

# CITY OF LEWISTON

CITY COUNCIL

MARCH 8, 2001

## EXECUTIVE SESSION HELD IN THE EXECUTIVE CONFERENCE ROOM AT 6:15 P.M.

JOYCE A. BILODEAU, COUNCIL PRESIDENT, PRESIDING.

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

The City Council meeting was called to order by Council President Bilodeau at 6:17 pm in a public session.

### **VOTE (1)**

Motion by Councilor Adams, seconded by Councilor Bernier:

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 6:18 pm and ended at 6:50 pm.

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

JOYCE A. BILODEAU, COUNCIL PRESIDENT, PRESIDING.

PRESENT: Councilors Bernier, Jean, Samson, Adams, City Administrator Bogdan Vitas Jr., Assistant City Administrator Phil Nadeau, and City Clerk Kathleen Montejo.

Council President Bilodeau called the meeting back to order at 7:00pm. She noted that the Mayor and Councilor Gousse were unable to attend this meeting due to other commitments and Councilor Carignan would be late. The meeting date for this meeting was changed due to the snow storm earlier in the week.

Pledge of Allegiance to the Flag.  
Moment of Silence.

Councilor President Bilodeau made a presentation to Estelle Rubinstein, executive director of the Androscoggin Head Start program. Ms. Rubinstein recently received the national "Lewis Hines Award for Service to Children & Youth". She was nominated for this award by Lewiston Mayor Kaileigh Tara.

Gracia Eisman, of the Lewiston Historical Commission, presented Councilors with a copy of the new book that was written by the Commission. The book depicts the history of Bates Manufacturing Company and honors the Mill's employees.

**VOTE (2)**

Motion by Councilor Samson, seconded by Councilor Adams:

To dispense with the reading of the minutes of the February 20, 2001 meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 5-0

**CONTINUATION OF PUBLIC HEARING FOR LEPAGE BAKERIES TAX  
INCREMENT FINANCING DISTRICT AGREEMENT**

**VOTE (3)**

Motion by Councilor Samson, seconded by Councilor Jean:

To continue the public hearing regarding the Tax Increment Financing (TIF) District for the LePage Bakeries, Inc. and B. L. Holdings, LLC, Project to the March 20, 2001 City Council meeting. Passed - Vote 5-0

**CODE AMENDMENT REGARDING BUSINESS LICENSES**

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

**VOTE (4)**

Motion by Councilor Samson, seconded by Councilor Jean:

That the proposed amendment to the City Code of Ordinances, Chapter 22 "Businesses", Article I "In General", Section 22-2 "Definitions" and Article II "Licenses", Section 22-46 "Schedule of Fees", subsection 11, receive final passage by a roll call vote.  
Passed - Vote 5-0

**PUBLIC HEARINGS FOR SPECIAL AMUSEMENT PERMITS**

Council President Bilodeau opened the public hearing for the special amusement permit for The Cage. This issue was tabled from the previous Council meeting.

Raymond Boufant of 101 Ash Street addressed the Council and stated in the past two years there have been a great deal of problems with this business. He stated there is loud noise, yelling and screaming from patrons once they leave the bar and the cars and motorcycles reeve their engines when the bar closes at 1am. He stated this is very disruptive for the neighbors.

Normand Lafrance of 43 Pierce Street also stated that the noise and problems has been bad in the past two years. He stated that on the weekends and during the summer time, the noise coming from The Cage is very loud from 8pm - 2am. He noted that this business is located in an area with many residential properties around it.

Councilor Carignan arrived at this time.

Ronald Berube is the landlord of the building and he stated that he is aware there have been problems in the past. He noted that above the bar are five apartment units. He stated that many of the police calls to this address have been for the tenants who live above the bar. He has since had a change in tenants, so this should no longer be an issue. He also stated that large flood lights have been installed in the back parking lot and patrons are told not to loiter outside of the bar.

Randy Collins, manager and co-owner of The Cage stated that he will work with the neighbors. The Police Chief noted that the motorcycle noise complaints have been associated with The Cage since 1976, but also stated that Mr. Collins has been very cooperative regarding problems. The Chief also stated that the nuisance complaints associated with The Cage are consistent with other standard complaints from other bars in town. The Police Chief stated that the department is not recommending a denial of this license.

**VOTE (5)**

Motion by Councilor Samson, seconded by Councilor Jean:

To grant a Special Amusement Permit for Dancing and Entertainment to The Cage, 97-99 Ash Street. Passed - Vote 6-0

Council President Bilodeau opened the public hearing for the special amusement permit for the Carlton Club. No members of the public spoke for or against this issue.

**VOTE (6)**

Motion by Councilor Samson, seconded by Councilor Carignan:

To grant a Special Amusement Permit for Dancing and Entertainment to the Carlton Club, Inc., 25 Sabattus Street. Passed - Vote 6-0

**PUBLIC HEARING FOR LIQUOR LICENSE CLASSIFICATION CHANGE**

Council President Bilodeau opened the public hearing for the request from the Derby Athletic Club to convert their current liquor license from a private club license to a public bar license. Steven Roy, secretary of the Derby Athletic Club, stated that the club has 200 members and is requesting this change to be consistent with state requirements.

Dennis Mason of 122 Bartlett Street expressed concern regarding the conversion of this license to a public license. He stated there is a bar across the street from the Derby, and he was concerned that patrons may walk back and forth between both establishments, especially if a patron was refused service at one place. He also noted that there will be additional noise and traffic in this condensed residential area.

Eric Benno and Mike Broussard spoke in support of this license change and noted that the club members will not tolerate any problems at the location and make sure the patrons do not create issues. They also stated that in the past two years, there has not been any issues with noise.

Councilor Samson expressed concerns with parking in the area.

**VOTE (7)**

Motion by Councilor Samson, seconded by Councilor Jean :

To authorize the Derby Athletic Club, 40 Walnut Street, to transfer their liquor license classification from a Class V license to a Class X license.

Passed - Vote 5-1 (Councilor Samson opposed.)

Council President Bilodeau opened the public hearing for the request from the Hurricane Club to convert their current liquor license from a private club license to a public bar license. No members of the public spoke for or against this issue.

**VOTE (8)**

Motion by Councilor Carignan, seconded by Councilor Jean:

To authorize the Hurricane Club, 308 Lisbon Street, to transfer their liquor license classification from a Class V license to a Class X license. Passed - Vote 6-0

**FINANCING FOR THE COURTHOUSE PLAZA PROJECT**

**VOTE (9)**

Motion by Councilor Samson, seconded by Councilor Adams:

To authorize the financing of the Courthouse Plaza project in the amount of \$300,000 to be funded through a future bond issue. Passed - Vote 6-0

**LEGISLATIVE UPDATE**

Assistant City Administrator Phil Nadeau updated the Council on recent activities with the Legislature. He noted the City is monitoring the GPA funding issue. There is a projected state deficit of \$300 million. The Urban Coalition group is working together and is focusing on some federal lobbying efforts. Mr. Nadeau also mentioned a potential issue regarding a local option sales tax, and noted there are bills pending before the Legislature to authorize municipalities to have a local option sales tax.

**REPORT FROM SCHOOL COMMITTEE**

Councilor Samson noted the School Committee approved the budget submitted by the Superintendent.

**OTHER BUSINESS**

Councilor Bilodeau reminded the Council about her upcoming meetings with Senators Snowe and Collins and requested that any additional issues that should be discussed with our federal delegation should be brought to her attention immediately.

**VOTE (10)**

Motion by Councilor Jean, seconded by Councilor Adams:

To adjourn at 8:40 p.m. Passed - Vote 6-0

A true record, Attest:

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Kathleen M. Montejo, CMC  
City Clerk  
Lewiston, Maine