

CITY OF LEWISTON

CITY COUNCIL

FEBRUARY 15, 2011

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

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Mayor Gilbert, Councilors Butler, Poulin, Jean, O'Connell, Cayer and Morgan, City Administrator Edward Barrett, and City Clerk Kathleen Montejo. Absent/Excused: Councilor Bernier

EXECUTIVE SESSIONS

VOTE (33-2011)

Motion by Councilor Butler, seconded by Councilor Morgan:

To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate negotiations, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 6-0

Session began at 6:02pm and ended at 6:33pm.

VOTE (34-2011)

Motion by Councilor Butler, seconded by Councilor O'Connell:

To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c) to discuss an Economic Development issue, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 6-0

Session began at 6:34pm and ended at 6:55pm.

REGULAR MEETING BEGAN AT 7:00pm

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Mayor Gilbert, Councilors Butler, Poulin, Jean, O'Connell, Cayer and Morgan, City Administrator Edward Barrett, and City Clerk Kathleen Montejo. Absent/Excused: Councilor Bernier

Pledge of Allegiance to the Flag.

The National Anthem was sung by Lewiston High School student Kenzi Masselli.

Moment of Silence.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Kenzi Masselli updated the Council on the LYAC activities, including their Motivate Me initiative to motivate 7th and 8th grade students to do well in school. Four hundred surveys have been received back and the winning entries will receive a prize. Some members are attending

the Distracted Driver seminar offered by AAA and they will report back on their findings.

VOTE (35-2011)

Motion by Councilor Jean, seconded by Councilor Morgan:

To dispense with the reading of the minutes of the meetings of February 1 and 8, 2011 and to accept and place them on file as prepared by the Deputy City Clerk and City Administrator.

Passed - Vote 6-0

PUBLIC COMMENT PERIOD

No members of the public offered comments at this time period.

ANNUAL AUTHORIZATION FOR THE PUBLIC WORKS DEPARTMENT TO POST CERTAIN ROADS, FROM MARCH 1 TO MAY 1, PROHIBITING VEHICLES HAVING A GROSS VEHICLE WEIGHT OF OVER 23,000 POUNDS

VOTE (36-2011)

Motion by Councilor Cayer, seconded by Councilor Jean:

To approve the Order authorizing the Public Works Department to post certain roads from March 1 to May 1 to prohibit vehicles having a gross vehicle weight of over 23,000 pounds:

Be It Ordered by the City Council of the City of Lewiston that the Public Works Department is authorized to post the following roads to prohibit vehicles having a gross vehicle weight of over 23,000 pounds from using them for the period from March 1 to May 1:

- Ferry Road - From Apple Road to River Road
- River Road - From Ferry Road to Solid Waste Facility
- Dyer Road - From Lisbon Road to Ferry Road
- Pinewoods Road - From Ferry Road to Town Line
- Gayton Road - From 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 North 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

Passed - Vote 6-0

AMENDMENT TO THE GENERAL ASSISTANCE POLICY TO INCREASE THE ALLOWANCE FOR CREMATORY COSTS

VOTE (37-2011)

Motion by Councilor Cayer, seconded by Councilor Jean:

To approve the amendment to the General Assistance Policy, Policy Manual Number 31, to amend the allowed assistance amount for cremation services from \$250 to \$300, as recommended by the General Assistance Administrator and the City Administrator.

Passed - Vote 6-0

AMENDMENTS TO THE CITY DEPARTMENT MISCELLANEOUS FEES AND PENALTIES POLICY REGARDING POLICE ACCIDENT REPORTS

VOTE (38-2011)

Motion by Councilor Cayer, seconded by Councilor Jean:

To approve the proposed amendment to the City Department Miscellaneous Fees and Penalties, Policy Manual Number 81, to increase the fee of police accident reports, as recommended by the City Administrator and the Chief of Police. Passed - Vote 6-0

PUBLIC HEARING AND ADOPTION OF THE 2012 CITY OF LEWISTON FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

Councilor Butler identified a few projects in the Plan that he would like the Council to review. He noted the Public Works garage and the vehicle requests need a closer look. He suggested the Kennedy Park master plan be put on hold for one year and the Franklin Pasture track development be moved forward one year due to safety issues. He also recommended the Police Department sidewalk replacement be moved forward by one year as well as the Cross County Trail development project. He suggested the Gendron Business Park Phase II could be moved to 2013.

Mayor Gilbert opened the public hearing to receive citizen input and comment. Doug Hodgkin of 9 Sutton Place spoke in support of funding for the Kennedy Park gazebo. He noted the structure is in dire straits due to neglect and deferred maintenance over the years and said it is a danger to the public. He urged the Council to do something to the historic structure before it is too late, reminding them it is the site of historic events in Lewiston such as the visit by President Johnson as well as John F. Kennedy one week before his election as president. Deputy City Administrator Phil Nadeau said the City has heard from a local organization that is considering a private fundraising effort for the restoration and he will know more information in a month. Councilor O'Connell said the Council needs to finish projects that it starts and the Kennedy Park redevelopment project has been put on hold for a long time and needs to be completed before starting something new. Mayor Gilbert then closed the hearing.

VOTE (39-2011)

Motion by Councilor Butler, seconded by Councilor Jean:

That pursuant to Article VI, Section 6.07(d) of the City Charter, the City Council hereby approves the Resolve adopting the Fiscal year 2012 Capital Improvement Program, as prepared by the City Administrator:

Whereas, the City Charter requires that a capital improvement program be prepared annually for review by the Planning Board, Finance Committee, and City Council and be adopted by the City

Council at least four months prior to the end of the current fiscal year; and

Whereas, the intent of such a program is to outline a five year plan to address the community's infrastructure and other capital improvement needs and, more specifically, to outline those projects anticipated for the coming year in advance of consideration of the annual budget; and

Whereas, as proposed, the plan calls for \$115.5 million in projects, \$53.5 million of which would be supported from City resources including \$22.4 million in tax supported general obligation bonds and \$18.2 million in enterprise supported bonds; and

Whereas, the plan proposes authorizing \$4.6 million in general obligation bonds and \$5 million in enterprise bonds during Fiscal Year 2012; and

Whereas, \$4.6 million in general obligation bonds falls within the \$6.7 million ordinance limitation on annual bond authorizations, thus allowing for these bonds to be issued by a simple majority vote of the Council; and

Whereas, as proposed, the plan will reduce the City's overall tax supported general obligation debt by about \$10 million over the five year period; and

Whereas, adopting this plan will provide guidance to the Council and staff but does not constitute formal authorization to proceed with the projects included, the funding for which must be separately authorized by the City Council;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the 2012 City of Lewiston Five-Year Capital Improvement Program is hereby adopted.

Passed - Vote 6-0

PUBLIC HEARING AND FINAL PASSAGE FOR THE CONDITIONAL REZONING OF THE PROPERTIES AT 49 AND 59 CEDAR STREET, FROM THE RIVERFRONT (RF) DISTRICT TO THE DOWNTOWN RESIDENTIAL (DR) DISTRICT

Mayor Gilbert opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Gilbert then closed the hearing.

VOTE (40-2011)

Motion by Councilor Jean, seconded by Councilor Cayer:

That the proposed amendment to the Zoning and Land Use Code and Map to conditionally rezone the properties at 49 and 59 Cedar Street, from the Riverfront (RF) District to the Downtown Residential (DR) District, subject to a conditional agreement, receive final passage by a roll call vote. Passed - Vote 6-0

PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE TRAFFIC AND VEHICLES ORDINANCE REGARDING NIGHTTIME SUMMER PARKING

VOTE (41-2011)

Motion by Councilor Poulin, seconded by Councilor Cayer:

That the proposed amendment to the City Code of Ordinances, Chapter 70 “Traffic and Vehicles”, Article IV. “Stopping, Standing and Parking”, Section 70-153 and 70-167, regarding nighttime summer parking, receive final passage by a roll call vote. Passed - Vote 6-0

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

The City Administrator announced there is presently a water main break on Sabattus Street and the City has needed to shut off the water to approximately 2000 homes in order to repair the break.

EXECUTIVE SESSIONS

VOTE (42-2011)

Motion by Councilor Jean, seconded by Councilor Butler:

To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate negotiations, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 6-0

Session began at 7:35pm and ended at 8:03 pm.

VOTE (43-2011)

Motion by Councilor Jean, second by Councilor Cayer:

To adjourn at 8:03P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine