

CITY OF LEWISTON

CITY COUNCIL

AUGUST 12, 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, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, and City Clerk Gerald P. Berube.

ABSENT: Councilor Albert.

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (1)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To dispense with the reading of the minutes of the meetings of July 15 & 22, 1997, and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0

VOTE (2)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

That the ordinance pertaining to Child Care Facilities has final passage by a yea and nay vote. Passed - Vote 5-1
Councilor Lynch opposed.

VOTE (3)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To approve the following requests for the Great Falls Balloon Festival to be held August 22,23,24, 1997:

1. To authorize the use of Railroad Park, Heritage Park and the former Libby Mill parking lot from 8:00 A.M., Friday, August 22 to 6:00 P.M., Sunday, August 24, 1997.
2. To authorize the closing of one lane of the Longley Memorial Bridge from 6:00 A.M., Friday, August 22 to 6:00 P.M., Sunday, August 24, 1997.

3. To authorize the temporary closure of the following streets to vehicular traffic:

Mill St. & Island Ave.

August 22 8:00 A.M. to August 24 6:00 P.M.

Canal St. - Main St. to Ash St.

August 24 11:30 A.M. to 12:30 P.M.

Canal Bridge - Main St. - One lane

August 24 11:30 A.M. to 12:30 P.M.

4. To prohibit peddlers and/or vendors from the following areas from Friday, August 22 6:00 P.M. to Sunday, August 24 6:00 P.M., unless permission is granted by the Great Falls Balloon Festival, Inc.:

Main St. - between Middle St. & Longley Memorial Bridge

Lisbon St. - between Chestnut St. and Main St.

Lincoln St. - between Chestnut St. and Main St.

Canal St. - between Chestnut St. and Main St.

Oxford St. - between Cedar St. and Cross St.

5. To authorize the Police Department to provide traffic control, crowd control and to tow any vehicles not in conformance with posted parking bans.
6. To waive the Facility Use Policy to allow for the use of 350 chairs and 25 tables from the Lewiston Armory for concerts at the former Libby Parking Lot.
7. To authorize the Public Works Department to assist with the erection of the food booths. Passed - Vote 6-0

VOTE (4)

Motion by Councilor Kelly, seconded by Councilor Samson:

To ratify a one year extension of the Collective Bargaining Agreement between the City of Lewiston and the International Brotherhood of Police Officers, said agreement being extended to the last pay period of June 1998, and to authorize the Mayor to sign said agreement on behalf of the City of Lewiston. Passed - Vote 6-0

VOTE (5)

Motion by Councilor Kelly, seconded by Councilor Samson:

To ratify a one year extension of the Collective Bargaining

Agreement between the City of Lewiston and the Police Supervisory Command Unit, said agreement being extended to the last pay period of June 1998, and to authorize the Mayor to sign said agreement on behalf of the City of Lewiston. Passed - Vote 6-0

VOTE (6)

Motion by Councilor Kelly, seconded by Councilor Samson:

To ratify a one year extension of the Collective Bargaining Agreement between the City of Lewiston and the Public Works Unit, Council 93, AFSCME, AFL-CIO, said agreement being extended to the last pay period of June 1998, and to authorize the Mayor to sign said agreement on behalf of the City of Lewiston. Passed - Vote 6-0

VOTE (7)

Motion by Councilor Kelly, seconded by Councilor Samson:

To ratify a one year extension of the Collective Bargaining Agreement between the City of Lewiston and the Maine State Employees Association, Local 5, said agreement being extended to the last pay period of June 1998, and to authorize the Mayor to sign said agreement on behalf of the City of Lewiston. Passed - Vote 6-0

VOTE (8)

Motion by Councilor Kelly, seconded by Councilor Samson:

To ratify a one year extension of the Collective Bargaining Agreement between the City of Lewiston and the Deputy Fire Chiefs, said agreement being extended to the last pay period of June 1998, and to authorize the Mayor to sign said agreement on behalf of the City of Lewiston. Passed - Vote 6-0

VOTE (9)

Motion by Councilor Kelly, seconded by Councilor Samson:

That all professional, technical, administrative and supervisory employees covered by the Salaried Employees Pay Plan be granted a merit pay increase, not to exceed 3%, effective the first pay period of July 1997, and that the pay plan be adjusted accordingly. Passed - Vote 6-0

A motion to transfer \$125,000.00 from the sale of surplus property to the Department of Education for the purpose of expanding the technology program, tabled at the meeting of July 15th, was before the City Council at this time at the request of Councilor Lynch.

The City Clerk advised the Council that this should be a supplemental appropriation rather than a transfer and the following action was taken.

VOTE (10)

Motion by Councilor Lynch, seconded by Councilor Kelly:

That the motion be amended by deleting "the transfer" and substituting "a supplemental appropriation" in place thereof. Passed - Vote 4-2
Councilors Gray & Samson opposed.

School Committee Member Margaret Rotundo, and Mrs. Gert Mynahan spoke in favor of the appropriation and Mr. Vincent Blais and Mr. Ron Jean spoke in opposition.

Councilors Lynch and Kelly both spoke in favor of using the funds from the sale of Wallace School for educational purposes rather than infrastructure improvements and after a brief discussion the following action was taken.

VOTE (11)

Motion by Councilor Lynch, seconded by Councilor Albert:

To authorize a supplemental appropriation of \$125,000.00 from the Sale of Surplus Property account #4152-3722000 to the Department of Education Budget for the purpose of expanding the technology program. Passed - Vote 5-1
Councilor Gray opposed.

A motion was made at this time to pledge an allocation of \$45,000.00 to the United States Forum Francophone des Affaires.

Mr. Norm Renaud and Mr. Ray Lagueux of the Androscoggin County Chamber of Commerce and Mayor John Jenkins, made a presentation on the importance and economic advantages of having the headquarters of the United States Forum Francophone des Affaires in Lewiston.

Members of the City Council were advised that the appropriation could be crucial to the decision on the location of the headquarters in Lewiston and that a specific location

has not as yet been selected.

Finance Director, Richard Metivier also advised the Council that this may not be eligible for CDBG funding but could be eligible for UDAG funding. A recommendation will be made at a later date.

After a lengthy presentation and discussion the following action was taken.

VOTE (12)

Motion by Councilor Lynch, seconded by Councilor Bilodeau:

The City of Lewiston hereby pledges to allocate the sum of 45,000.00 over a two (2) year period to the United States Forum Francophone des Affaires, contingent on our selection as the site for the national headquarters. Passed - Vote 6-0

A motion was made at this time to authorize In the Crib Productions to use Heritage Park on Sunday, August 31, 1997, for entertainment for the youth of the area.

Councilor Lynch stated he would abstain from discussion and voting on this issue due to a possible conflict.

In answer to Councilor Putnam, Mr. Jordan stated that he did not know what the Lewiston/Auburn STD Clinic would be providing regarding safe sex and the following action was taken.

VOTE (13)

Motion by Councilor Putnam, seconded by Councilor Kelly:

That the motion be amended by adding:

3. No contraceptives will be circulated during the event.

Passed - Vote 5-0-1 Councilor Lynch abstained.

Mayor Jenkins stated he has known Mr. Jordan for a number of years and commended him for his efforts in providing something for the youth of the community.

VOTE (14)

Motion by Councilor Putnam, seconded by Councilor Gray:

To authorize In the Crib Productions to use Heritage Park on Sunday, August 31, 1997, 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 5-0-1 Councilor Lynch abstained.

VOTE (15)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

That the City Administrator be and hereby is authorized to file in the Androscoggin County Registry of Deeds, on behalf of the municipal officers of the City of Lewiston, the following notice:

Notice of Exception Pursuant to 23 M.R.S.A. § 3032

The Municipal Officers of the City of Lewiston hereby give notice, pursuant to the provisions of subsection (2) 23 M.R.S.A. § 3032 that all proposed, unaccepted ways or portions of proposed, unaccepted ways located within the City of Lewiston, and shown upon a plan recorded prior to September 17, 1987 in the Androscoggin County Registry of Deeds are excepted from the operation of the time limitations of subsection (1) of 23 M.R.S.A. § 3032 for a period of twenty (20) years from the date of the filing of the notice. Passed - Vote 6-0

VOTE (16)

Motion by Councilor Bilodeau, seconded by Councilor Gray:

To authorize the sale of a portion of the property located at 348 East Avenue to United Ambulance services in accordance with established city policy and the retention of a fifty (50) foot easement for access to the Jepson Brook. Passed - Vote 6-0

A motion was made at this time by Councilor Samson to accept the recommendation of the Planning Board to amend the Zoning and Land Use Code Fee Schedule Policy.

The City Administrator advised the Council that the proposed amendment would take some discretion away from Council members and the following action was taken.

VOTE (17)

Motion by Councilor Kelly, seconded by Councilor Samson:

To table for further study, the recommendation from the Planning Board on an amendment to the Zoning and Land Use Code Fee Schedule Policy. Passed - Vote 6-0

A motion was made at this time to authorize the acquisition of the property located at 18 Fireslate Place.

Council members stated they wanted to be assured that the Department of Environmental Protection would clean the site following acquisition.

VOTE (18)

Motion by Councilor Kelly, seconded by Councilor Samson:

That the motion be amended by adding at the end of the first sentence "subject to receiving written assurance from the Department of Environmental Protection that the tires will be removed." Passed - Vote 6-0

VOTE (19)

Motion by Councilor Kelly, seconded by Councilor Samson:

That the City of Lewiston be and hereby is authorized to acquire the land and property at 18 Fireslate Place from Steven and Carol Moitozo in lieu of waiting for the current outstanding tax lien to expire in December, for the purpose of making the property eligible for environmental clean-up funds available from the State and/or Federal governments, subject to receiving written assurance from the Department of Environmental Protection that the tires will be removed. The City Council further authorizes the Finance Department to dispose of the property in accordance with established City Policy upon completion of the clean-up.
Passed - Vote 6-0

VOTE (20)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To authorize the United Way to place a sign listing Pacesetter companies followed by a sign listing United Way

agencies in Hulett Square beginning August 15, 1997 thru November 17, 1997. Passed - Vote 6-0

VOTE (21)

Motion by Councilor Putnam, seconded by Councilor Samson:

That the Traffic Schedule be amended as follows:

SECTION 40 - TRAFFIC SIGNALS

Mitchell Street Webster Street - r/y/g traffic lights

Webster Street Mitchell Street - r/y/g traffic lights

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

Passed - Vote 6-0

VOTE (22)

Motion by Councilor Samson, seconded by Councilor Putnam:

To request a recommendation from the Planning Board on extending the sanitary sewer on Gould Road a distance of approximately two hundred and fifty (250) feet.

Passed - Vote 6-0

VOTE (23)

Motion by Councilor Samson, seconded by Councilor Putnam:

To request a report from the Public Works Department on the estimated cost and estimated assessment on extending the sanitary sewer on the Gould Road a distance of approximately two hundred and fifty (250) feet. Passed - Vote 6-0

VOTE (24)

Motion by Councilor Kelly, seconded by Councilor Samson:

To request a recommendation from the Planning Board on rezoning of the Maine Family Federal Credit Union property, located at the intersection of Sabattus and Farwell Streets, from Office Residential (OR) District to Community Business

(CB) District. Passed - Vote 6-0

VOTE (25)

Motion by Councilor Samson, seconded by Councilor Putnam:

To adjourn at 9:14 P.M. Passed - Vote 6-0

A true record, Attest:

Gerald P. Berube, CMC
City Clerk
Lewiston, Maine