

CITY OF LEWISTON

CITY COUNCIL

JANUARY 31, 2012

SPECIAL MEETING HELD IN THE COUNCIL ROOM AT 6:00 P.M.

THE HONORABLE ROBERT E. MACDONALD., MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Butler, D' Auteuil, Libby, Cayer and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo. Absent/Excused: Councilor Saddlemire.

Pledge of Allegiance to the Flag.
Moment of Silence.

RESOLVE AUTHORIZING THE TRANSFER OF \$400,000 FROM VARIOUS CAPITAL PROJECTS AND ACCOUNTS FOR THE PURPOSE OF UNDERTAKING ARMORY IMPROVEMENTS TO SUPPORT THE SENIOR CITIZEN PROGRAM

Councilor Desjardins noted that other community groups will be able to utilize the newly renovated space in addition to the senior citizens, so he suggested the project be referenced as such to better reflect the overall use of the space. The City Administrator concurred. Planning Board Chairperson Lucy Bisson noted the Board voted 4-3 to support this project.

Mayor Macdonald opened the floor for public input. Pauline Gudas of 6 Raymond Avenue said the Senior Citizens program has lost its non-profit status and has not filed their non-profit paperwork with the state for quite a while. She expressed concern about the City providing support in the form of clerical assistance, phone, internet, meeting space and so forth to a group that is not a non-profit organization, feeling this will set precedence and open up the opportunity for for-profits organizations to seek the same assistance from the City. She encouraged city staff to urge the Senior Citizens program to become a program under the city's Recreation Department. Councilor Cayer asked the City Administrator to review the suggestion and to inform the Council of the benefits and issues connected with having the group become a city program. He noted he supports enhancing the programs at the Armory noting the investment is for a large, underutilized building in the heart of the city.

VOTE (1-2012)

Motion by Councilor Butler, seconded by Councilor Cayer:

To approve the Resolve authorizing the transfer of \$400,000 from various capital projects and accounts for the purpose of undertaking Armory improvements to support the Senior Citizen program:

Whereas, the City Council voted on January 24, 2012 to move Senior Citizens Activities to the Armory and allow the School Department to utilize the entire Multi-Purpose Center; and

Whereas, at that same meeting, the City Council approved an initial budget of \$400,000 to renovate the Armory and increase parking in the area to support the senior program; and

Whereas, at that same meeting, the Finance Director was charged with recommending appropriate financing for this project; and

Whereas, the City has an immediate need to spend outstanding bond proceeds derived from closed or delayed projects in order to avoid potential arbitrage rebates to the Internal Revenue Service;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston, that a budget transfer of \$400,000 from the 2008 Main Street Traffic Management Project at \$120,700.85, 2009 LMRC Project Infrastructure at \$102,561.00, 2009 Landfill Expansion at \$157,732.52, and 2009 Fund Balance Accumulated Investment Earnings of \$19,005.63 is hereby approved for the Armory renovation project.

Passed - Vote 5-0

ORDER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE “SUPPLEMENT TO AND AMENDMENT OF THE JOINT VENTURE AGREEMENT” BETWEEN THE CITY OF LEWISTON AND GENDRON & GENDRON, INC. REGARDING GENDRON BUSINESS PARK

The City Administrator provided some background information regarding this item, noting the company will be paying the city money to not cut trees on city property in this area, as originally planned. The City planned to conduct a timber harvesting operation on this land and sell the lumber. Since the tree cutting may negatively impact the abutting property, the owners are paying the city the projected loss of revenue for this program.

VOTE (2-2012)

Motion by Councilor Butler, seconded by Councilor D’Auteuil:

To approve the Order authorizing the City Administrator to execute an Amendment to the “Supplement to and Amendment of the Joint Venture Agreement” between the City of Lewiston and Gendron & Gendron, Inc. regarding the Gendron Business Park:

Whereas, the City and Gendron and Gendron are parties to a Joint Venture Agreement in 2001 involving the creation of the Gendron Business Park; and

Whereas, the Joint Venture Agreement was amended in October 2003 to allow for construction of Phase II of this Park; and

Whereas, it was further amended in 2011 to reduce the City’s costs associated with developing Phase II of the Park and to maximize the long term investment and tax base potential of the Park; and

Whereas, in 2010 the City completed forest management plans for certain city-owned parcels

including a parcel under option to Gendron and Gendron for further expansion of the Park; and

Whereas, Gendron and Gendron expressed concern that logging on this parcel might inadvertently impact its development potential due to the possible creation of small wetland areas; and

Whereas, since the City had already included projected revenue from timber harvesting in its Fiscal Year 12 operating budget, Gendron and Gendron agreed to pay the City \$20,000 in return for an agreement that timber harvesting and other activities that might negatively impact development potential would not be undertaken;

Now, Therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to execute the attached Amendment to Supplement to and Amendment of Joint Venture Agreement with Gendron and Gendron, a copy of which is attached and made a part hereof.

Passed - Vote 5-0

VOTE (3-2012)

Motion by Councilor Butler, second by Councilor Libby:

To adjourn to workshop at 6:17 P.M. Passed - Vote 5-0

At this time, the City Council held a joint workshop with the Planning Board and Finance Committee to conduct a review of the FY2013 Lewiston Capital Improvement Plan (LCIP).

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine