

CITY OF LEWISTON

CITY COUNCIL

MAY 16, 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. The Moment of Silence was held in recognition of National Peace Officers Week and in memory of Lewiston's fallen officers - Paul Simard and David Payne.

COMMITTEE APPOINTMENTS

Mayor Guay reappointed the following citizens to the Lewiston-Auburn Community Forestry Board, each for a three year term:

Lois Wagner, 26 Mountain Avenue
John Painter, 765 College Street

VOTE (114-2006)

Motion by Councilor Jean, seconded by Councilor Mendros:

To dispense with the reading of the minutes of the May 2, 2006, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMIT FOR THE COLISEE, 190 BIRCH STREET

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

VOTE (115-2006)

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

To grant a special amusement permit for dancing and entertainment to The Colisee, 190 Birch Street. Passed - Vote 7-0

AMENDMENT TO THE JOINT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEWISTON AND COMMUNITY CONCEPTS, INC.

VOTE (116-2006)

Motion by Councilor Jean, second by Councilor Paradis:

To approve the attached “Third Amended and Restated Joint Development Agreement” between Community Concepts, Inc. and the City of Lewiston, and to authorize the City Administrator to execute the Agreement, in substantial form as presented, and that the City Administrator be and hereby is authorized to make, execute and deliver other such documents as he, in his discretion, may deem necessary or convenient to the accomplishment of such transaction. Passed - Vote 7-0

BUDGET RECOMMENDATIONS FROM FINANCE COMMITTEE REGARDING THE FISCAL YEAR 2007 BUDGET

VOTE (117-2006)

Motion by Councilor Jean, second by Councilor Paradis:

To receive and review the recommendation from the Finance Committee regarding the Fiscal Year 2007 budget. Passed - Vote 7-0

RECOMMENDATION FROM THE CITY CLERK/REGISTRAR OF VOTERS ON ACTIONS NECESSARY FOR THE STATE CANDIDATE PRIMARY ELECTION ON JUNE 13

VOTE (118-2006)

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

A. That the hours for acceptance of registrations in person only, prior to the June 13th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, May 23 through June 13, 2006; and additional hours of 9:00am to 12 noon on Saturday, June 10, 2006.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, except the day prior to the election when they shall be recorded in accordance with subsec. 7A.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 7:00am, 12:00pm, 6:00pm and any and all remaining shall be processed at 8:00pm, if necessary.

Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (119-2006)

Motion by Councilor Samson, second by Councilor Jean:

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 \$1,618.00, or any portion thereof, in the case of the State of Maine vs. Elmer B. Carter, Jr.,

CR-06-288 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

APPOINTMENT OF CITIZENS TO THE SOLID WASTE TASK FORCE

VOTE (120-2006)

Motion by Councilor Samson, second by Councilor Jean:

To appoint the following citizens to the 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:

- Ward 1 - Ron Comeau, 584 Main Street
- Ward 2 - Norm Anctil, 250 Montello Street
- Ward 3 - to be determined
- Ward 4 - Peter Grenier, 424 Pond Road
- Ward 5 - Norman Veilleux, 41 Barron Avenue
- Ward 6 - Leo Larochelle, 151 Dyer Road
- Ward 7 - Robert Reed, 58 Albert Street

Passed - Vote 7-0

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

The Council was reminded of Thursday's budget workshop which will be held at 6pm.

The Mayor then opened the floor to allow residents the chance to address the Council:

Greg Batterson, 92 Bartlett Street - He stated that the city is using a diversion from taxes to user fees and noted the stormwater utility district fees, the trash removal fees and others. He asked which areas of the budget were moved from general fund to enterprise funds. Mr. Batterson stated he was an accountant and would be studying the city budget. He also requested a complete list of all properties in Lewiston with the old value and new value.

The City Administrator noted full information about the revaluation, including every property in the city, is on the website and the new and old values are listed.

John Desjardins, 31 Woodside Road - He said that he was told the city was only making appointments for three days and that was it. He also asked why commercial properties are

getting reduced and the burden is falling to the homeowner. He also asked about the homestead exemption and said the amount is going up but is costing the homeowner \$80 more.

The City Administrator stated the appointments are being made over a three week time period and not three days, and said that a staff member would call Mr. Desjardin to schedule an appointment. Mr. Bennett also stated his presentation at the end will address the other questions.

Ray Turcotte, 50 Sherbrooke Avenue - Stated he does not have a problem with the new value of his property, but he has a problem with the proposed new mil rate. He also stated that Mr. Bennett was quoted in the newspaper during the time that Auburn was having public hearings regarding their revaluation and Mr. Bennett said that in Lewiston the impact on commercial and single family homes would be the same, but it is not.

Roger Roy, 72 Lisbon Street - Mr. Roy said he does not have a problem with the revaluation numbers or with the tax rate. He did question the process that was used and stated there appeared to be no rhyme or reason how the new values were determined. He said that on his street, one property had a 1.58% increase, another a 112% increase and another a 129% increase.

David Girard, 39 Fisher Avenue - Stated his property valuation increased by 300% and it is outrageous. He said that he will work for a recall of the Mayor and all Councilors, and the firing of city staff, noting the taxes paid on the back of hard working citizens is what pays the salaries. He suggested the fire department should be volunteer and not full time as a way to save money.

Roland Girardin, 36 Chadbourne Road - He said if using the new value, the Council should hold taxes at the level they are now and bring the mil rate to 17.5 to make it work. He said his neighbor's house sold three years ago for \$149,000 and the city has it assessed for \$168,000. He said he bought land seven years ago for \$16,000 and it is now valued at \$50,000.

Merlyne Ouellette, 258 Central Avenue - Asked how the Council can justify the commercial property going down and that the commercial properties are getting a savings and the residential taxes are increasing. She noted that all of these properties - commercial and residential - use the same services such as fire, police, etc. She said the commercial businesses all generate an income every year and can raise their fees but for retired folks the income does not increase.

Pierre & Stephanie Renaud, 313 Ferry Road - Asked at what percentage the valuation will be at - 100%? He said that he is a local business owner and has a hearing tomorrow. Mr. Renaud said his taxes are \$6300 and he is out of money due to the high increases in fuel, heating oil, etc. He noted that taxes are like paying rent when you already own your home. He said that he built his own house last year. Also asked how much the City subsidized the Walmart project and pays out for welfare.

Joyce Caron, 32 Sargent Avenue - Said that since the value of the property is increasing, so is the cost of insurance. She asked since the state mandates the revaluation, what do they get out of it for money? She also stated she checked the internet and noted that property values in her neighborhood fluctuated greatly.

Robert Allen, Linda Circle - Suggested the Council think about implementing the new valuations over several years rather than all at once. He said that he knows that balancing a budget is difficult and that in the future, the Council should be more responsible on future spending.

Louis Godin, 15 Adolph Street - Said he is 75 years old and that his valuation went from \$106,000 to \$205,000. He said that is an increase of \$750 per year in taxes and he can not afford it. Mr. Godin informed the Council that being retired is no picnic and with the increasing cost of medicines, gas and oil, it is hard to survive. He also asked what percentage of taxes goes to education.

Morris Belanger, 53 Ferry Road - Mr. Belanger said he pays \$5,000 in taxes and said that it is unfair that renters do not pay taxes.

David Girard, 39 Fisher Avenue - Suggested the Council and citizens approach the state to make changes in the Maine Constitution regarding the tax structure.

No additional citizens addressed the Council at this time. The Council took a ten minute recess.

The City Administrator made a 30 minute presentation on the revaluation and explained the process, the state requirement, the appeal process and next steps.

VOTE (121-2006)

Motion by Councilor Samson, second by Councilor Jean:

To adjourn at 9:35 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine