

CITY OF LEWISTON

CITY COUNCIL

JUNE 4, 2002

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

COUNCIL PRESIDENT RENEE BERNIER, PRESIDING.

PRESENT: Councilors Philippon, Samson, Paradis, Rousseau, City Administrator James Bennett and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (174-2002)

Motion by Councilor Paradis, second by Councilor Rousseau:

To dispense with the reading of the minutes of the May 18 and 21, 2002 meetings and to accept and place them on file as prepared by the City Clerk. Passed - Vote 5-0

PUBLIC HEARING AND ADOPTION OF THE 2003 CAPITAL IMPROVEMENT PROGRAM BOND ISSUE

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing. There was a discussion amongst the Councilors to increase the funding for the Middle School roofing project to allow the project to proceed this summer.

VOTE (175-2002)

Motion by Councilor Rousseau, second by Councilor Philippon:

To increase the line item for the Middle School roofing project by \$125,000.
Passed - Vote 5-0

VOTE (176-2002)

Motion by Councilor Philippon, second by Councilor Rousseau:

ORDERED, That \$12,510,000 be appropriated for financing the following Capital Improvement Program:

CITY COUNCIL**JUNE 4, 2002**

		<u>CITY</u>	
Development	Downtown Public Improvements		200,000
Finance - Parking	Parking Garage Oak/Park Street		1,750,000
Library	Cultural Learning Center - Design		100,000
Parks & Recreation	Armory - Flat roofs replacement		100,000
P/W - Buildings	City Building - Exterior Rehab.		55,000
P/W Combined Sewer Overflow	CSO - Outlet Pipe Modification		100,000
	Gully Brook Drainage Area		950,000
P/W - Highway	General Street Rehabilitation		400,000
	Old Farm Road Bridge Repair		80,000
	Lincoln St. Sidewalk Improvements - Main St. to Canal #2		50,000
P/W - No Name Pond Watershed	No Name Pond Watershed Management		50,000
P/W - Storm Drainage	National Pollution Discharge Elimination		50,000
	College Street Area - Storm Drainage		250,000
P/W - Street Lighting	Downtown Street Lighting - Southern Gateway		160,000
LMRC	Mill 6 Lot parking lot & landscaping		275,000
	Property Acquisition & Demo. Lincoln & Main St.		425,000
	Mill 2 W/S Masonry & Exterior Rehab.		150,000
	Mill 4 Service entrance		500,000
TOTAL CITY		\$	5,645,000

		<u>SCHOOL</u>	
School	Middle School - Asbestos Floor Tile	\$	150,000
	Middle School - Roofing Cafeteria, Library, Shop		225,000
	Middle School - Boiler replacement		110,000
	High School - Athletic Room Renovation		200,000

	Dingley Building - Renovation for ADA, Safety Codes		430,000
	TOTAL SCHOOL	\$	1,115,000
<u>SEWER DIVISION</u>			
Sewer Division	Gully Brook Drainage Improvements	\$	950,000
	TOTAL SEWER DIVISION	\$	950,000
<u>WATER DIVISION</u>			
Water Division	Water Storage Facility - Webber Avenue	\$	4,500,000
	Small Main Replacement		300,000
	TOTAL WATER DIVISION	\$	4,800,000
	TOTAL BOND ISSUE PROJECTS	\$	12,510,000

FURTHER ORDERED, That to meet this appropriation, \$12,510,000 shall be raised by a Public Improvement Bond Issue;

FURTHER ORDERED, That the City Council instruct the Finance Director to advertise for bids for \$12,510,000 Public Improvement Bonds; to award the loan; and to employ Palmer & Dodge to furnish the legal opinion for the same; provided that in the alternative, the Finance Director is authorized to award the loan to the Maine Municipal Bond Bank;

FURTHER ORDERED, That the bonds shall be signed by the City Treasurer and Mayor;

FURTHER ORDERED, That the date, maturities, denominations, interest rate or rates, place or places of payment, form or other details of the bonds and of the provisions for the sale thereof shall be determined by the Finance Director;

FURTHER ORDERED, That bonds issued hereunder may be subject to call for redemption on such terms as may be determined by the Finance Director.

Passed - Vote 5-0

PUBLIC HEARING ON PROPOSED INCREASE IN SEWERAGE SYSTEM USE CHARGES

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing. It was noted that last year's increase was a seventeen percent increase and this year's proposed increase is a three percent increase, which amounts to an approximate increase of nine dollars per year for an average residential user.

VOTE (177-2002)

Motion by Councilor Philippon, second by Councilor Paradis:

To accept the recommendation of the Public Works Director and City Administrator, and to amend the Sewer System Use Charges as follows:

In accordance with the Code of Ordinances of the City of Lewiston, Chapter 74, Section 74-67, the following rates are hereby established effective July 1, 2002:

SEWERAGE SYSTEM USE CHARGES

<u>METER SIZE</u>	\$	<u>RATE</u>	
5/8"		19.00	<u>20.00</u>
3/4"		32.00	<u>33.00</u>
1"		57.00	<u>59.00</u>
1 1/2"		128.50	<u>132.00</u>
2"		228.50	<u>235.00</u>
3"		514.00	<u>529.00</u>
4"		913.00	<u>940.00</u>
6"		2,055.00	<u>2,117.00</u>
8"		3,653.00	<u>3,762.50</u>

First 800 cubic feet or part thereof, ~~\$1.37~~ 1.41 per 100 cubic feet.

Over 800 cubic feet at ~~\$2.26~~ 2.33 per 100 cubic feet.

Surcharge for B.O.D. concentration above 250 ppm., ~~+4.015~~ 14.435 cents per lb. of B.O.D.

Surcharge for suspended solids concentration above 300 ppm., ~~+8.149~~ 18.693 cents per lb. of suspended solids.

Passed - Vote 4-1 (Councilor Samson opposed)

PUBLIC HEARING AND FIRST PASSAGE FOR REZONING PROPERTIES FROM ALFRED A. PLOURDE PARKWAY TO APPLE ROAD

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing. A brief presentation was made by Development Director Greg Mitchell.

VOTE (178-2002)

Motion by Councilor Philippon, second by Councilor Paradis:

That the proposed amendment to re-zone the properties from the Maine Turnpike south to and including the Central Maine Power right-of-way; from the Alfred A. Plourde Parkway

east to the centerline of Apple Road; and including a portion of 135 Apple Road, from the Industrial (I) District to the Urban Enterprise (UE) District, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of June 18, 2002 for final passage. Passed - Vote 5-0

**PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ROCK CONCERT
AT 1965 LISBON ROAD**

Council President Bernier opened the public hearing. John Letourneau, coordinator of the concert, addressed the Council and stated that he is planning to sell 900 tickets and he will be able to comply with the regulations imposed by the city departments. Representatives of the departments read their recommended conditions, such as police security, no alcohol on premise, cutting of vegetation on hillside, no parking of vehicles on Lisbon Street and so forth. Council President Bernier then closed the hearing. Councilor Paradis stated he feels this will be a great event and welcomes the new ideas for entertainment in the area and does not foresee any problems as long as the City works with Mr. Letoumeau. City Administrator Jim Bennett offered to met with the applicant and involved city departments later in the week to review and discuss all proposed conditions.

VOTE (179-2002)

Motion by Councilor Paradis, second by Councilor Philippon :

To authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to John Letourneau of Pine Haven Winter Park for an outdoor rock concert on Saturday, July 6, 2002 from 4:00pm to 10:00pm, contingent upon Board of Appeals approval for a conditional use permit, positive recommendations from the Police Department, Fire Department and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances.
Passed - Vote 5-0

TRANSFER OF BOND ISSUE FUNDS

VOTE (180-2002)

Motion by Councilor Samson, second by Councilor Bernier:

ORDERED, That upon recommendation of the City Administrator and Finance Director, the City Council hereby approves a transfer of \$41,000.00 from the 1999 Bond Issue to the Fire Department vehicle replacement fund, to finance the remaining funds needed to purchase the second fire truck. Passed - Vote 5-0

**RESCIND AUTHORIZATION REGARDING BOND ISSUE FOR MONTELLO
SCHOOL WINDOW REPLACEMENT PROJECT**

VOTE (181-2002)

Motion by Councilor Rousseau, second by Councilor Philippon:

ORDERED, That upon recommendation of the City Administrator and Finance Director, the City Council hereby rescinds the authorization previously approved by Vote 13 during the July 17, 2001 Council meeting, for the issuance of a \$270,000 General Obligation Bond for the Montello School Window Replacement Project. Passed - Vote 5-0

**APPROVAL OF AGREEMENT WITH MID-MAINE WATER ACTION
CORPORATION**

Public Works Director Chris Branch stated there was one change to the agreement that was presented to Council for their review. A definition of fiscal year has been added to the agreement, other material remains the same.

VOTE (182-2002)

Motion by Councilor Samson, second by Councilor Bernier:

To approve the five year agreement between the City of Lewiston and Mid-Maine Waste Action Corporation, effective April 1, 2002 through March 31, 2007, for the disposal of incinerated ash at the City's landfill facility, and to authorize the City Administrator to sign the agreement on behalf of the City of Lewiston. Passed - Vote 5-0

**AUTHORIZATION FOR THE 9-1-1 COMMITTEE FOR
COMPUTER SYSTEM UPGRADE**

Councilor Bernier stated she serves on this committee and the current computer system is at maximum capacity and needs to be upgraded for public safety purposes. It was noted the Auburn City Council is in support of this request as well.

VOTE (183-2002)

Motion by Councilor Samson, second by Councilor Philippon:

To authorize the 9-1-1 Committee to enter into a Lease-Purchase Agreement for equipment for a computer system upgrade, said lease-purchase terms shall be for a three year period. Passed - Vote 5-0

Councilor O'Brien arrived at this time.

RESOLUTION TO SUPPORT STATE BOND ISSUES ONE AND TWO

Councilor Philippon stated the bond issues contain several projects that are important to Lewiston such as increased funding for the L/A College system as well as money for the Franco-American Heritage Center.

VOTE (184-2002)

Motion by Councilor Philippon, second by Councilor Paradis:

To approve the following Resolution supporting State Bond Issues One and Two on the June 11, 2002 Referendum ballot:

WHEREAS, on June 11, 2002, Maine voters will be asked to approve Ballot Question #1, a \$28.5 million bond issue to fund renovations and improvements for public schools and buildings related to health, safety, accessibility, and function; and

WHEREAS, on June 11, 2002, Maine voters also will be asked to approve Ballot Question #2, a \$34.9 million bond proposal to stimulate job growth in Maine through strategic investment in economic growth initiatives, research and development, renovation of historic cultural facilities in Maine that will strengthen Maine's tourism industry, safety and homeland security measures to protect public court houses, and

WHEREAS, passage of Question #2 will provide particular benefits to this region, especially in the areas of protecting and increasing manufacturing- and biomedical-related jobs, businesses, industries, and opportunities, and

WHEREAS, passage of Question # 2 will allow Maine to successfully attract several millions of dollars in federal grants and contracts to our universities and biomedical institutions that will stimulate the state's economy; and

WHEREAS, together passage of questions #1 and #2 will take advantage of low interest rates to provide much-needed strategic investment in facilities and projects that are essential to Maine's economic growth and future; and

WHEREAS, passage of both bond questions will provide both immediate and long-term benefits to the region and to the state by providing safer, more functional schools and public buildings as well as economic growth and job creation, and

WHEREAS, passage of questions #1 and #2 are wise investments in opportunities to improve the attractiveness of Maine as a place to learn, to work, and to live;

NOW, THEREFORE, BE IT RESOLVED, that The City Council of the City of Lewiston does hereby support passage of Question #1, the school renovation and safety bond, and Question #2, the economic growth bond, and furthermore call on the citizens of our municipality and our state to vote "yes" on both ballot questions on June 11, 2002.

Passed - Vote 6-0

CHANGE OF POLLING PLACE LOCATION FOR JUNE 11, 2002 ELECTION

VOTE (185-2002)

Motion by Councilor Paradis, second by Councilor Philippon:

To accept the recommendation of the City Clerk and to change the voting place of Ward 7, Precincts 1 & 2 to the Ramada, 490 Pleasant Street for the State Primary and Referendum Election on Tuesday, June 11, 2002. Passed - Vote 5-0

APPOINTMENT TO THE MMA LPC COMMITTEE

VOTE (186-2002)

Motion by Councilor Paradis, second by Councilor Philippon:

To appoint the Assistant City Administrator as the City's staff representative, and the City Administrator and City Clerk as the City's alternative representatives, to the Maine Municipal Association's Legislative Policy Committee, for the term of July 1, 2002 through June 30, 2004. Passed - Vote 5-0

UPDATE FROM LEWISTON MILL REDEVELOPMENT CORPORATION

Councilor Rousseau noted there was discussion amongst the Board regarding concerns for the removal of \$50,000 from the CDBG funds originally planning for the Bates Mill development but transferred for downtown improvement and development. He noted that improvements to the downtown and lower Lisbon Street area will support the Mill efforts and the downtown area should be viewed as the gateway to the Mill complex.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Samson stated there has not been a meeting since the previous Council meeting, and reminded Councilors that High School graduation is this Friday at 7:00pm. Councilor O'Brien stated she was late to tonight's Council meeting because she was attending the GED graduation ceremonies, and noted how inspirational it was to see residents ranging in age from 17-70 receiving certificates.

OTHER BUSINESS

Councilor Rousseau noted that now that the budget has been adopted and the LCIP plan has been approved, it would be in the best interest of the Council to develop short term and long term strategic plans regarding taxes for the next 3-5 years. He noted taxes are a great burden for our residents. Councilor Bernier reminded the Councilors about the need to schedule a planning retreat which will focus on strategic planning initiatives.

VOTE (187-2002)

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

To adjourn at 8:40 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine