

CITY OF LEWISTON

CITY COUNCIL

FEBRUARY 2, 1999

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

COUNCIL PRESIDENT FRANK KELLY, PRESIDING.

PRESENT: Councilors Lynch, Carignan, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, and City Clerk Kathleen Montejo

ABSENT: Mayor Tara

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (1)

Motion by Councilor Samson, seconded by Councilor Carignan:

To dispense with the reading of the minutes of the January 19, 1999, meeting and to accept the minutes, as amended, and place them on file as prepared by the City Clerk.

Passed - Vote 7-0

VOTE (2)

Motion by Councilor Lynch, seconded by Councilor Samson:

That agenda items 5, 6, & 11 be placed on consent agenda.

Passed - Vote 7-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO EMERGENCY PARKING BANS

The ordinance pertaining to Emergency Parking Bans having had its first reading at the meeting of January 19th, received its second reading at this time.

Councilor Putnam noted the Ordinance Committee met to review the proposed amendment and they are in favor of this suggested change. The Police Chief stated his department will work to notify citizens as soon as possible regarding the emergency parking bans. They will use the television, radio, websites and other avenues to notify the public.

Mr. Robert Soucy of Pinewood Road and a downtown property owner spoke in favor of this ordinance.

VOTE (3)

Motion by Councilor Carignan, seconded by Councilor Bilodeau:

That the ordinance pertaining to Emergency Parking Bans be amended to require at least four hours notice prior to when the ban is to take effect. Passed - Vote 7-0

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

That the ordinance pertaining to Emergency Parking Bans has final passage as amended by a yea or nay vote. Passed - Vote 7-0

PUBLIC HEARING ON ORDINANCE AMENDMENTS PERTAINING TO THE PAYMENT FINE SCHEDULE AND THE "FORGIVENESS TICKET"

The ordinance amendments pertaining to the payment fine schedule and the "forgiveness ticket" received its first reading at this time.

Councilor Putnam asked the Police Chief if, in his opinion, the new license plates will effect the tracking of outstanding parking fines. The Chief stated he does not believe this will have an impact since the car's owner will still be recorded on the registration.

VOTE (5)

Motion by Councilor Carignan, seconded by Councilor Bilodeau:

That the ordinance amendments pertaining to the payment fine schedule and the "forgiveness ticket" receive first passage by a yea or nay vote. Passed - Vote 7-0

PUBLIC HEARING ON ORDINANCE AMENDMENT PERTAINING TO THE HABITUAL VIOLATOR

The ordinance amendment pertaining to the habitual violator received its first reading at this time.

VOTE (6)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

That the ordinance amendment pertaining to the habitual violator definition receive first passage by a yea or nay vote. Passed - Vote 7-0

PUBLIC HEARING PERTAINING TO SIGN DIMENSIONS FOR MOVIE THEATERS

The ordinance amendment pertaining to sign dimensions for movie theaters received its first reading at this time.

Councilor Putnam noted the Ordinance Committee reviewed this ordinance amendment and concurs with the suggested change in order to accommodate growing business within the City.

VOTE (7)

Motion by Councilor Albert, seconded by Councilor Carignan:

That the Zoning and Land Use Code amendment pertaining to sign dimensions for movie theaters has passage on first reading by a yea or nay vote. Passed - Vote 7-0

VOTE (8)

Motion by Councilor Carignan, seconded by Councilor Samson:

That Section 7 (c) of the Rules Governing the City Council be suspended to allow for a second reading at this time.
Passed - Vote 7-0

The ordinance amendment pertaining to sign dimensions for movie theaters received its second reading at this time.

VOTE (9)

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

That the Zoning and Land Use Code amendment pertaining to sign dimensions for movie theaters has final passage by a yea or nay vote. Passed - Vote 7-0

VOTE (10)

Motion by Councilor Lynch, seconded by Councilor Samson:

To authorize the City Clerk's Office to approve the liquor license application and Special Amusement Permit for Dancing and Entertainment for The Cage, 97 Ash Street.
Passed - Vote 7-0

VOTE (11)

Motion by Councilor Lynch, seconded by Councilor Samson:

To authorize the City Clerk's Office to approve the liquor

license application for Barnies Place, 1065 Sabattus Street.
Passed - Vote 7-0

Councilor Bilodeau stated the Land Committee has been working with staff to review the Lincoln Street properties and the committee supports the requested action. Greg Mitchell, Development Director, stated the City has been working closely with the tenants, landlords and Lewiston Housing Authority to ensure a smooth transition with all residents who will be displaced.

Councilor Carignan inquired about the design and landscaping of the parking lots. Councilor Putnam inquired about the Fire Department's need for proper egress. Chris Branch, Public Works Director, ensured the Council that all departments will work together on this project to ensure that all concerns are addressed.

VOTE (12)

Motion by Councilor Carignan, seconded by Councilor Albert:

For the City Council to approve the acquisition of the following listed properties located along Lincoln Street and to delegate to the Lewiston Mill Redevelopment Corporation (LMRC) property acquisition authority: 60 Lincoln Street, 78 through 84 Lincoln Street, 140 through 168 Lincoln Street
Passed - Vote 7-0

VOTE (13)

Councilor Bilodeau noted the Land Committee reviewed this issue and concurs with the Planning Board recommendation.

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

That the City Council ratify the Planning Board's recommendation and take no action with respect to the acquisition of 343 Lisbon Street pending the development of and recommendations from the Downtown Master Plan.
Passed- Vote 7-0

LEGISLATIVE UPDATE

The City Clerk updated the Council regarding the results of the first MMA LPC meeting which was held last week. The City is watching the tax-exempt legislation that was referenced in the L/A Together meeting, as well as tracking the service

center issues. There are many proposed bills from this session that city staff members are tracking such as excise tax changes, election law amendments and so forth.

Council President Kelly read from the recent MMA Legislative Bulletin: The state's contribution to education funding is 44% rather than 55% which is the level the state law requires, which equates to an 11 point difference. This amount translates into \$150 million annually which is paid by local property tax rather than the state's broad base taxes. The state is under funding of General Purpose Aid to Education. Councilor Kelly recommended the City Council and School Board approach this issue in a unified way, perhaps in the form of a resolution or a letter to the Lewiston state delegation and the Governor's office. The shift of the tax burden to the property owners is reaching very high levels. Councilor Kelly also commented on the suggestion by the state delegation that the City consider hiring a lobbyist to address our concerns in Augusta. The Council discussed this issue - the elected representatives were elected to represent the issues and concerns of Lewiston, why does the City need to hire and pay someone else to do this?

REPORT FROM THE SCHOOL COMMITTEE

Councilor Albert briefed the Council on the school budget and distributed copies to Councilors. He stated the School Committee received the budget for the first time last night. There is a 4.82% increase, which is less than half of the proposed increase from last year's budget draft. He noted that the Superintendent and the City Administrator are working together very closely to keep the lines of communication open throughout this process. The 4.82% increase allows the school to maintain the status quo without the loss of any programs. This also increases the library funding from \$2 per student to \$15 per student. He noted the chart which shows the percentage of local taxes spent on education; Lewiston's figures are high due to service center issues - transportation, special education, and the technical school are examples. Councilor Albert encouraged Councilors to contact the Superintendent with any questions they may have. He reminded Councilors of the February 20 joint meeting with the School Committee.

VOTE (14)

Motion by Councilor Lynch, seconded by Councilor Samson:

To grant Special Amusement Permits for Dancing and Entertainment to Club Cairo, Inc., 39 Chestnut Street and Lewiston Lodge of Elks #371, 1675 Lisbon Road.
Passed - Vote 7-0

OTHER BUSINESS

Councilor Lynch mentioned a letter from Faithworks which was sent to the Loan Qualification Committee, requesting the City to reconsider their decision of the loan application. They are employing local folks in need of employment and are hoping to work with the City to secure Block Grant funding.

Councilor Bilodeau mentioned her disappointment when the Council adjourned at the last meeting without addressing Other Business, she feels this action prohibited residents from addressing the Council who wished to speak. Councilor Carignan apologized for this, he noted he made the motion to adjourn without noticing the one remaining item on the agenda; he certainly had no intention to circumvent the public's right to speak. Councilor Bilodeau noted that other communities have a standard item on the agenda for public comments. This issue will be researched and addressed at a future meeting.

Greg Mitchell, Development Director, informed the Council of the establishment of a re-use committee for the Saint Dominic's High School building, now that the school is relocating to Auburn. The City is working with the Diocese. He will keep the Council updated on the committee's progress.

VOTE (15)

Motion by Councilor Carignan, second by Councilor Putnam:

To enter into Executive Session to discuss Economic Development. Passed - Vote 7-0 Session began at 8:20pm.

VOTE (16)

Motion by Councilor Carignan, second by Councilor Albert:

To exit from Executive Session. Passed - Vote 7-0 Session ended at 8:39pm.

VOTE (17)

Motion by Councilor Carignan, seconded by Councilor Albert:

To adjourn at 8:40 P.M. Passed - Vote 7-0

A true record, Attest:

CITY COUNCIL

FEBRUARY 2, 1999

Kathleen M. Montejo
City Clerk
Lewiston, Maine