

CITY OF LEWISTON

CITY COUNCIL

JANUARY 8, 2002

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:00PM

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

PRESENT: Councilors Philippon, Bernier, O'Brien, Jean, Samson, Paradis and Rousseau, Acting City Administrator Phil Nadeau, and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.
Moment of Silence.

COMMITTEE APPOINTMENTS

Mayor Raymond announced his appointments to the following Boards and Committees:

<u>Committee</u>	<u>Name</u>	<u>Term Expires</u>
Board of Appeals - full members	James Belleau, 24 Woodville Rd	January 2007
	Dennis Fortier, 79 Wellman St	January 2007
Finance Committee	Robert Stone, 13 Woodside Drive	January 2005
Historical Preservation Review Board	Rick Morris, 382 College Street	January 2005
	Douglas Hodgkin, 9 Sutton Place	January 2005
	Fredda Wolf, 20 Brentwood Ave	January 2005
Personnel Board	Barry Putnam, 1 Treemount Drive	January 2007
Planning Board	Robert Connors, 23 Charles Street	January 2007
	Jeff Gosselin, 77 Charles Street	January 2007
Historical Commission	Timothy Pinkham, 473 Main Street	indefinite
LAEGC	Councilor Philippon	January 2004
LACTS Policy Committee as alternate member	Councilor Jean	January 2004

VOTE (5-2002)

Motion by Councilor Samson, seconded by Councilor Bernier:

To confirm the Mayor's nomination of the following residents and Councilors to serve on the following committees as outlined below:

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<u>Committee</u>	<u>Name</u>	<u>Term Expires</u>
Library Board of Trustees	Philip Isaacson, 2 Benton Street	January 2007
	Joseph Lavigne, 125 Ash Street	January 2008
Water Pollution Control Authority	Richard Albert, 192 Grove Street	January 2005
Cable TV committee	Mike Bonneau, 54 Sherbrooke Ave	January 2004
	Emile Jacques, 31 Pleasant Street	January 2004
	Joanne Potvin, 125 Rosedale Street	January 2004
	Norman L'Heureux, 13 Libby Ave	January 2004
	Gregory Nadeau, 1 Carrier Place	January 2004
	David Stone, 6 Caron Street	January 2004
Airport Board of Directors	Councilor Philippon	January 2004
Lewiston Mill Redevelopment Corp	Councilors Paradis and Rousseau	January 2004
AVCOG General Assembly	Councilors O'Brien and Rousseau	January 2004
911 Committee	Councilor Bernier	January 2004

Passed - Vote 7-0

VOTE (6-2002)

Motion by Councilor Samson, seconded by Councilor Bernier:

To dispense with the reading of the minutes of the December 11 and 28, 2001, meetings and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

ADOPTION OF RULES TO GOVERN THE CITY COUNCIL FOR THE ENSUING YEAR

VOTE (7-2002)

Motion by Councilor Samson, seconded by Councilor Jean:

To adopt the Rules to Govern the City Council for the period of January 8, 2002 to January 6, 2004 as presented. Passed - Vote 7-0

LAND USE CODE AMENDMENT REGARDING ACCESS INTO A DEVELOPMENT SITE

Mayor Raymond opened the public hearing to receive citizen comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (8-2002)

Motion by Councilor Rousseau, seconded by Councilor Paradis:

That the proposed amendments to Appendix A, Article II “Definitions”, Section 2, “Definitions”, Article X. “Conditional Use”, Section 3 “Standards for Conditional Use Permits”; Article XII. “Performance Standards”, Section 18 “Improvement standards”; Article XIII “Development Review and Standards”, Section 4 “Approval criteria”, of the City Zoning and Land Use Code, concerning access into a development site, including minimum site distance and grade of driveways on proposed streets, receive final passage by a roll call vote. Passed - Vote 7-0

LAND USE CODE AMENDMENT CONCERNING APPEALS RELATIVE TO SPACE AND BULK STANDARDS

Mayor Raymond opened the public hearing to receive citizen comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (9-2002)

Motion by Councilor Samson, seconded by Councilor Rousseau:

That the proposed amendments to Appendix A, Article IX “Appeals”, Section 3, “Standards for granting appeals”, of the City Zoning and Land Use Code, concerning appeals relative to the granting of modifications to space and bulk standards for the division of commercial buildings and lots, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of January 22, 2002 for final passage. Passed - Vote 7-0

PUBLIC HEARING FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMITS

Mayor Raymond opened the public hearing to receive citizen comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (10-2002)

Motion by Councilor Samson, seconded by Councilor Philippon:

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

PUBLIC HEARING FOR SPECIAL AMUSEMENT PERMITS

Mayor Raymond opened the public hearing to receive citizen comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (11-2002)

Motion by Councilor Samson, seconded by Councilor Paradis:

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

Mayor Raymond opened the public hearing to receive citizen comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (12-2002)

Motion by Councilor Samson, seconded by Councilor Philippon:

To grant a Special Amusement Permit for Dancing and Entertainment to the Hurricane Club, 308 Lisbon Street. Passed - Vote 7-0

AMENDMENT TO THE COMMUNITY DEVELOPMENT PLAN POLICY

VOTE (13-2002)

Motion by Councilor Samson, seconded by Councilor Jean:

To approve the proposed amendment to the Community Development Plan, Policy Manual Number 13, as recommended by the Director of Community Development.
Passed - Vote 7-0

AUTHORIZATION TO ACT ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (14-2002)

Motion by Councilor Samson, seconded by Councilor Jean:

ORDERED, That the City Council hereby authorizes the City Clerk and Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers, during the period January 8, 2002 through January 6, 2004. Passed - Vote 7-0

VOTE (15-2002)

Motion by Councilor Samson, seconded by Councilor Jean:

ORDERED, That the City Council hereby authorizes the City Clerk and Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance on behalf of the Municipal Officers, during the period January 8, 2002 through January 6, 2004. Passed - Vote 7-0

VOTE (16-2002)

Motion by Councilor Samson, seconded by Councilor Jean:

ORDERED, That the City Council hereby authorizes the Treasurer or Deputy Treasurer to withhold monies payable by the City of Lewiston to cover taxes due; to sign on behalf of the City, the necessary deeds and liens and tax settlements; and to invest funds in accordance with Maine Revised Statutes Annotated, Title 30-A, Section 5706, during the period January 8, 2002 through January 6, 2004. Passed - Vote 7-0

COUNCIL APPOINTMENTS FOR VARIOUS COMMITTEES

The Councilors reviewed and discussed the openings for Council representatives on the Boards and Committees. Councilors expressed their individual interest for the positions and then decided who shall serve as the representatives to the various committees.

VOTE (17-2002)

Motion by Councilor Samson, seconded by Councilor Bernier:

To appoint the following Councilors to serve as the Council's representative to the following boards and committees:

Lake Auburn Watershed Commission - Councilor Jean; L/A Transit Committee - Councilor O'Brien; Maine Municipal Association's Legislative Policy Committee (MMA LPC) - Councilor Samson; Taxi Appeals Board- Councilors Philippon and Paradis; Loan Qualification Committee (LQC) - Councilor Bernier; Joint Committee of the Auburn & Lewiston Councils - Councilors Rousseau and Bernier. Passed - Vote 7-0

VOTE (18-2002)

Motion by Councilor Samson, seconded by Councilor Jean:

To appoint Public Works Director Chris Branch to the Lake Auburn Watershed Commission for a three year term, said term to expire January 2005. Passed - Vote 7-0

DISCUSSION OF PROPOSED COUNCIL WORKSHOP TOPICS

Acting City Administrator Phil Nadeau presented a list to Council of various topics that could serve as discussion topics for future workshops. The Councilors reviewed the list, and decided to discuss the topics more in depth during their January workshop.

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (19-2002)

Motion by Councilor Samson, seconded 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

\$415.20, or any portion thereof, in the case of State of Maine vs. Ly Ha, Court Records 00-3365S. 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

AUTHORIZATION TO SUBMIT APPLICATION FOR COMMUNITY FORESTRY ICE STORM RECOVERY GRANT PROGRAM

VOTE (20-2002)

Motion by Councilor Rousseau, seconded by Councilor Jean:

To authorize the Public Works Director to submit a grant application to the Maine Community Forestry Ice Storm Recovery Grants Program and, if said grant is awarded to the City, to accept the grant award from the Maine Community Forestry Ice Storm Recovery Grants Program and to authorize the Acting City Administrator and the Finance Director to administer said funds accordingly. Passed - Vote 7-0

LEGISLATIVE UPDATE

Councilor O'Brien stated that the Governor's address earlier in the day outlined his commitment to municipalities for State Aid to Education, an issue that Lewiston will be monitoring closely.

REPORT FROM THE SCHOOL

Councilor Samson thanked the Mayor and Council for his re-appointment to serve on the School Committee.

OTHER BUSINESS

VOTE (21-2002)

Motion by Councilor Philippon, seconded by Councilor Bernier :

To appoint Councilor Samson to serve as the Council's representative to the Empower Lewiston Board and to appoint Councilor O'Brien to serve as the Mayor's alternate to the Empower Lewiston Board. Passed - Vote 7-0

Councilor President Bernier made the following Committee appointments:

Finance Committee - Councilors O'Brien and Philippon
Economic Development Committee of the Council - Councilors Rousseau and Bernier
Housing Committee of the Council - Councilors Samson, Rousseau and Bernier
Transportation Committee of the Council - Councilors Jean and Philippon

She noted the co-chairmen of the Council's committees on Economic Development, Housing and Transportation will be announced at a later date.

VOTE (22-2002)

Motion by Councilor Jean, second by Councilor Paradis:

To adjourn at 6:48 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine