

CITY OF LEWISTON

CITY COUNCIL

AUGUST 19, 2003

**EXECUTIVE SESSION HELD IN THE
EXECUTIVE CONFERENCE ROOM AT 6:45PM**

THE HONORABLE LAURIER T. RAYMOND, JR., MAYOR, PRESIDING.

PRESENT: Councilors Bernier, O'Brien, Jean, Mason, Paradis, Rousseau, and City Administrator James Bennett.

The City Council meeting was called to order by Mayor Raymond at 6:45pm in a public session.

VOTE (249-2003)

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

To enter into an executive session to discuss Labor Negotiations regarding the Professional Technical Union contract. Passed - Vote 6-0 Session began at 6:45pm and ended at 6:57pm.

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

THE HONORABLE LAURIER T. RAYMOND, JR., MAYOR, PRESIDING.

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

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

Pledge of Allegiance to the Flag.

Moment of Silence.

COMMITTEE APPOINTMENTS

Mayor Raymond announced that he appointed Marilyn Maher, 27 Maplewood Road, to the Community Forestry Board to fill an unexpired three year term, term to expire March 2005.

VOTE (250-2003)

Motion by Councilor Jean, seconded by Councilor Mason:

To dispense with the reading of the minutes of the July 15 and August 5, 2003, meetings and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0

**REQUEST FOR DISPOSITION OF CITY-OWNED PROPERTY AT
103 GOOGIN STREET**

The City Administrator stated that this item was tabled from the previous meeting since there was some confusion regarding the exact location of the property in question during the previous meeting. A different map was presented this evening for better clarification. Councilor O'Brien inquired if residents in the area would be able to bid on this property and the City Administrator stated that a mailing would be done to the area property owners informing them of their option to bid on the property.

Motion was tabled from the previous meeting to this meeting: Motion by Councilor Paradis, seconded by Councilor Jean:

VOTE (251-2003)

Be It Resolved by the City Council that the City Administrator be and hereby is authorized to dispose of the city owned property at 103 Googin Street, and to sell the property at 103 Googin Street via public bid, subject to the condition that a 20 foot easement be granted to the City for maintenance of the sewer line and to include a condition to allow children to use the property for egress to and from Pettingill School, and that the City Administrator be and hereby is authorized to make, execute and deliver such deeds and other documents as he, in his discretion, may deem necessary or convenient to the accomplishment of such transaction. Passed - Vote 6-0

**PUBLIC HEARING FOR TIF DISTRICT AND DEVELOPMENT ASSISTANCE
AGREEMENT WITH FRANKLIN PROPERTY TRUST FOR THE
SOUTHERN GATEWAY PROJECT**

Mayor Raymond opened the public hearing. No members of the public spoke for or against this item. Mayor Raymond then closed the hearing. The City Administrator reminded the Council that the Joint Development Agreement, approved June 3, 2003 between the City, Oxford Networks and Franklin Property Trust, included a provision to establish a tax increment financing district for the Southern Gateway Development Project. The TIF will be for twenty years and includes one hundred percent on the incremental/new value of taxes on land and buildings; it does not include personal property. The current taxes on the land and buildings will remain the same. A minimum of three million dollars of private sector investment is expected within the gateway district. The Mayor noted this item is a housekeeping item related to the Joint Development Agreement.

The City Administrator noted that these properties are unique in that their property values have decreased over time, as the conditions of the buildings have deteriorated, and thereby the amount of taxes paid on these properties has also declined over the years. Councilor Rousseau noted the City will be losing the money that is currently collected in taxes from some of these buildings. City Administrator Bennett stated that collectively overall, the City will benefit, noting that more revenue will be collected with investment from the district and

with the upgrades to the area, than available now in taxes with the current buildings and no development upgrades. It was noted the Frechette property is not included in the TIF district.

Business Development Manager Lincoln Jeffers reported that he has received many calls in the past two weeks about new business development around the area of the southern gateway project. Councilor O'Brien stated the plan for this area all along has been to acquire and remove the dilapidated buildings and noted that the taxes from the dilapidated properties has not been a substantial amount. Mr. Bennett noted that approximately 50 - 75 buildings have been acquired and demolished by the City in the past 3-5 years, and the City has benefitted more from the increased development in these areas than it did from the amount of taxes collected from the run-down properties, and it has enhanced the overall value to the community. Councilor Rousseau stated that the City will be losing approximately \$14,000 annually in tax revenue if this motion is approved. Councilor Bernier noted the City will easily make up that amount in the new investments in the area.

VOTE (252-2003)

Motion by Councilor Jean, second by Councilor Paradis:

To approve the establishment of a tax increment financing district for the Southern Gateway Project and to authorize the City Administrator to execute the attached Development Assistance Agreement with Franklin Property Trust.

Passed - Vote 4-2 (Councilors Mason and Rousseau opposed)

LIQUOR LICENSE FOR SCOREBOARD PUB, 1018 SABATTUS STREET

Mayor Raymond opened the public hearing. No members of the public spoke for or against this item. Mayor Raymond then closed the hearing.

VOTE (253-2003)

Motion by Councilor Mason, second by Councilor Jean:

To authorize the City Clerk's Office to approve the liquor license application and special amusement permit for Scoreboard Pub, 1018 Sabattus Street, pending final approval regarding the state background check. Passed - Vote 6-0

Councilor Bernier retired from the meeting at this time.

RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH AFSCME COUNCIL 93, LEWISTON PROFESSIONAL TECHNICAL UNIT

City Administrator Bennett stated this union is newly formed within the past year and it comprises sixty five professional - technical employees which were non-union positions in the past, therefore, these contract negotiations began from scratch. Mr. Bennett stated the contract expires in 2004, and it will implement the pay plan adopted by the Council by

policy a year ago. He said the contract includes a three percent pay increase in year one and a two point one percent increase in year two. Mr. Bennett stated the contract also includes steps and grade levels. He stated that the current practice of allowing Public Works employees to receive a meal allowance for every four hours of overtime worked will be eliminated as of December 31, 2003, and the double time on Sundays will be eliminated as of June 29, 2004. This contract does include bumping rights that could be exercised during a lay off of a position. He said the City has eliminated twenty five positions in the past two years, none of which have been in the police or fire departments. Councilor Rousseau stated that he served as the City Council representative for the labor union negotiations and it was his observation that the creation of this union did not cost the taxpayers any additional money as far as benefits to be paid out. Mr. Bennett said that the pay ranges established are not the highest in the market for the particular job, nor are they the lowest, but are in a mid level range which is fair for both the employee and the City.

VOTE (254-2003)

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

To ratify the Collective Bargaining Agreement between the City of Lewiston and AFSCME Council 93, Lewiston Professional Technical Unit, said agreement being for the period of July 1, 2002 to June 30, 2004, and to authorize the Mayor to sign the agreement on behalf of the City of Lewiston. Passed - Vote 5-0

**ACCEPTANCE OF US DEPARTMENT OF JUSTICE'S LOCAL LAW
ENFORCEMENT BLOCK GRANT****VOTE (255-2003)**

Motion by Councilor Jean, second by Councilor Mason:

To authorize the Chief of Police to accept the US Department of Justice's Local Law Enforcement Block Grant in the amount of \$27,282.00 in order to procure new technology and equipment. Passed - Vote 5-0

ADOPTION OF MEETING SCHEDULE FOR SEPTEMBER MEETINGS**VOTE (256-2003)**

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

To suspend Section 1,(a) of the Rules Governing the City Council, and to change the September City Council meeting dates from September 2 and 16 to September 9 and 23, and to suspend Section 14, (a) of the Rules Governing the City Council and to hold the September workshop on September 16. Passed - Vote 5-0

LEGISLATIVE UPDATE

Councilor O'Brien reviewed the tax reform proposals that will be on the ballot in November, as well as the bond issue package.

REPORT FROM THE SCHOOL COMMITTEE

No report was presented at this time.

OTHER BUSINESS

John Bennett, Captain of the local Salvation Army, inquired about the status of the proposed Park Use Policy. Captain Bennett stated that he has been told for the past few meetings that this would be an item on the agenda and it has not been. He said that he has been waiting for most of the summer, with a pending request to hold a Sunday evening music and gospel arts program in Courthouse Plaza, but was told to wait until the Policy was developed. These events would be held about 30 minutes before the church services are held at the Salvation Army building, right next door to Courthouse Plaza.

Captain Bennett stated that he has been told by City Administration that he will have to hold his service in Kennedy Park, not in Courthouse Plaza, because Courthouse Plaza will be reserved for arts and cultural events, and all other events will be held in Kennedy Park. He questioned the City's ability to limit the use of public parks to certain types of events, stating that the parks were paid for with taxpayer money and should be available for use by all members of the public.

The City Administrator stated the City Attorney is finalizing work on the Park Use Policy and he will ensure that it is placed on the next meeting agenda for review.

VOTE (257-2003)

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

To adjourn at 8:20 P.M. Passed - Vote 5-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine