

CITY OF LEWISTON

CITY COUNCIL

MARCH 18, 2003

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00PM

RENEE A. BERNIER, COUNCIL PRESIDENT, PRESIDING.

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

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (79-2003)

Motion by Councilor Jean , seconded by Councilor Mason:

To dispense with the reading of the minutes of the March 4, 2003, meeting and to accept and place them on file as prepared by the City Clerk.

Passed - Vote 5-0-1 (Councilor Paradis abstained.)

PRESENTATION OF NEW CITY SAFETY LOGO

The logo design suggestion submitted by MIS employee Dave Gudas was selected as the winning entry for the logo design contest. The new logo design was unveiled for the Council to view. Mr. Gudas was presented with a certificate of achievement and a gift certificate to a local restaurant. The new logo will be used on t-shirts, the website and printed material to remind the employees about the importance of practicing good safety skills, both on and off the job.

PETITION REQUESTING SANITARY SEWER CONSTRUCTION AT 64 JONES AVENUE

VOTE (80-2003)

Motion by Councilor Paradis, seconded by Councilor Jean:

To receive the Petition for Sanitary Sewer from the property owners of 64 Jones Avenue; to forward this request to the Planning Board for their review and recommendation, and to direct the Public Works Department to prepare a report on the estimated cost and estimated assessment for this project. Passed - Vote 6-0

MAINE STATE PARADE

VOTE (81-2003)

Motion by Councilor Paradis, seconded by Councilor Jean:

- 1) To approve the proposed parade route for the Maine State Parade to be held on Saturday, May 3, 2003. The Parade will march from Main Street to Longley Bridge, and across the bridge into Auburn.
- 2) To accept the recommendation of the Police Chief, and to prohibit parking on the following streets, between the hours of 6:00 p.m. on Friday, May 2, 2003, and 6:00 p.m. Saturday, May 3, 2003, and to authorize the Police Department to have violators towed from the area if necessary:

Main Street - Lisbon Street to Fyre Street, both sides
Frye Street - Main Street to College Street, both sides
College Street - Union Street to Mountain Avenue, east side
Campus Avenue - College Street to Central Avenue, both sides
Vale Street - College Street to Central Avenue, both sides
Wood Street - Sabattus Street to Campus Avenue, both sides
Nichols Street - Sabattus Street to Campus Avenue, both sides
Bardwell Street - Nichols Street to Campus Avenue, both sides
Franklin Street - Sabattus Street to Campus Avenue, both sides
Riverside Drive - entire length, both sides
Central Avenue - Campus Avenue to Russell Street, west side

- 3) That peddlers and/or vendors be prohibited from the area in front of the spectators along the parade route, immediately prior to and during the Maine State Parade on Saturday, May 3, 2003.

Passed - Vote 6-0

CONTINUATION OF PUBLIC HEARING FOR LAND USE CODE

VOTE (82-2003)

Motion by Councilor Paradis, seconded by Councilor Jean:

To continue the public hearing for Final Passage, regarding amendments to the Land Use Code concerning changes to the Development Review process to streamline the review procedures, to the Council meeting of April 1, 2003. Passed - Vote 6-0

SPECIAL AMUSEMENT PERMITS

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing.

VOTE (83-2003)

Motion by Councilor Rousseau, seconded by Councilor Mason:

To grant a Special Amusement Permit for Dancing & Entertainment to Thirty Three Sabattus Street, 33 Sabattus Street. Passed - Vote 6-0

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing.

VOTE (84-2003)

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

To grant a Special Amusement Permit for Dancing & Entertainment to Schemengees, 15 Lincoln Street. Passed - Vote 6-0

Council President Bernier opened the public hearing. Sergeant McGonagle spoke in support of the recommended conditions for this license. He cited problems during the past year with this business, and believes that the conditions attached will help to improve or eliminate the negative situations. Sergeant McGonagle stated the police department will monitor the issues at this business and have already met with the owner to discuss their concerns and the recommended conditions regarding the permit. Council President Bernier then closed the hearing.

VOTE (85-2003)

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

To grant a Special Amusement Permit for Dancing & Entertainment to Del's Bar & Grill, Inc., 43 Walnut Street, subject to the following conditions: have additional staff on duty to assist in recognizing and removing potential problem patrons before an incident occurs especially between 8:00pm and 2:00am and to have staff meet with State Liquor Enforcement Officers and obtain training for the staff to be able to recognize intoxicated patrons. Passed - Vote 6-0

DISCUSSION OF PROPOSED POLICY FOR MATURED TAX LIENS

City Administrator James Bennett presented the highlights of the proposed policy to the Council. He mentioned the Council is not asked to vote on this policy during this meeting, the Policy can be approved at the next meeting or can be discussed during a future workshop. He stated that in the past the City has not had a consistent method of addressing the issue of past due taxes and different criteria has been applied to different accounts with past due taxes. He is recommending a consistent, uniform approach and method for handling all accounts with matured tax liens. Several Councilors stated they would like to review the proposal more in depth and have a chance to discuss it further. Mr. Bennett stated that currently there are about 80 properties with some level of tax lien maturity now, of these, about 17 are commercial properties or raw land and about 60 are single family homes.

VOTE (86-2003)

Motion by Councilor Rousseau, seconded by Councilor Mason:

To review and discuss this item during a future workshop. Passed - Vote 6-0

**AGREEMENTS WITH CALEB FOUNDATION FOR THE RIVER VALLEY
VILLAGE DEVELOPMENT (TALL PINES)**

Councilors received an extensive presentation from the Executive Director of the Caleb Foundation. The Caleb Foundation is a non-profit developer of low income housing and has done projects in Maine and throughout New England. Funds from the CDBG program grant are needed to allow this program to move forward. The Caleb Foundation is planning to make a nine million dollar investment into the entire development and will make extensive upgrades and renovations, some of which will include landscaping, creating handicapped apartment units, re-doing the floors, heating and replacing appliances. They are also planning to build a community center on site which will contain a computer learning center for the residents. The Director stated that currently there is a thirty percent vacancy rate at Tall Pines. Councilor Rousseau stated that the \$120,000 needed from the CDBG funds is a great deal of money coming from the CDBG account, yet he also noted that the Tall Pines complex is in dire need of repairs. The Caleb Foundation Director stated that they like to see the local community invest some funds into the redevelopment projects as a show of local support, and it was noted that there will be a combination of local, state, federal and private grant monies used for the nine million dollar total. Councilor Bernier commented on the Housing Committee's desire to raise the standard of living and noted that the Committee has high expectations and wants strong accountability. The Caleb Foundation is working in conjunction with the Maine State Housing Authority.

VOTE (87-2003)

Motion by Councilor Mason, seconded by Councilor Paradis:

To approve an amendment to the Resolution - page one, sixth line - To change the dollar amount from \$8,000,000 to \$9,000,000. (The new sentence would read as follows: Caleb's current estimate of the project cost is in excess of ~~\$8,000,000~~ \$9,000,000.)
Passed - Vote 6-0

VOTE (88-2003)

Motion by Councilor Rousseau, seconded by Councilor Mason:

To adopt the Resolution, as amended, supporting the Agreements with the Caleb Foundation for the River Valley Village Development (Tall Pines):

Whereas, Caleb Maine Development Corp., a Maine not-for-profit corporation ("Caleb"), has, in conjunction with River Valley Village Associates, L.P., a Maine limited partnership, negotiated a contract for the acquisition by Caleb, for the purpose of rehabilitation of and

provision of housing services at two existing housing projects in the City of Lewiston, located at or near 64 Strawberry Avenue and 24 Tall Pines Drive (the “Projects”);

Whereas, Caleb’s current estimate of the project cost is in excess of \$9,000,000;

Whereas, in connection with that acquisition and rehabilitation, Caleb has obtained commitments of economic assistance from the Maine State Housing Authority, with economic concessions from the United States Department of Housing and Urban Development, for the rehabilitation of, and provision of housing services at the projects, under the ownership of Caleb;

Whereas, Caleb has requested that the City of Lewiston participate in these efforts by providing to Caleb a two-year, Two-Hundred Thousand Dollar (\$200,000.00) grant, to be paid at the rate of One-Hundred Thousand Dollars (\$100,000.00) per year;

Whereas, City has agreed to provide such assistance upon the condition that Caleb agree to an annual payment to City in excess of the taxes to which the project, under current law, once it is owned by a non-profit entity, apparently will be subject.

Now, Therefore, be it Resolved by the City of Lewiston as follows:

- 1) That the City be and hereby is authorized to enter into a grant agreement with Caleb providing for a two-year, annual grant of \$100,000.00, in such form as the City Administrator, in his sole discretion shall deem appropriate;
- 2) That the City be and hereby is authorized to enter into an agreement requiring the payment by the owner of the City, of a sum equal to 60% of the amount of taxes which would, absent any statutory exemption be due upon the property.
- 3) That the City Administrator be and hereby is authorized to make, execute and deliver any and all documents which he, the said City Administrator may deem necessary or convenient to the accomplishment of the foregoing.

Passed - Vote 6-0

COMMUNITY BUILDING PLAN FINAL PROPOSAL

Assistant City Administrator Phil Nadeau stated the City continues to work with the Department of Justice regarding the City’s work on diversity issues regarding cultural and social changes within the City, and said that this Community Outreach Plan is one of the projects the Diversity Group is working on. The Plan calls for a series of community and neighborhood meetings to hold a dialog on diversity issues.

VOTE (89-2003)

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

To endorse the Community Building Plan Final Proposal, and to direct the City Administrator's Office to proceed with the implementation of the Community Building Plan.
Passed - Vote 6-0

The Council took a fifteen minute recess at this point.

REPORT FROM CITY COUNCILORS WHO ATTENDED THE NATIONAL LEAGUE OF CITIES CONFERENCE

Councilor Bernier - Homeland security issues were the number one item that she was following and noted that there will not be a lot of available federal funds to assist communities regarding homeland security issues. She also was working on the issue of the funding cuts for Section 8 housing, which many Lewiston residents are dependent upon.

Councilor O'Brien - She attended workshops on the No Child Left Behind Federal Legislation and noted that Maine is requesting a testing waiver from the program.

Councilor Rousseau - Homeland security is a main issue and there are other unfunded federal mandates as well that are placed upon towns. He urged the Councilors to work aggressively on these issues in the future.

Councilor Mason did not offer any comments about the Conference. The City Administrator stated that the community should be very proud of the hard work that the Councilors did at the National League of Cities Conference and he commended them in the manner in which they represented the city, and noted it was a worthwhile investment for the City due to the number of new federal programs the Councilors learned about.

UPDATE FROM LEWISTON MILL REDEVELOPMENT CORPORATION REPRESENTATIVES

Councilor Rousseau reported the Board has stopped the marketing campaign they were working on and are now limiting the campaign to just in-state marketing efforts. He said the Board is reviewing the exit plan proposal.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Bernier reported the School Committee is finalizing their work on the budget. They need to add three new positions for English as a Second Language instructors and are putting an emphasis on preserving programs and educational items.

OTHER BUSINESS

The City Administrator reminded the Councilors that the Council will have a special meeting next Tuesday to receive the budget presentation. Councilor Rousseau stated that the City has spent a lot of effort in the past on the development of affordable, low income housing and he suggested the need for high grade/high end housing to retain more working professionals, rather than having them live in neighboring communities and commute to Lewiston to work each day. Councilor Paradis publically thanked the Fire Department and EMS workers who responded to his house a few weeks ago for his massive heart attack and he thanked them for their fine work.

EXECUTIVE SESSION

VOTE (90-2003)

Motion by Councilor Mason , seconded by Councilor Paradis:

To enter into an executive session to discuss an Economic Development issue regarding Contract Negotiations, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 6-0

Executive session began at 10:00pm and ended at 10:44pm.

VOTE (91-2003)

Motion by Councilor Paradis, seconded by Councilor Mason:

To adjourn at 10:45 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine