

CITY OF LEWISTON

CITY COUNCIL

JULY 9, 2002

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

THE HONORABLE LAURIER T. RAYMOND, JR., MAYOR, PRESIDING.

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

Pledge of Allegiance to the Flag.

Moment of Silence.

PRESENTATION BY L/A TRAILS

A representative of L/A Trails presented a \$1,000 grant to the Recreation Department for work to the walking path in the Railroad Park.

ANNOUNCEMENT OF MEMBERS SERVING ON THE LEWISTON YOUTH ADVISORY COUNCIL

Mayor Raymond presented certificates of appointment to the following members of the Lewiston Youth Advisory Council: Lisa Kimball, Jonathan Isacco, Ryan Reed, Erin Feely, Tim Williams, Katie Lauze and Tarrah Bowen.

Mayor Raymond read a letter of resignation from Ward Five City Councilor Paul Samson. Mr. Samson resigned, effective immediately, citing poor health issues. The Mayor and Councilors stated Paul's work on the Council and with the City will be missed.

PUBLIC HEARING AND FINAL PASSAGE FOR CONDITIONAL REZONING AT 199 CROWLEY ROAD

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

VOTE (195-2002)

Motion by Councilor Bernier, second by Councilor Jean:

To approve final passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone the property at 199 Crowley Road, from the Office Service (OS) District to the Urban Enterprise (UE) District, subject to a conditional agreement.

Passed -Vote 6-0

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

Mayor Raymond opened the public hearing. Ken Daigle of Little Joe's Café spoke and suggested that the City set the licensing fees based upon square footage, for restaurants and bars. He stated his business is located in a very small building, yet he pays the same annual fee as a very large business with the same type of license, which can accommodate more customers and therefore additional revenue.

VOTE (196-2202)

Motion by Councilor Philippon, second by Councilor Paradis:

That the proposed amendment to the City Code of Ordinances, Chapter 22 "Businesses", Article II "Licenses", Section 22-46 "Schedule of Fees" receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of August 20, 2002 for final passage. Passed - Vote 6-0

**APPROVAL OF OUTDOOR ENTERTAINMENT EVENT PERMIT FOR
FESTIVAL DE JOIE**

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

VOTE (197-2002)

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

To conduct a public hearing on an application for an outdoor entertainment event and a special amusement permit for the Festival de Joie, and to grant a Special Amusement Permit for Dancing and Entertainment to the Festival de Joie Committee, 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 Festival de Joie Committee for outdoor music concerts for the annual Festival to be held at Railroad Park on August 2, 3 and 4, 2002, contingent upon positive recommendations from the Police Department, Fire Department and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances. Passed - Vote 6-0

**APPROVAL OF OUTDOOR ENTERTAINMENT EVENT PERMIT FOR
GREAT FALLS BALLOON FESTIVAL**

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

VOTE (198-2002)

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

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 16-18, 2002, contingent upon positive recommendations from the Police Department, Fire Department and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances, and to approve the request for use of city services from the Great Falls Balloon Festival, Inc. as outlined on the attached sheet. Passed - Vote 6-0

APPROVAL FOR OUTDOOR ENTERTAINMENT EVENT AT KENNEDY PARK

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

VOTE (199-2002)

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

To conduct a public hearing on an application for an outdoor music concert to be held at Kennedy Park on Saturday, July 27, 2002 from 1:00pm - 6:00pm/7:00pm. and to grant authorization of a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to Jon Paradis, of The 33 Hour Famine band, for an outdoor music concert on Saturday, July 27, 2002 from 1:00pm to 6:00pm/7:00pm, contingent upon positive recommendations from the Recreation Department, Police Department, Fire Department and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances. Passed - Vote 6-0

LIQUOR LICENSE APPLICATION FOR CHALET MOTEL

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

VOTE (200-2002)

Motion by Councilor Bernier, second by Councilor Jean:

To authorize the City Clerk's Office to approve the liquor license application and special amusement permit for the Chalet Motel, 1243 Lisbon Street, pending final approval from the state background check. Passed - Vote 6-0

LIQUOR LICENSE APPLICATION FOR THE RAVEN BAR AND DANCE CLUB

Mayor Raymond opened the public hearing. A resident asked who the managers of the club were going to be. The applicants identified themselves and stated they will be managing the facility. Mayor Raymond then closed the hearing. Councilor Paradis expressed concerns regarding noise and the residents at Oak Park.

VOTE (201-2002)

Motion by Councilor Jean, second by Councilor Philippon:

To authorize the City Clerk’s Office to approve the liquor license application and special amusement permit for The Raven Bar and Dance Club, Inc., 16-18 Park Street.
Passed - Vote 6-0

ADOPTION OF ORDERS ON SCHOOL FUNDING

VOTE (202-2002)

Motion by Councilor O’Brien, second by Councilor Philippon:

That the following Orders have passage:

ORDERED, That this City Council hereby authorizes the School Committee to expend appropriated monies per line in support of educational programs during Fiscal Year 2002-2003 as follows:

LINE	DESCRIPTION	AMOUNT
1	Undistributed	\$ 10,229,030.00
2	Elementary Education - Instructional	5,783,567.00
3	Elementary Education - All Other	2,103,249.00
4	Middle School - Instructional	2,172,700.00
5	Middle School - All Other	618,756.00
6	High School - Instructional	3,875,484.00
7	High School - All Other	1,052,464.00
8	Special Education	6,088,667.00
9	Vocational - Instructional	1,202,370.00
10	Vocational - All Other	552,074.00
11	Student Activities	457,957.00
12	Adult Education	430,889.00
13	TOTAL	\$ 34,567,207.00

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation from the foundation allocation for school purposes the sum of \$31,107,703 and to raise as the local share of the foundation the sum of \$12,895,862.

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation from the debt service allocation for school purposes, the sum of \$98,958 and to raise as the local share of the debt service, the sum of \$53,942.

ORDERED, That upon recommendation of the Department of Education, this City Council hereby agrees to appropriate \$2,029,391 in additional local funds under the provisions of 20-A, M.R.S.A., Section 15614.

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes the Lewiston School Committee to expend \$34,567,207 for the fiscal year beginning July 1, 2002 and ending June 30, 2003 from the state foundation allocation (\$18,211,841), state debt service allocation (\$45,016), student activities (\$15,000), rentals - classrooms and auditoriums (\$12,000), state agency clients - special education (\$100,000), surplus-prior year (\$473,267), Medicaid reimbursement (300,000), local appropriation (\$14,979,195) for the support of schools.

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation of \$430,889 for adult education and to bring forward surplus-prior year (\$-0-), and to raise as the local share for adult education the sum of \$247,889.

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes the Lewiston School Committee to accept the categories of funds listed below as provided by the Maine State Legislature.

Category	Estimated Amount
Dwight D. Eisenhower Act (1996-97) (Title II)	\$ 43,358.00
Chapter I (Title IA)	1,075,452.00
Chapter II (Title VI)	49,445.00
Local Entitlement, Part B, P.L. 101-476	618,154.00
Emergency Shelter Program	123,781.00
Drug Free School Program (Title IV)	27,205.00
Carl D. Perkins Vocational and Applied Technology Education Act of 1990 (P.L. 101-392)	165,719.00
Pre-Apprenticeship	5,000.00
Maine Career Advantage	5,000.00

Adult Basic Education	64,846.00
Carl Perkins - Central Maine Technical College	3,800.00
Class Size Reduction Grant	223,098.00
Learning Results	44,570.00
ESTIMATED TOTAL	\$ 2,449,428.00

Passed - Vote 6-0

ADOPTION OF FISCAL YEAR 2003 TAX RESOLVE

VOTE (203-2002)

Motion by Councilor Paradis, second by Councilor Rousseau:

That the Tax Resolve instructing the Chief Assessor to raise \$ 38,774,284 to finance the Fiscal Year 2003 budget, have first passage at this time by a roll call vote.

Passed - Vote 5-1 (Councilor Jean opposed.)

VOTE (204-2002)

Motion by Councilor Philippon, second by Councilor Bernier:

To suspend the Rules Governing the City Council to allow for final passage at this time.

Passed - Vote 5-1 (Councilor Jean opposed.)

VOTE (205-2002)

Motion by Councilor Paradis, second by Councilor Philippon:

RESOLVED, That the Chief Assessor of the City of Lewiston, Maine be ordered to raise by assessment upon estates of residents of the City of Lewiston, and upon estates of non-resident proprietors in said City of Lewiston for the current fiscal year commencing July 1, 2002, the sum of Thirty-Eight Million Seven Hundred Seventy Four Thousand Two Hundred Eighty-Four Dollars for the payment of the county tax, for ordinary indebtedness and expenses, for interest on the debt of the City of Lewiston, and for the payment of lawful debts and dues of the City of Lewiston.

A summary of the \$69,316,122 Appropriation Resolve, passed by the City Council on May 28, 2002, is on file in the City Clerk's Office.

Appropriation Resolve	\$69,316,122
LESS:	
Estimated Revenues	\$30,068,571
Prior Years' Surplus	473,267

Total Adjustments	\$30,541,838
Net Appropriation	\$38,774,284
TAX LEVY:	\$38,774,284

Interest on Real and Personal Taxes will be charged on all taxes which shall remain unpaid after the respective due dates of September 15, 2002 and March 15, 2003, at the rate of 8.75%.

Any taxpayer who pays an amount in excess of that finally assessed shall be repaid the amount of the overpayment plus interest from the date of overpayment at the rate of 8%.

Passed - Vote 5-1 (Councilor Jean opposed.)

**CONDEMNATION ORDER FOR EMINENT DOMAIN PROCEEDINGS
FOR 49 MAIN STREET**

Councilor Rousseau stated he has strong support for the development of the gateways into the City, yet is upset this item was put into motion without consulting the Councilors. Councilor Jean stated he is not pleased with the late notice regarding this topic and would like additional time to review and study the issue. The City Administrator stated that, by law, the required notices of the meeting have been mailed to the property owners and tenants and the notices have been posted by state requirements as well. He informed the Council that no other action has been taken on this item, and the Council needs to vote on the issue to proceed with any future action. Mr. Bennett stated that notices were sent in consultation with the Mayor. The Mayor said there has been a public outcry for improvements to the gateway areas, and the eminent domain process is fair and fair market value will be paid to the owners. He stated that no one is damaged by the taking, since fair market value will be paid by the City. Councilor Bemier inquired about issues such as commercial appraisals, relocation fees, environmental issues and so forth.

Several Councilors recommended going into executive session to discuss the City's rights and responsibilities for this issue with the City Attorney. The Mayor recommended finishing the remaining agenda items for the benefit of the public in the audience who may be waiting for other agenda issues, and the Council concurred.

**ORDER VACATING AND DISCONTINUING A PORTION OF
PARK STREET ALLEY**

VOTE (206-2002)

Motion by Councilor Paradis, second by Councilor Jean:

That the Order vacating and discontinuing a portion of Park Street Alley, be adopted.

Passed - Vote 6-0

AMENDMENTS TO THE PERSONNEL POLICY REGARDING EMPLOYEE OF THE YEAR AND ANTI-NEPOTISM POLICY

VOTE (207-2002)

Motion by Councilor Philippon, second by Councilor Jean:

To approve the amendments to the Personnel Policies regarding the Employee of the Year Program and the Anti-Nepotism policy, as recommended by the Personnel Board and the Human Resources Director. Passed - Vote - 6-0

LOCAL LAW ENFORCEMENT BLOCK GRANT

VOTE (208-2002)

Motion by Councilor Philippon, second by Councilor Jean:

To authorize the Chief of Police to accept the US Department of Justice's Local Law Enforcement Block Grant in the amount of \$38,555.00 in order to procure new technology and equipment. Passed - Vote 6-0

TRAFFIC SCHEDULE AMENDMENTS

VOTE (209-2002)

Motion by Councilor Philippon, second by Councilor Jean:

To adopt the following amendments to the Traffic Schedule:

Section 21 - Parking Time Regulated, 15 Minutes - 8:00 AM to 6:00 PM

LAFAYETTE STREET

Even numbered side, west side, beginning at a point 260' from the southwest corner of Lafayette St. & Campus Ave. and extending northeasterly on Lafayette St. a distance of 20'.

Note: (Additions are underlined; deletions are ~~struck-out~~).

Passed - Vote 6-0

Councilor Paradis inquired about communications with Bates College, regarding this proposed traffic amendment and elimination of parking spaces. Councilor O'Brien stated that several public and citizen meetings were held regarding these changes and representatives from Bates College were present.

VOTE (210-2002)

Motion by Councilor Paradis, second by Councilor Jean:

To adopt the following amendments to the Traffic Schedule:

Section 50 - Parking Prohibited, All Times - Intersections (Tow Away Zone)

BARDWELL STREET Beginning at the southeast corner of Bardwell St. and Campus Ave. and extending southerly on Bardwell St. a distance of 35'.

Beginning at the southwest corner of Bardwell St. and Campus Ave. and extending southerly on Bardwell St. a distance of 35'.

CAMPUS AVENUE Beginning at the southeast corner of Campus Ave. and Franklin St. and extending easterly on Campus Ave. a distance of 35'.

Beginning at the southwest corner of Campus Ave. and Franklin St. and extending westerly on Campus Ave. a distance of 35'.

Beginning at the southeast corner of Campus Ave. and Bardwell St. and extending easterly on Campus Ave. a distance of 35'.

Beginning at the southwest corner of Campus Ave. and Bardwell St. and extending westerly on Campus Ave. a distance of 35'.

Beginning at the southeast corner of Campus Ave. and Wood St. and extending easterly on Campus Ave. a distance of 35'.

Beginning at the southwest corner of Campus Ave. and Wood St. and extending westerly on Campus Ave. a distance of 35'.

Beginning at the southeast corner of Campus Ave. and Nichols St. and extending easterly on Campus Ave. a distance of 35'.

Beginning at the southwest corner of Campus Ave. and Nichols St. and extending westerly on Campus Ave. a distance of 35'.

FRANKLIN STREET Beginning at the southeast corner of Franklin St. and Campus Ave. and extending southerly on Franklin St. a distance of 35'.

Beginning at the southwest corner of Franklin St. and Campus Ave. and extending southerly on Franklin St. a distance of 35'.

NICHOLS STREET

Beginning at the southeast corner of Nichols St. and Campus Ave. and extending southerly on Nichols St. a distance of 35'.

Beginning at the southwest corner of Nichols St. and Campus Ave. and extending southerly on Nichols St. a distance of 35'.

WOOD STREET

Beginning at the southeast corner of Wood St. and Campus Ave. and extending southerly on Wood St. a distance of 35'.

Beginning at the southwest corner of Wood St. and Campus Ave. and extending southerly on Wood St. a distance of 35'.

Note: (Additions are underlined; deletions are ~~struck-out~~).

Passed - Vote 6-0

RATIFY ACTIONS REGARDING LIBERTY FESTIVAL

VOTE (211-2002)

Motion by Councilor Philippon , second by Councilor Jean:

To ratify the approvals issued by the City Administrator for the Liberty Festival activities 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 Liberty Festival Committee for outdoor music concerts for the annual Festival to be held at Veteran’s Memorial Park on July 4, 2002, contingent upon positive recommendations from the Police Department, Fire Department and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances, and to approve the request for use of city services from the Liberty Festival Committee as outlined on the attached sheet. Passed - Vote 6-0

TRANSFER OF FORFEITURE FUNDS

VOTE (212-2002)

Motion by Councilor Philippon, second by Councilor Jean:

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 \$508.00, or any portion thereof, in the case of State of Maine vs. Michael Squillace, No. CR-02-Criminal Forfeiture. 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 6-0

LEWISTON MILL REDEVELOPMENT CORPORATION REPORT

Councilor Rousseau stated the LMRC Board is working to structure a new Limited Liability Corporation to put the Mill into private hands. Councilor Paradis stated the Resolution regarding the Bates Mill Complex that was approved last month by Council was not well received by the LMRC Board.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Samson was not present at this meeting due to his resignation. No report was presented at this time.

OTHER BUSINESS

Development Director Greg Mitchell updated the Council on the Walmart Development project. The issue of the truck entrance has been resolved and the entrance will be relocated to Goddard Road and will direct the truck traffic more into the industrial area rather than the residential area. The Mayor commended everyone involved with that decision.

EXECUTIVE SESSION

VOTE (213-2002)

Motion by Councilor Bernier, second by Councilor Paradis:

To enter into executive session to review an application submitted under MRSA Title 36, section 841(2). Passed - Vote 6-0

Executive Session began at 8:20pm and ended at 8:35pm.

VOTE (214-2002)

Motion by Councilor Bernier, second by Councilor Paradis:

To deny the application submitted under MRSA Title 36, section 841(2).

Passed - Vote 4-0-2

(Councilors O'Brien and Jean were absent from the room during this vote.)

VOTE (215-2002)

Motion by Councilor Rousseau, second by Councilor Paradis:

To enter into executive session to discuss and consult with the City Attorney on the City's rights and responsibilities regarding the property at 49 Main Street.

Passed - Vote 4-0-2 (Councilors O'Brien and Jean were absent from the room during this vote.) Executive session began at 8:40pm and ended at 9:10pm.

**CONDEMNATION ORDER FOR EMINENT DOMAIN PROCEEDINGS
FOR 49 MAIN STREET - CONTINUED**

Councilor Rousseau stated that he is in support of improving the gateways, but recommends finding another method to do so, other than the eminent domain process.

VOTE (216-2002)

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

To approve the Condemnation Order for eminent domain proceedings for 49 Main Street:

WHEREAS, proper notice having been given pursuant to 23 M.R.S.A. § 3022, as shown by the certificate of the City Clerk which has been filed by and with the City Clerk;

WHEREAS, the municipal officers having given due consideration to the matters presented to them, including without limitation the existence of public exigency and whether the City is unable to purchase such property at a price which the council deems reasonable; it therefore

RESOLVED, that the City Council hereby ratifies the City Clerk's giving of written notice of the Council's intentions by posting and mailing of notices on its behalf as required by statute and by Maine law; and it is therefore

ORDERED, that the municipal officers of City of Lewiston, having determined that a public exigency exists for the taking of the property described below; that the purpose of the taking is for the construction of a park with or without public monuments or amenities for civic beautification and /or pedestrian access location; and that the City is unable to purchase the property described below at what the municipal officers deem a reasonable valuation, and acting pursuant to the authority vested in the City by 30-A M.R.S.A. §3101, DO HEREBY TAKE the following described property:

The property interest(s) of all persons or entities whatsoever, of any kind or nature, including without limitation the fee interest, and any and all legal and equitable title to any interest in and to the property located at the corner of Lincoln Street and Main Street in Lewiston, County of Androscoggin, and State of Maine, and bounded and described as follows:

Certain lots or parcels of land, with the buildings thereon, situated in the City of Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows:

PARCEL ONE: Situated on the Southerly side of Main Street, being lot numbered three (3) in block numbered two (2) situated on the Southerly side of Main Street, and commencing at the North west corner of the lot formerly bonded to Thompson and Young; thence running Westerly on Main Street twenty-five (25) feet and running back at right angles to Main Street Southerly, about eighty-four (84) feet on its Easterly side, and about seventy-eight (78) feet on its Westerly side. Excepting and reserving from the above

described premises, a strip of land conveyed by George McClure to Michael McCarthy by deed of Warranty dated August 20, 1870, and recorded in the Androscoggin County Registry of Deeds at Book 62, Page 322.

Being the same premises conveyed to Roland R. Amlotte by deed of Cecile L. Gagne, Executrix of the Estate of Maurice O. LeBlanc dated February 21, 1978 and recorded in the Androscoggin County Registry of Deeds at Book 1321, Page 235.

PARCEL TWO: Shown on a Plan entitled "Plan of the Goss Property Corner of Lincoln and Main Streets, Lewiston, Maine, dated April 26, 1930, Scale 1 in. = 20 feet" made by George H. Barron, Civil Engineer, Lewiston, Maine, in accordance with the blue print recorded in the Androscoggin County Registry of Deeds, Book 400, Page 463, and bounded and described as follows according to said Plan: Beginning at a granite monument at the intersection of the Southerly line of Main Street with the Easterly line of Lincoln Street; thence Southerly by the Easterly line of said Lincoln Street, eighty-one (81) feet to the Northerly line of land now or formerly of Raphael Nicolas; thence Easterly at right angles to said Lincoln Street by said Northerly line of said land now or formerly of said Raphael Nicolas, ninety-one and ninety-four hundredths (91.94) feet to Railroad Alley, so-called; thence Northerly by the Westerly line of said Railroad Alley, sixteen and two hundredths (16.02) feet to the Southeasterly corner of land now or formerly of Alice McNamara; thence westerly by said Alice McNamara's Southerly line, twenty-five and seven-tenths (25.7) feet; thence Northerly by said Alice McNamara's Westerly line, said line being at right angles to said Main Street, seventy-eight and eighty-one hundredths (78.81) feet to said Southerly line of said Main Street; thence Westerly by said Southerly line of said Main Street, fifty (50) feet to the point of beginning.

The above referred to Plan of the Goss Property is recorded in said Registry of Deeds, Book of Plans, Volume 2, Book 5, Page 227.

There is excepted from the above described premises that certain small part or portion thereof which was conveyed by said Robert K. Cook, Jr., to the inhabitants of the City of Lewiston by Quit Claim Deed which was undated but which was acknowledged on October 24, 1969 and recorded in said Registry of Deeds, Book 1010, Page 144, said Deed stating that it conveyed one hundred seventy-eight (178) square feet of land.

Being the same premises conveyed to Roland R. Amlotte by warranty deed of Walter C. Sylvester and Esther E. Sylvester dated July 26, 1982 and recorded in the Androscoggin County Registry of Deeds at Book 1590, Page 234.

The said property interests are, prior to the time of this taking, vested in the following owners of record, and the amount of damages determined by the municipal officers to be just compensation for such property or interests taken:

<u>NAME</u>	<u>NATURE OF INTEREST</u>	<u>VALUE</u>
Roland R. Amlotte	Fee Interest	\$160,000 less outstanding balance on mortgage
United Kingfield Bank	Mortgage, Assignment of Rents	outstanding balance on mortgage note
Peter Koutsikos	Lessee, Optionee	\$0
Frank Morgan d/b/a Captain Morgan's Tattoos	Tenant	\$0

Passed - Vote 4-2 (Councilors Paradis and Rousseau opposed.) At this point, Councilor Bernier stated that she wanted to change her vote. The Mayor then asked for a show of hands again regarding this issue.

The vote was 3-3 (Councilors Philippon, O'Brien and Jean in favor; Councilors Bernier, Paradis and Rousseau opposed.). This was a tie vote, and per the City Charter requirements, the Mayor votes only in the case of a tie. The Mayor voted in the affirmative, so the final Vote was 4-3 (The Mayor, Councilors Philippon, O'Brien and Jean in favor and Councilors Bernier, Paradis and Rousseau opposed.)

AMENDMENT TO LINCOLN STREET SIDEWALK ENHANCEMENT PROJECT

VOTE (217-2002)

Motion by Councilor Jean, second by Councilor Paradis:

To authorize the Purchasing Agent to seek an amendment to the contract with Richardson & Associates for the Lincoln Street Sidewalk Enhancement Project that will incorporate the design and preparation of specifications for the Park, pending approval from the Finance Committee. Passed - Vote 6-0

AUTHORIZATION OF FUNDING FOR 49 MAIN STREET PROJECT

VOTE (218-2002)

Motion by Councilor Philippon, second by Councilor Jean:

Ordered, that upon recommendation of the City Administrator and Finance Director, the City Council hereby approves a transfer of \$500,000.00 from the FY 2003 Bond Issue for the Mill 4 Service Entrance to the Acquisitions and Demolitions account, to be used for the 49 Main Street project. Passed - Vote 5-1 (Councilor Rousseau.)

OTHER BUSINESS

VOTE (219-2002)

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

To appoint Councilor Bernier to serve as the City Council's representative to the School Board. Passed - Vote 6-0

VOTE (220-2002)

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

To adjourn at 9:15 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine