS

Acting Assistant City Administrator Gerry Berube outlined the proposed policy for the Council. He noted this is not a new procedure, the city has followed these guidelines for 20 years. The fee schedule has been adjusted to more accurately reflect the work involved for each subdivision level.

VOTE (18)

Motion by Councilor Bilodeau, second by Councilor Carignan:

To approve the following proposed policy for vacating of proposed ways:

- Petition to be filed with Development Department Planning Division.

- Planning Board makes recommendation to City Council Street Committee.
- City to provide list of current owners of lots on subdivision to petitioner.
- Petitioner to be responsible to provide City Clerk's Office with list of property owners and mortgagees certified by Title Attorney.
- Petitioner to provide City Clerk's Office with list of property owners and mortgagees printed on address labels.
- Petitioner to pay filing fee in accordance with the following schedule:

01 to 50 names	\$ 50.00
51 to 100 names	75.00
More than 100 names	100.00

- City Clerk's Office to prepare and mail notices to owners of lots on the recorded subdivision plan and their mortgagees of record.
- Public hearing will be held before the City Council on order of vacating.
- City Clerk's Office will file order of vacation in registry of deeds.

Passed - Vote 7-0

NANCY MARSHALL COMMUNICATIONS

Development Director Greg Mitchell stated Nancy Marshall Communications will work to establish a city information program regarding economic development and will work in conjunction with, but separate from, the Bates Mill informational programs. The city program will develop newsletters, brochures, a possible speaker's bureau and so forth. Councilor Putnam asked if the funding mechanism, namely a state grant, is specifically mentioned in the contract. He wanted to ensure there is no misunderstanding in the future that the City Council has not authorizing funds for this project, but the project is intended to be funded by a state grant. The City Administrator noted he will follow up on this issue.

VOTE (19)

Motion by Councilor Kelly, second by Councilor Carignan:

To authorize the City Administrator to execute the agreement between the City of Lewiston and Nancy Marshall Communication to provide the City with services, cost of which will be funded by a State grant. Passed - Vote 7-0

VOTE (20)

Motion by Councilor Albert, second by Councilor Kelly:

To amend the traffic schedule as follows:

SECTION 9 - PARKING PROHIBITED ALL TIMES - FIRE LANES

HIGH STREET Even numbered side south side beginning at point 203' westerly of the southwesterly corner of Main Street and High Street and extending southwesterly on High Street to ~~between Lowell Street and~~ Hammond Street.

Passed - Vote 7-0

TRANSFER TO THE MAYOR'S OFFICE BUDGET

A motion was made by Councilor Bilodeau and seconded by Councilor Albert that upon recommendation of the City Administrator and Finance Director, the City Council hereby approves a transfer of \$2,500.00 from the Pensions and Retirement account #49310-4044004, Deferred Compensation to the Mayor's account #41210-4022000 telephone. Councilor Bilodeau stated the Councilors received additional material about this issue today at her request. Since Councilors may not have had a chance to review the material, she suggested waiting until the next meeting to review this issue.

VOTE (21)

Motion by Councilor Bilodeau, second by Councilor Samson:

To table, until the April 6th council meeting, that upon recommendation of the City Administrator and Finance Director, the City Council hereby approves a transfer of \$2,500.00 from the Pensions and Retirement account #49310-4044004, Deferred Compensation to the Mayor's account #41210-4022000 telephone. Passed - Vote 6-1 Albert opposed.

LEGISLATIVE UPDATE

The City Clerk outlined items from the recent MMA LPC meeting. Issues the group are tracking include homestead exemption, tax-exempt status for hospitals and increasing the transportation funding for urban communities.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Albert stated that he, along with students from Lewiston High School, will be attending a rally in the State

Hall of Flags on Thursday to encourage the State Legislature to increase the GPA to the 55% funding level. Councilor Kelly stressed the need for additional money for education and mentioned the State needs to live up to their obligation.

VOTE (22)

Motion by Councilor Bilodeau, second by Councilor Kelly:

To designate Council Paul Samson to serve on the Empower Lewiston Board of Directors for a one year initial term. Passed - Vote 6-0-1 Council Samson abstained.

VOTE (23)

Motion by Councilor Albert, second by Councilor Kelly:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5826(6) the City Council hereby acknowledges and approves of the transfer of \$6,080.00 in the case of State of Maine vs. Theodore Israel Docket No. CR-99-83. 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. 0291-65752 at Peoples Heritage Bank. Passed - Vote 7-0

OTHER BUSINESS

Councilor Bilodeau stated she attended a seminar at the National League of Cities conference where she learned about new grants regarding Smart Growth and urban sprawl issues. She will pass along the material to Greg Mitchell.

VOTE (24)

Motion by Councilor Samson, second by Councilor Carignan:

To adjourn at 9:15 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo
City Clerk
Lewiston, Maine