

CITY OF LEWISTON

CITY COUNCIL

JANUARY 16, 2001

EXECUTIVE SESSION HELD IN THE EXECUTIVE CONFERENCE ROOM AT 6:00 P.M.

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Bernier, Carignan, Samson, Bilodeau, Adams, City Administrator Bogdan Vitas, Jr., Assistant City Administrator Phil Nadeau, Finance Director Richard Metivier, and City Clerk Kathleen Montejo.

The City Council meeting was called to order by Mayor Tara at 6:00 pm in a public session.

VOTE (1)

Motion by Councilor Carignan, seconded by Councilor Bilodeau:

To enter into executive session to discuss real estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 5-0

Executive Session began at 6:02 pm and ended at 6:30pm.

Councilor Jean arrived at 6:12pm and Councilor Gousse arrived at 6:15pm.

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

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Gousse, Bernier, Carignan, Jean, Samson, Bilodeau, Adams, City Administrator Bogdan Vitas Jr., Assistant City Administrator Phil Nadeau, City Clerk Kathleen Montejo and Student Representative Karen Gagnon.

Mayor Tara called the meeting back to order at 7:00pm.

Pledge of Allegiance to the Flag.
Moment of Silence.

BOARD AND COMMITTEE APPOINTMENTS

Mayor Tara made the following appointment:

Planning Board:

Roger LaChappelle, 6 Novella Street, to a 5 year term, said term to expire January 3, 2006.

Swearing In of Student Representatives to City Boards and Committees

The City Clerk sworn into position the following student representatives to the City Boards and Committees:

City Council	Karen Gagnon and Marc Moreau
School Committee	Bobbie Marcoux and Aaron Strong
Library Board	Kristin Jacques
Cable Television	Nicole McWhorter and Jennie Cloutier
Planning Board	Ethan Chittim

VOTE (2)

Motion by Councilor Gousse, seconded by Councilor Bilodeau:

To dispense with the reading of the minutes of the January 2, 2001 meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

Report from City Council’s Student Representatives

Karen Gagnon and Marc Moreau from Lewiston High School were seated as the Student Representatives to the City Council for a term beginning January 2001 and finishing with the end of the school year in June.

LAND USE CODE AMENDMENTS FOR THE SIGN ORDINANCE

Mayor Tara opened the public hearing. No members of the public spoke for or against this issue.

VOTE (3)

Motion by Councilor Bilodeau, seconded by Councilor Jean:

That the proposed amendments to Appendix A, Article XII, “Performance Standards”, Section 16, “Signs” of the City Zoning and Land Use Code, adopting sign provisions, receive final passage by a roll call vote. Passed - Vote 7-0

AMENDMENTS TO THE ADULT ENTERTAINMENT ORDINANCE

Mayor Tara opened the public hearing. No members of the public spoke for or against this issue. City Attorney Robert Hark noted this item, along with agenda item number two, are designed to expand the ordinance coverage to include all types of adult entertainment, rather than just dancing.

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Adams:

That the proposed amendment to the City Code of Ordinances, Chapter 10 “Amusements and Entertainment”, Article IV “Adult Entertainment”, Section 101 - 131, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of February 6, 2001 for final passage. Passed - Vote 7-0

AMENDMENT TO THE FIRE PREVENTION CODE

Mayor Tara opened the public hearing. No members of the public spoke for or against this issue.

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Adams:

That the proposed amendment to the City Code of Ordinances, Chapter 38 “Fire Prevention and Protection”, Article 2 “Fire Prevention Code”, Section 38-26 “Codes Adopted”, Subsection C-1, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of February 6, 2001 for final passage.
Passed - Vote 7-0

APPLICATIONS FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMITS

Mayor Tara opened the public hearing. No members of the public spoke for or against this issue.

VOTE (6)

Motion by Councilor Bilodeau, seconded by Councilor Jean:

To grant Automobile Graveyard/Junkyard permits to Al’s Used Parts, Crowley Road; Normand St. Laurant, 1445 Sabattus Street; Public Works Department, 424-482 River Road; Grimmel’s Industries, 50 River Road, subject to the conditions defined by the Code Enforcement Department; and K.T.I. Bio Fuels, Inc., 38 Alfred A. Ploudre Parkway, subject to the conditions defined by the Code Enforcement Department.
Passed - Vote 7-0

SPECIAL AMUSEMENT PERMIT

Mayor Tara opened the public hearing. No members of the public spoke for or against this permit.

VOTE (7)

Motion by Councilor Bilodeau, seconded by Councilor Bernier:

To grant a Special Amusement Permit for Dancing and Entertainment to Augustine's, 37 Park Street. Passed - Vote 7-0

AMENDMENT TO THE EXCAVATION AND STREET OPENING POLICY

Public Works Director Chris Branch and Mel Roast of Northern Utilities Natural Gas stated they were able to meet and address the concerns that Northern Utilities had with the original proposal and that Northern Utilities supports the current proposed amendments.

VOTE (8)

Motion by Councilor Bilodeau, seconded by Councilor Jean:

To approve the proposed amendments to the Excavation and Street Opening Policy as recommended by the Public Works Director. Passed - Vote 7-0

AMENDMENT TO THE MUNICIPAL PARKING FEES POLICY

Finance Director Richard Metivier addressed the Council and outlined the proposed changes, noting the fees have not increased since 1988 and the additional revenue is needed to have parking be a self-funding program. Additional monies will be appropriated for expanded parking and additional decks on the municipal garage and at the municipal lot.

Mayor Tara opened the public hearing. Several members of the public spoke in opposition to the increases. Representatives from FISC spoke and presented the Council with a petition signed by approximately 100 employees who were opposed to the increase. A representative from Androscoggin Bank, Bill Davis Luncheonette, Maine Workers Coalition and a local attorney firm downtown also spoke against the proposed increases. Area residents also expressed concern, those who live downtown yet their only option for parking is in the municipal garage.

The speakers requested the Council reconsider the increase and review the possibility of phasing in the increased amount over the next few years. All expressed concerns that downtown businesses might leave the downtown area for other locations that offer better parking opportunities.

Councilor Bilodeau offered to work with city staff to possibly establish a criteria or waiver for hardship cases and to review the issue of resident parking.

VOTE (9)

Motion by Councilor Bilodeau, seconded by Councilor Adams:

To approve the proposed amendments to the Municipal Parking Fees Policy, to be effective April 1, 2001, as recommended by the Finance Director:

PARKING FEES POLICY #42

URBAN RENEWAL PARKING LOT & CENTREVILLE PARKING GARAGE

- A. ~~\$.25 each hour~~ First half-hour free, \$.50 per hour; maximum of ~~\$2.50~~ \$4.00 per day.
- B. That stamps for the Downtown Park & Shop Program be sold in books of 100 at a net revenue to the City of ~~\$21.00~~ \$45.00 per book.
- C. That monthly parkers be assessed a fee of ~~\$30.00~~ \$45.00 per month payable on the first working day of each month. A five-working-day grace period will be granted before monthly parking card is keyed out.

Passed - Vote 7-0

TRANSFER OF FUNDS FOR THE TROLLEY MEDICAL BUILDING PROJECT

VOTE (10)

Motion by Councilor Bilodeau, seconded by Councilor Jean:

ORDERED, That upon recommendation of the City Administrator and Finance Director, the City Council hereby approves a transfer of \$275,000.00 from the Tax Increment Financing Revenues Fund 110, and a transfer of \$50,000.00 from the City's Undesignated Fund Balance Fund 100 into the Land Development Investment Fund 111.

Passed - Vote 7-0

ADOPTION OF CDBG CITIZENS PARTICIPATION PLAN FOR FY 2002

VOTE (11)

Motion by Councilor Gousse, seconded by Councilor Carignan:

To approve the Citizens Participation Plan and Planning Process Schedule for the FY 2002 Community Development Program, as recommended by the Planning Board.

Passed - Vote 7-0

LEWISTON MILL REDEVELOPMENT CORP UPDATE

Finance Director Richard Metivier reported that bids for the new parking garage are due next week and there has been a great deal of interest from contractors regarding this project.

SCHOOL COMMITTEE REPORT

Councilor Samson did not present a School Committee report.

VOTE (12)

Motion by Councilor Carignan, second by Councilor Jean:

To adjourn at 8:37 p.m. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine