

CITY OF LEWISTON

CITY COUNCIL

APRIL 18, 2006

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

THE HONORABLE LIONEL C. GUAY, JR., MAYOR, PRESIDING.

PRESENT: Councilors Mendros, Bernier, O'Brien, Jean, Samson, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Sarah Peters updated the Council on recent activities and said the group was very excited to learn that Lewiston was selected as an All America City Award finalist. She noted the group is working on a youth art event and the submissions so far have been great. Sarah said earlier this month, some members of LYAC went to Belfast to discuss the establishment of a youth council in that city. She mentioned that May 12 is the deadline for applications for next year's youth council.

VOTE (90-2006)

Motion by Councilor O'Brien, seconded by Councilor Bernier:

To dispense with the reading of the minutes of the April 4, 2006, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

RECEIVE FUNDING RECOMMENDATIONS FOR THE FISCAL YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET AND SET THE PUBLIC HEARING DATE

VOTE (91-2006)

Motion by Councilor Paradis, second by Councilor O'Brien:

To receive the recommendation from the CDBG Review Committee for the allocation of the Community Development Block Grant program funds for the City's 32nd year (2006-2007), and further that the schedule be published for a public hearing to be held at the regular City Council meeting of Tuesday, May 2, 2006. Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (92-2006)

Motion by Councilor Paradis, second by Councilor O'Brien:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of \$2,868.00, or any portion thereof, in the case of the State of Maine vs. Christopher Jason LeCompte, CR-06-417 Court Records and the transfer of \$549.17, or any portion thereof, in the case of the State of Maine vs. Christopher Jason LeCompte, CR-06-109 Court Records. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program', funds to be deposited in Account No. 590-3514050 at People's Heritage Bank. Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE PERSONNEL CODE REGARDING CIVIL SERVICE POSITIONS

Councilor O'Brien asked how many applicants apply for these openings on average. The Police Chief said that approximately 25-30 apply for an opening at the police department, and the Fire Chief stated that between 75-80 people take the eligibility test for the fire department. Mayor Guay opened the hearing to receive citizen input and comment. Charles Soule, 170 Bartlett Street, said that he is opposed to lowering the minimum score for the entrance exams, noting this is the "dumbing down" of the exam, and suggested the score for passing needs to be higher. Mayor Guay then closed the hearing.

VOTE (93-2006)

Motion by Councilor Samson, second by Councilor Jean:

That the proposed amendment to the City Code of Ordinances, Chapter 58 "Personnel", Article II "Personnel System", Division 2 "Civil Service", Section 58-50 "Certified list of candidates" receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of May 2, 2006 for final passage. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR LAND USE CODE AMENDMENTS TO REDUCE THE CURRENT ONE HUNDRED FOOT BUFFER AND VEHICULAR ACCESS RESTRICTIONS TO THE PROPERTIES ALONG 380 RIVER ROAD THROUGH 424 RIVER ROAD

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

VOTE (94-2006)

Motion by Councilor Jean, second by Councilor Paradis:

That the proposed amendment to Appendix A, Article XI “District Regulations”, Section 15, “Industrial District”, of the City Zoning and Land Use Code, concerning reducing the one hundred foot buffer and vehicular access restrictions to the properties along 380 River Road through 424 River Road, receive final passage by a roll call vote. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR REZONING OF PROPERTIES LISTED ON LEWISTON TAX MAP NO. 207 AS LOT NUMBERS 5-13, 15-16 AND 18-19 FROM THE RIVERFRONT DISTRICT TO THE CENTREVILLE DISTRICT

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

VOTE (95-2006)

Motion by Councilor Samson, second by Councilor Mendros:

That the proposed amendment to re-zone the properties listed on Lewiston Tax Map No. 207 as Lot Numbers 5-13, 15-16 and 18-19, from the Riverfront District to the Centreville District, receive final passage by a roll call vote. Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR LITTLE JOE’S INC,
740 SABATTUS STREET**

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

VOTE (96-2006)

Motion by Councilor Jean, second by Councilor O’Brien:

To grant a special amusement permit for dancing and entertainment to Little Joe’s, Inc., 740 Sabattus Street. Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR WARDEN’S BAR & GRILL,
703 SABATTUS STREET**

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

VOTE (97-2006)

Motion by Councilor Samson, second by Councilor Jean:

To grant a special amusement permit for dancing and entertainment to Warden’s Bar & Grill, 703 Sabattus Street. Passed - Vote 7-0

**AMENDMENTS TO THE CITY POLICY MANUAL REGARDING THE
PROMOTION PROCESS FOR THE POLICE AND FIRE DEPARTMENTS**

VOTE (98-2006)

Motion by Councilor O'Brien, second by Councilor Jean:

To approve the amendments to the City Policy Manual - Policy Number 44, Appointment and Promotion in the Police Department, and to Policy Manual Number 29 - Appointment and Promotion in the Fire Department, as recommended by the Personnel Board and the Human Resources Director. Passed - Vote 7-0

ESTABLISHMENT OF A SOLID WASTE TASK FORCE

The City Administrator stated the city is seeking seven citizens - one from each ward - to serve on the task force. The task force will be asked to meet and report back to the Council by November 30, 2006. At this point, Councilor Bernier asked the City Administrator to give an overview of the background regarding the issue of the City working with the State to allow the approval of the landfill operations contract with a private company. Mr. Bennett then explained the process that has occurred over the past year regarding this issue.

VOTE (99-2006)

Motion by Councilor Paradis, second by Councilor Jean:

To establish a Solid Waste Task Force to review the City's solid waste issues and to report their findings and recommendations to the City Council by the end of November 2006. Passed - Vote 7-0

**REQUEST FOR EMPOWER LEWISTON AND THE DOWNTOWN ADVISORY
BOARD TO REVIEW THE PROPOSED WORK TO BE DONE IN THE
DOWNTOWN AREA**

The City Administrator noted that the current budget recommendation is to shift approximately \$350,000 of the CDBG budget from the Bates Mill redevelopment to downtown capital improvements. Councilor O'Brien stated this was an excellent idea.

VOTE (100-2006)

Motion by Councilor Samson, second by Councilor Jean:

To request that the Empower Lewiston Board of Directors and the Downtown Advisory Board review and comment on the City's proposed work in the downtown area that will be done with funds from the Community Development Block Grant budget funds. Passed - Vote 7-0

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

No other business was presented at this time.

VOTE (101-2006)

Motion by Councilor Samson, second by Councilor Jean:

To adjourn at 8:03P.M. Passed - Vote 7-0

At this point, the Council took a ten minute recess and then entered into a budget workshop.

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine