

CITY OF LEWISTON

CITY COUNCIL

JANUARY 20, 1998

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

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Lynch, Kelly, Gray, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, and City Clerk Gerald P. Berube.

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (1)

Motion by Councilor Albert, seconded by Councilor Samson:

To dispense with the reading of the minutes of the meetings of January 5 & 6, 1998, and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO DEVELOPMENT REVIEW AND STANDARDS

An ordinance pertaining to Development Review and Standards, to streamline the development review process for projects in commercial or industrial subdivisions that were previously reviewed and approved by the Planning Board, having had first reading at the meeting of January 6th, received its second reading at this time.

VOTE (2)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

That the ordinance pertaining to Development Review and Standards has final passage by a yea and nay vote.
Passed - Vote 7-0

VOTE (3)

Motion by Councilor Gray, seconded by Councilor Bilodeau:

To table, to the meeting of February 3, 1998, the proposed amendments to the Traffic Schedule to add the traffic control signal on Sabattus Street at the intersection of Farwell Street and Fairlawn Street. Passed - Vote 7-0

Citizens misunderstood the action taken by the Council on the traffic control signal on Sabattus at Farwell and wished to be heard at this time and the following action was taken.

VOTE (4)

Motion by Councilor Lynch, seconded by Councilor Putnam:

Suspend rules to allow citizens to speak on the traffic control signal on Sabattus Street at Farwell and Fairlawn Streets. Passed - Vote 7-0

The City Council listened to the concerns of citizens and businesses in the area and assured them that this was a priority issue. However, due to the ice storm staff did not have an opportunity to gather the necessary information and this issue will be addressed at the next regular meeting.

VOTE (5)

Motion by Councilor Putnam, seconded by Councilor Bilodeau:

To grant an Automobile Graveyard/Junkyard permit to Al's Used Parts, Crowley Road. Passed - Vote 7-0

VOTE (6)

Motion by Councilor Bilodeau, seconded by Councilor Putnam:

To grant an Automobile Graveyard/Junkyard permit to Mr. Normand St. Laurent, 1445 Sabattus Street. Passed - Vote 7-0

VOTE (7)

Motion by Councilor Bilodeau, seconded by Councilor Gray:

To grant an Automobile Graveyard/Junkyard permit to Grimmel's Industries, 50 River Road, subject to the following conditions:

1. The hours of operation shall be limited to 7:00 A.M. to 5:00 P.M. Monday through Saturday.
2. Improve screening from the Maine Turnpike.

Passed - Vote 7-0

VOTE (8)

Motion by Councilor Lynch, seconded by Councilor Kelly:

That the conditions be amended by adding #15 to read as follows:

That the processing of pressure treated wood be done in full compliance with EPA & DEP regulations. Passed - Vote 7-0

VOTE (9)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant an Automobile Graveyard/Junkyard permit to K.T.I. Bio Fuels, L.P., 38 Alfred A. Plourde Parkway, subject to the following fifteen conditions:

1. Permit is granted for storage of wood waste and oversized bulky waste (OBW). OBW will consist of furniture, rugs, plastics, and any other large burnable household goods. Unacceptable OBW consists of sheetrock, roofing materials (unless wood), aggregate products, dirt and sand, fiberglass insulation, and no hazardous materials such as asbestos.
2. All wood waste and OBW which is to be placed in storage shall be piled no higher than 20'.
3. The width of the pile shall be no wider than 50', and overall length of the pile no more than 100'.
4. There shall be no more than nine (9) piles of wood waste and OBW at any time. OBW will not exceed two (2) piles.
5. Access rows or fire lanes shall be maintained between piles with a minimum distance of 40' between piles.
6. The main entrance roadway must be kept at a minimum of 24' of travel way at all times.
7. An additional second access road, or fire lane at least 20' in width, from the main road, (Alfred A. Plourde Parkway) to the storage area must be maintained.
8. All roads and fire lanes on the facility shall be of all weather surface adequately constructed to support the heaviest piece of fire apparatus likely to be operated on the fire lane or road.
9. All storage pile locations be properly identified by the placement of poles at the four corners of the pile. A mark shall be placed at a height of 20' on at least one pole for each pile.
10. The site be designated no smoking throughout except office areas and control room. A sign shall be placed at the entrance to the facility designating the facility as no smoking.
11. Training of employees for use of fire protection equipment and reporting of fires shall be conducted.
12. KTI shall conduct a self-inspection of their activities. The self-inspections shall be performed on a weekly report

submitted to Fire Prevention for review.

13. That pine trees be planted along the perimeter of the site to replace dead and/or missing trees.

14. Replacement of buffer pine trees as necessary.

15. That the processing of pressure treated wood be done in full compliance with the EPA & DEP regulations.

Passed - Vote 7-0

VOTE (10)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To grant an Automobile Graveyard/Junkyard permit to the City of Lewiston Public Works Department for the shredder facility. Passed - Vote 7-0

Mr. Lionel Guay, Chairman of the Festival de Joie, advised the City Council that plans were being formulated to extend the Festival to a week long celebration. Activities are planned for Lisbon Street and other areas of the city. He told Council members that the festival would not be successful without the assistance of the city.

VOTE (11)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

To approve the request from the Festival de Joie Committee for assistance for the festival to be held July 31st, August 1st & 2nd at the Central Maine Civic Center and Drouin Field Complex. Passed - Vote 7-0

A motion was made by Councilor Bilodeau and seconded by Councilor Albert to adopt the Bates Mill Complex Master Plan as a working document in planning for the revitalization of the complex.

Councilor Kelly stated he wanted all the information prior to accepting the plan and made a motion that acceptance be subject to further review of the marketing and financial plans.

A lengthy discussion followed on the effect this project may or may not have on the City's property tax. Some Councilors stated that although they did not want this project to have a negative impact on taxes they did not want their hands tied in making future decisions.

VOTE (12)

Motion by Councilor Kelly, seconded by Councilor Putnam:

That the motion be amended by adding "subject to further

review of the marketing and financial plans."
Passed - Vote 5-2 Councilors Albert and Bilodeau opposed.

A motion was made by Councilor Lynch and seconded by Councilor Samson to further amend the motion by adding "that the master plan does not increase the property tax."

The City Council was advised that they are only being requested to adopt a concept which states that this may be the best way to proceed in developing the Bates Mill Project. Adoption of the master plan does not constitute approval for the expenditure of any funds and cannot raise taxes. Each component of the plan will require further approval from LMRC, the City Council, and if necessary the voters of Lewiston.

After further discussion on this issue the following action was taken.

VOTE (13)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To move the previous question.
Passed - Vote 6-1 Councilor Samson opposed.

VOTE (14)

Motion by Councilor Lynch, seconded by Councilor Samson:

To further amend the motion by adding "that the master plan does not increase the property tax." Vote - Failed 1-6 Councilor Lynch casting the only affirmative vote.

VOTE (15)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

To adopt the Bates Mill Complex Master Plan as a working document in planning for the revitalization of the complex, subject to further review of the marketing and financial plans. Passed - Vote 6-1 Councilor Lynch opposed.

A motion was made by Councilor Bilodeau and seconded by Councilor Gray to authorize the Lewiston Mill Redevelopment Corporation to proceed with the acquisition, demolition and development of Lincoln Street Parking Area #1 at a cost not to exceed \$437,500.00, to be financed through a future Bond Issue.

Councilor Lynch stated that although they are being told the project will not increase taxes they are now being requested to approve a project which will be bonded and will have an impact on taxes.

The council was advised that it is very important that prospective tenants are assured of the necessary parking for their employees and customers. After further discussion on this issue the following action was taken.

VOTE (16)

Motion by Councilor Kelly, seconded by Councilor Lynch:

To table until the marketing and financial plans are available, authorization for the Lewiston Mill Redevelopment Corporation to proceed with the acquisition, demolition and development of Lincoln Street Parking Area #1.

Passed - Vote 7-0

VOTE (17)

Motion by Councilor Kelly, seconded by Councilor Samson:

To urge members of our Legislative Delegation to support an increase in State funding of the General Purpose Aid by an additional 5%. Passed - Vote 7-0

VOTE (18)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

To authorize In the Crib Productions to use Heritage Park on a Saturday or Sunday in August for the Second Annual Hip Hop Fest '98, Increase The Peace Festival, subject to the following conditions:

1. Area to be kept properly cleaned by Mr. Scott Jordan and In the Crib Productions.
2. Security, satisfactory to the Police Chief, to be provided at the expense of Mr. Scott Jordan and In the Crib Productions.
3. No contraceptives will be circulated during the event.

Passed -Vote 6-0-1 Councilor Lynch abstained.

VOTE (19)

Motion by Councilor Albert, seconded by Councilor Samson:

To grant a Special Amusement Permit for Dancing and Entertainment to the American Legion Post #22, 188 Bates Street. Passed - Vote 7-0

VOTE (20)

Motion by Councilor Putnam, seconded by Councilor Samson:

To adopt Article IX of the agreement establishing the Lewiston 9-1-1 Committee as recommended by the 9-1-1

Committee. Passed - Vote 7-0

VOTE (21)

Motion by Councilor Putnam, seconded by Councilor Samson:

To approve the amendments to the agreement establishing the Lewiston-Auburn Transit Committee as recommended.

Passed - Vote 7-0

VOTE (22)

Motion by Councilor Kelly, seconded by Councilor Samson:

To adopt the Rules to Govern the City Council for the period of January 5, 1998 to January 5, 1999. Passed - Vote 7-0

VOTE (23)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To approve the following recommendations from the City Clerk for the proper conducting of the Special State Election to be held on Tuesday, February 10, 1998.

A. That the hours for acceptance of registrations in person only, prior to the February 10th Election, as required by M.R.S.A. Title 21-A, Sec. 122, 6A(2), be set at 8:00 A.M. to 4:30 P.M., January 28th, through February 9th.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with M.R.S.A., Title 21-A, Sec. 122, Subsec. 7B, except the day prior to the election when they shall be recorded in accordance with Subsec. 7A.

C. Pursuant to Title 21A, Sec. 759(7), absentee ballots will be processed at the central polling place at 7:00 A.M., 6:00 P.M. & 8:00 P.M., if necessary. Passed - Vote 7-0

VOTE (24)

Motion by Councilor Samson, seconded by Councilor Kelly:

That a letter of appreciation be sent to all agencies, organizations and businesses who participated in "Ice Storm '98".

Passed - Vote 7-0

VOTE (25)

Motion by Councilor Kelly, seconded by Councilor Gray:

To confirm the Mayor's appointment of Councilor Scott Lynch to replace Councilor Kelly on the Lewiston-Auburn Economic Growth Council and the Loan Committee. Passed - Vote 6-0-1 Councilor Lynch abstained.

VOTE (26)

Motion by Councilor Kelly, seconded by Councilor Samson:

To adjourn at 10:02 P.M. Passed - Vote 7-0

A true record, Attest:

Gerald P. Berube, CMC
City Clerk
Lewiston, Maine