

# CITY OF LEWISTON

CITY COUNCIL

OCTOBER 19, 2010

## 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, Bernier, Poulin, Jean, O'Connell, Cayer and Morgan, City Administrator Edward Barrett, and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.  
Moment of Silence.

### VOTE (292-2010)

Motion by Councilor Morgan, seconded by Councilor Cayer:

To dispense with the reading of the minutes of the meetings of September 7, September 21 and October 5, 2010 and to accept and place them on file as prepared by the City Clerk.

Passed - Vote 7-0

### UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Nadifa Mohamed mentioned that the group will be holding a Youth Peace Day on November 17 and they will conduct a walk on the Bernard Lown Peace Bridge. They will hold workshops at the Franco American Heritage Center regarding peace and understanding.

### PUBLIC COMMENT PERIOD

Jeff Bauman of 72 Wellman Street stated he feels the Council is doing a great job and he thinks that many of the city departments such as police and public works are also doing an outstanding job. He said that he moved here from Florida recently and Lewiston is doing much better than Florida.

### PUBLIC HEARING ON A NEW LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR LBK EVENTS, LLC, 1 BATES STREET

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 (293-2010)

Motion by Councilor Butler, seconded by Councilor Cayer:

To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for LBK Events, LLC, 1 Bates Street. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR LAND USE CODE AMENDMENTS  
CONCERNING IN-LAW APARTMENT STANDARDS**

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 (294-2010)**

Motion by Councilor Cayer, seconded by Councilor Morgan:

That the proposed amendment to Appendix A, Article XII “Performance Standards”, Section 11, “In Law Apartment Standards”, of the City Zoning and Land Use Code, concerning elimination of the prohibition against separate side entrances, receive final passage by a roll call vote.

Passed - Vote 7-0

**ACCEPTANCE OF MILL STREET AS A PUBLIC STREET AND RENAMING A  
PORTION OF MILL STREET AS RAILROAD ALLEY**

**VOTE (295-2010)**

Motion by Councilor Butler, seconded by Councilor Jean:

ORDERED, That Mill Street, with the boundaries and admeasurements of the same, as laid out and reported by the legal description, be and the same is hereby accepted, allowed and established as a public street or public way for the use of the City of Lewiston, and that the portion of Mill Street adjacent to Cross Canal #1 and extending from the proposed Mill Street to Lincoln Street is hereby renamed Railroad Alley. Passed - Vote 7-0

**RESOLVE – EXPRESSING THE OPPOSITION OF THE CITY COUNCIL OF THE  
CITY OF LEWISTON TO QUESTION ONE ON THE NOVEMBER BALLOT, “AN ACT  
TO ALLOW A CASINO IN OXFORD COUNTY”**

Councilor Butler showed a full page advertisement in the newspaper encouraging citizens to vote “no” on the casino issue, noting the ad was placed by the group that is working toward developing a casino in Lewiston. Councilor Butler suggested the Council should not pass this Resolution or any Resolution regarding a ballot question. He noted the Council is not a PAC and should let the citizens decide the issue for themselves. He stated the Council is not taking a stand on any other issue on the ballot. Councilor Morgan said the Council supported the sale of the Bates Mill number five building for the purpose of constructing a casino and also supported the Lewiston casino resolution. He noted this action is simply following through with the issue and that people look to the Council for answers. The Mayor urged Lewiston voters to vote “no” on the Oxford casino question since Lewiston will be voting on a casino in November 2011, which he said would mean additional employment opportunities with good benefits. He encouraged the Council to approve the Resolution to not support Question One. He reminded everyone that the Lewiston casino proposal is structured to benefit Lewiston, Auburn and all towns in Androscoggin County.

Councilor Jean said it is not the City Council’s job to take a position on this issue and if the City Council approves it, it would be “open warfare” between Oxford County and Androscoggin County on this issue and future issues. He said if the Council approved the Resolution and the

Oxford casino issue failed, then the following November when the Lewiston casino is on the state ballot, Oxford County would fight that next year. Councilor Morgan noted if the Oxford County casino is approved, the chances for the Lewiston casino are very limited, and a prime piece of real estate in downtown, namely Bates Mill Number Five, has been tied up for over a year. The Mayor stated the citizens elected the Council to represent their opinion and in June the voters voted by a 2 to 1 margin to support a local casino, so the Council should support the wishes of the Lewiston voters.

Don Robitaille said the Council was elected to do what is best for Lewiston and he would like to see a 7-0 vote on this Resolution.

**VOTE (296-2010)**

Motion by Councilor Poulin, seconded by Councilor Morgan:

To add the following amendment at the beginning of the Resolution:

“Whereas, some members of the City Council believe that gaming is not the appropriate means to improve the current economic situation, and are opposed to having gaming facilities in Maine; and”

Did Not Pass – Vote 2-5 (Councilors Poulin and Morgan in favor; others opposed)

**VOTE (297-2010)**

Motion by Councilor Cayer, seconded by Councilor Morgan:

Whereas, an initiated Act to Allow a Casino in Oxford County will appear on the statewide election ballot this November; and

Whereas, if approved, this act would authorize the operation of a casino in Oxford County that would become the second major gaming facility in the State of Maine; and

Whereas, in June, the voters of Lewiston overwhelmingly approved locating a casino in Lewiston on the Bates Mill #5 site; and

Whereas, given the existing facility in Bangor, the market for gaming in Maine will likely support only one additional large gaming facility; and

Whereas, approval of a facility in Oxford County may foreclose the opportunity for such a facility in Lewiston; and

Whereas, a gaming facility in Lewiston will benefit the community by providing a portion of gaming proceeds to the Cities of Lewiston and Auburn and to Androscoggin County as well as to other agencies and purposes that will benefit the region; and

Whereas, Question 1 includes a prohibition against other gambling facilities within 100 miles of Oxford’s; and

Whereas, while this limitation may be over ridden by subsequent referenda, it will be advanced as an argument against approving a gaming facility in Lewiston; and

Whereas, locating a gaming facility in the immediate Lewiston area offers a number of advantages including easier access from the I-95 corridor, availability of a sizeable labor pool, and redevelopment of an underutilized property in a dense urban core; and

Whereas, such a facility would provide employment opportunities in the immediate Lewiston/Auburn region and utilize local and regional businesses for supplies and services, strengthening the Lewiston-Auburn regional economy; and

Whereas, it would also serve as an anchor to the revitalization of the Lewiston Mill District and the Lewiston-Auburn central business district; and

Whereas, the support for a casino shown by the voters of Lewiston shows strong support for locating a casino in Lewiston, an outcome that may be less likely should a casino be approved in Oxford County;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that we oppose Question 1 on the November ballot, "An Act to Allow a Casino in Oxford County," and urge our citizens to join in voting against this initiative in the November election.

Did Not Pass - Vote 3-4 (Councilors Cayer, Morgan and Poulin in favor, others opposed)

### **REPORTS AND UPDATES**

The City Administrator stated that all of Pine Street has recently been repaved and restriped. The street is now a one lane road to improve safety. Councilor Butler said that Switzerland Road has recently been repaved and it is wonderful.

### **OTHER BUSINESS**

Mayor Gilbert commented on the challenge that the two Mayors received from the Maineiacs organization to grow mustaches in the month of November in recognition of Prostrate Cancer Awareness Month. He stated at last evening's joint Council meeting, the Auburn and Lewiston Mayors challenged all male Councilors to participate in this challenge as well.

Councilors wished the City Clerk well on her upcoming maternity leave.

The City Clerk also announced the City is seeking about 15 citizens to serve as election workers for the upcoming November election. Interested residents were encouraged to contact the City Clerk's Office for additional information.

### **VOTE (298-2010)**

Motion by Councilor Morgan, second by Councilor Jean:

**CITY COUNCIL**

**OCTOBER 19, 2010**

To adjourn at 8:10P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine