

CITY OF LEWISTON

CITY COUNCIL

FEBRUARY 18, 1997

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

THE HONORABLE JOHN T. JENKINS, 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 meeting of February 4, 1997, and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC HEARING ON 1998 CAPITAL IMPROVEMENT PROGRAM

Richard Metivier, Finance Director, reviewed the Capitol Improvement Program and its impact on future budgets. The City Council was advised that this was a working document, and adoption does not constitute approval and/or funding for the various projects within the program. Each project will require funding approval from the City Council at a later date.

VOTE (2)

Motion by Councilor Kelly, seconded by Councilor Albert:

That pursuant to Article VI, Section 6.07 (d) of the City Charter, the City Council hereby adopts the 1998 Capital Improvement Program, as prepared by the City Administrator. Passed - Vote 7-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO CONDITIONAL REZONING

An ordinance pertaining to the conditional rezoning of the front portion of the property located at 1046 Main Street received its first reading at this time.

The City Council was advised that the rezoning was being requested to allow for the establishment of a light industrial use for the manufacturing of cheese. Councilor Lynch stated that meetings have been held with residents of the neighborhood who are not opposed to the proposed project.

VOTE (3)

Motion by Councilor Lynch, seconded by Councilor Bilodeau:

That the ordinance pertaining to conditional rezoning, to conditionally rezone the front portion of the property located at 1046 Main Street from Neighborhood Conservation "A" (NCA) District to Highway Business (HB) District has passage on first reading by a yea and nay vote and that the public hearing on said ordinance be continued to the meeting of March 4, 1997 for final passage.

Passed - Vote 7-0

MID-MAINE WASTE ACTION CORPORATION AGREEMENT

A motion was made at this time by Councilor Bilodeau to approve the five year agreement between the City of Lewiston and MMWAC for the disposal of incinerated ash at the City's landfill facility.

Chris Branch, Public Works Director, reviewed the contents of the proposed agreement and the issues addressed by the department.

Issues which were addressed and found not to be of concern are as follows:

- Stability of incinerated ash to prevent sliding within the landfill lining system and within the waste mass;
- Potential of the ash to crush the leachate collection system;
- Heavy metals in the ash;
- High pH in the leachate collection system; and
- Dust from the ash both at the landfill and during transportation.

Mr. Branch stated that dust would be caused only if trucks were allowed to travel over the ash within the landfill which will not be allowed. The Public Works Department will construct roads with gravel which will be used to transport the ash to the dumping site. Extra precautions such as wetting the ash during dry spells will also be taken.

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The proposed agreement with MMWAC is for a five year period and the City can get out of the agreement in six months if high levels of pH are found in the leachate system.

Due to the concern by neighbors that dust, which may contain high levels of lead, could potentially blow onto their property, the following action was taken.

VOTE (4)

Motion by Councilor Lynch, seconded by Councilor Bilodeau:

That the motion be amended by adding "That the Public Works Department, in conjunction with our consultants, be directed to establish a protocol for lead testing in the area of the landfill, to include the base line, during the 6 month test period and continued testing thereafter as deemed necessary within the agreed protocol."

Passed - Vote 7-0

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Gray:

To approve the five year agreement between the City of Lewiston and Mid-Maine Waste Action Corporation for the disposal of incinerated ash at the City's landfill facility, and to authorize the City Administrator to sign the agreement on behalf of the City of Lewiston, and that the Public Works Department in conjunction with our consultants be directed to establish a protocol for lead testing, in the area of the landfill to include the base line, during the 6 month test period and continued testing thereafter as deemed necessary within the agreed protocol.

Passed - Vote 7-0

VOTE (6)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To adopt the Rules to Govern the City Council for the period Jan. 7, 1997 to Jan. 6, 1998. Passed - Vote 7-0

VOTE (7)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To adopt the policy for the use of the City's Athletic Fields as prepared by the Recreation Director.

Passed - Vote 7-0

VOTE (8)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To accept the recommendation of the Personnel Board and to amend the number and composition of the members on the Health Promotion Program and Employee Assistance Program Advisory Committees. Passed - Vote 7-0

VOTE (9)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To accept the recommendation of the Personnel Board and approve the amendment to the Education and Training section of the Personnel Policy. Passed - Vote 7-0

VOTE (10)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To authorize the Public Works Department to post the following roads prohibiting vehicles having a gross weight of over 23,000 pounds:

From 3/1/1997 to 5/1/1997:

- Ferry Road - From Cottage Road to River Road
- River Road - From Ferry Road to Landfill
- Dyer Road - From Lisbon Road to Ferry Road
- Pinewoods Road - From Ferry Road to Town Line
- Gayton Road - From Lisbon Road to Town Line
- Crowley Road - From S. Lisbon Road to Town Line
- Webster Road - From Old Lisbon Road to Crowley Road
- Merrill Road - From College Road to Main Street
- Sleeper Road - From Merrill Road to Town Line
- Randall Road - From Sunrise Lane to Grove Street
- Grove Street - From Randall Road to Town Line
- Old Greene Road - From N. Temple Street to Town Line
- No Name Pond Road - From Old Greene Road to Town Line
- Pond Road - From Cherrywood Drive to No Name Pond Road
- Cotton Road - From Ferry Road to Town Line

From 5/1/1997 to 3/1/1998:

- Cotton Road - From Ferry Road to Town Line, except for local traffic.

Passed - Vote 7-0

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VOTE (11)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To grant a Special Amusement Permit for Dancing and Entertainment to Yesterday's Magic Inc., 16-18 Park Street.
Passed - Vote 7-0

VOTE (12)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To request a recommendation from the Planning Board on an amendment to the Promenade Mall Conditional Rezoning Agreement to allow for continued use of a portion of the upper level for "Wholesale sales, warehousing and distribution facilities" beyond the April 30, 1997 date established within the agreement. Passed - Vote 6-1
Councilor Lynch opposed.

VOTE (13)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To adjourn at 10:20 P.M. Passed - Vote 7-0

A true record, Attest:

Gerald P. Berube, CMC
City Clerk
Lewiston, Maine