

CITY OF LEWISTON

CITY COUNCIL

JANUARY 19, 1999

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

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Kelly, Carignan, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, City Clerk Kathleen Montejo and Student Representative Karen Gagnon.

ABSENT: Councilor Lynch

Pledge of Allegiance to the Flag.

Moment of Silence.

APPOINTMENTS TO BOARDS AND COMMITTEES

HISTORIC PRESERVATION REVIEW BOARD - 3 Year Term
James J. Galipeau, 169 Bartlett
Douglas I. Hodgkin, 9 Sutton Place
Fredda F. Wolf, 20 Brentwood Avenue

Presentation to the City Council by FFA-USA was postponed until the February 16th L/A Together meeting.

Enterprise Community Presentation

Mayor Tara announced that Lewiston recently received the designation as an "Enterprise Community", making Lewiston the first community to receive the Enterprise designation in New England for a rural zone. She noted that nationally, only 16% of the applicants received such designation and this represents a \$2.5 million grant over the next 10 years. She thanked the federal legislative delegation for their support, as well as recognized the hard work and dedication put forth by the citizen committee and city staff. She also thanked the Council for their support. The Mayor then presented certificates to about 25 volunteers who made this effort possible.

VOTE (1)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To dispense with the reading of the minutes of the January 5, 1999, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0

**PUBLIC HEARING ON AN ORDINANCE PERTAINING TO
MESSAGE ESTABLISHMENTS AND MESSAGE THERAPISTS**

The ordinance pertaining to massage establishments and massage therapists having had its first reading at the meeting of January 5th, received its second reading at this time.

VOTE (2)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

That the ordinance pertaining to massage establishments and massage therapists has final passage by a ye and nay vote. Passed - Vote 6-0

PUBLIC HEARING ON A BOND ISSUE TO FINANCE THE NEXT PHASE OF THE BATES MILL REDEVELOPMENT PROJECT

Finance Director Richard Metivier provided an update on the project financing.

The Mayor opened the Public Hearing at 7:55pm for citizen comment:

George Gendron suggested the Council table the bond issuance until a revised Master Plan is developed and until after the municipal and school budgets are adopted and in effect.

Jane Minott stated she did not feel there was adequate citizen information available about this subject and suggested the City increase the citizen information.

Ed Plourde, Martin Eisentein, Robert Stone, and Michael Blais all spoke in favor of the approval of the bond issuance and encouraged the Council to move ahead with the Bates Mill project.

The Mayor closed the Public Hearing at 8:14pm.

VOTE (3)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

To adopt the loan order in the amount of \$5,000,000.00 to finance the next phase of the Bates Mill Redevelopment Project. Passed - Vote 6-0

At this point, one public hearing was held for all applicants for automobile graveyard/junkyard permits. No members of the public spoke for or against this issue.

**PUBLIC HEARING ON AN APPLICATION OF AL'S USED PARTS
FOR AN AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant an Automobile Graveyard/Junkyard permit to Al's Used Parts, Crowley Road. Passed - Vote 6-0

**PUBLIC HEARING ON AN APPLICATION OF GRIMMEL'S INDUSTRIES
FOR AN AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant an Automobile Graveyard/Junkyard permit to Grimmel's Industries, 50 River Road, subject to the following conditions:

1. The hours of operation shall be limited to 7:00 A.M. to 5:00 P.M. Monday through Saturday.
2. Improve screening from the Maine Turnpike.

Passed - Vote 6-0

**PUBLIC HEARING ON AN APPLICATION OF K.T.I. BIO FUELS, L.P.
FOR AN AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

VOTE (6)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant an Automobile Graveyard/Junkyard permit to K.T.I. Bio Fuels, L.P., 38 Alfred A. Plourde Parkway, subject to the following fifteen conditions:

1. Permit is granted for storage of wood waste and oversized bulky waste (OBW). OBW will consist of furniture, rugs, plastics, and any other large burnable household goods. Unacceptable OBW consists of sheetrock, roofing materials (unless wood), aggregate products, dirt and sand, fiberglass insulation, and no hazardous materials such as asbestos.
2. All wood waste and OBW which is to be placed in storage shall be piled no higher than 20'.
3. The width of the pile shall be no wider than 50', and

- overall length of the pile no more than 100'.
4. There shall be no more than nine (9) piles of wood waste and OBW at any time. OBW will not exceed two (2) piles.
 5. Access rows or fire lanes shall be maintained between piles with a minimum distance of 40' between piles.
 6. The main entrance roadway must be kept at a minimum of 24' of travel way at all times.
 7. An additional second access road, or fire lane at least 20' in width, from the main road, (Alfred A. Plourde Parkway) to the storage area must be maintained.
 8. All roads and fire lanes on the facility shall be of all weather surface adequately constructed to support the heaviest piece of fire apparatus likely to be operated on the fire lane or road.
 9. All storage pile locations be properly identified by the placement of poles at the four corners of the pile. A mark shall be placed at a height of 20' on at least one pole for each pile.
 10. The site be designated no smoking throughout except office areas and control room. A sign shall be placed at the entrance to the facility designating the facility as no smoking.
 11. Training of employees for use of fire protection equipment and reporting of fires shall be conducted.
 12. KTI shall conduct a self-inspection of their activities. The self-inspections shall be performed on a weekly report submitted to Fire Prevention for review.
 13. That pine trees be planted along the perimeter of the site to replace dead and/or missing trees.
 14. Replacement of buffer pine trees as necessary.
 15. That the processing of pressure treated wood be done in full compliance with the EPA & DEP regulations.

Passed - Vote 6-0

PUBLIC HEARING ON AN APPLICATION FROM THE PUBLIC WORKS DEPARTMENT FOR AN AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT

VOTE (7)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant an Automobile Graveyard/Junkyard permit to the City of Lewiston Public Works Department for the shredder facility. Passed - Vote 6-0

PUBLIC HEARING ON AN APPLICATION OF NORMAND ST. LAURENT FOR AN AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT

VOTE (8)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant an Automobile Graveyard/Junkyard permit to Mr.

Normand St. Laurent, 1445 Sabattus Street. Passed - Vote 6-0

**CONTINUATION OF THE PUBLIC HEARING ON AN ORDINANCE
PERTAINING TO RELAXATION OF SPACE AND BULK STANDARDS**

VOTE (9)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

That the ordinance pertaining to the relaxation of space and bulk standards be referred back to the Planning Board for further study and recommendation. Passed - Vote 6-0

**PUBLIC HEARING ON AN ORDINANCE PERTAINING TO
EMERGENCY PARKING BANS**

VOTE (10)

Motion by Councilor Bilodeau, seconded by Councilor Carignan to place the following item on the floor for discussion and consideration:

That the ordinance pertaining to Emergency Parking Bans has passage on first reading by a yea and nay vote.

Councilor Putnam noted the Ordinance committee met and recommends passage of this ordinance.

At this point, there was much Councilor comment regarding this item. Councilor Bilodeau requested that information on alternate parking lots be made available for residents who will be impacted by this change. Councilor Carignan stressed the need for citizen communication regarding this change to inform vehicle owners. There was discussion regarding a 2 hour notification verses a 4 hour notification. Councilor Samson reminded residents this Code amendment will go into effect 30 days after final passage and will become effective immediately, drivers will have time to make other parking arrangements. Councilor Carignan stated he feels this is a good idea in concept, but cautions on moving ahead too quickly, would like the opportunity for public input. Urged fellow Councilors at this time to not make a motion to suspend the rules and proceed with final passage tonight, but to allow for time for citizens to discuss this issue and to contact Councilors with concerns.

The Mayor opened the Public Hearing at 8:50pm for citizen comment:

Several residents spoke in favor of the emergency parking ban for winter storms for snow plowing, but questioned the current, general winter parking ban for overnight parking already in effect.

Public Hearing closed at 9pm.

The Mayor reminded the Council the initial motion on the floor is as follows: "That the ordinance pertaining to Emergency Parking Bans has passage on first reading by a ye and nay vote."

At this time, a motion was made by Councilor Carignan, seconded by Councilor Kelly, to offer the following amendment: To continue the public hearing for this item at the February 2 Council meeting and to consider final passage on this item at that time.

Vote on Amendment: Passed - 4-2 (Councilors Samson and Bilodeau)

Vote on Original Motion as Amended: Passed - Vote 5-1 (Councilor Samson)

DOWNTOWN PARKING STUDY

Police Chief William Welch reviewed various aspects of the study and will be bringing forward some recommendations for approval at the next council meeting.

LEGISLATIVE UPDATE

The Lewiston representatives to the MMA Legislative Policy Committee are Councilor Samson and City Clerk Kathy Montejo. The LPC has not met since the last Council meeting. The City will be tracking various legislation closely and will be updating Council throughout the 119th Legislative Session.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Albert stated he has shared the idea of establishing a Youth Council with the School Committee and they are in support of this idea. He also mentioned the Libra Foundation has recently announced a pledge of \$1000 for students in the area, ages 8-12, to attend summer camp.

VOTE (11)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To accept the recommendation of the Police Department and to amend the traffic schedule as follows:

SECTION 3 - LOADING ZONES

LISBON STREET Even numbered side, east side, beginning at a point 95' from the southeasterly corner of Ash Street and Lisbon Street and extending southerly on Lisbon Street a distance of ~~38+~~98'. 30 Minutes - 7:30 AM to 6:00 P.M. except Sundays & Holidays.

(Additions are underlined; deletions are ~~stuck-out~~)

Passed - Vote 6-0

STRATEGIC PLANNING COMMITTEE

The City Administrator mentioned the need to re-establish the Strategic Planning initiative. He is hoping to have a sub-committee appointed to review and develop a process to establish a city-wide strategic plan. This will be reported back to the Council at a future meeting.

VOTE (12)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

ORDERED, That upon recommendation of the City Administrator and Finance Director, this City Council hereby approves a transfer of \$4,500.00 from the Pensions & Retirement budget, account #49310-4044003, to the City Council budget, account #41110-4023000 travel expenses. Passed - Vote 6-0

VOTE (13)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To grant a Special Amusement Permit for Dancing and Entertainment to the Hurricane Club, 308 Lisbon Street. Passed - Vote 6-0

VOTE (14)

Motion by Councilor Carignan, seconded by Councilor Putnam:

To adjourn at 9:20 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo
City Clerk
Lewiston, Maine

