

CITY OF LEWISTON

CITY COUNCIL

AUGUST 17, 1999

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

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Lynch, Kelly, Carignan, Albert, Samson, Bilodeau, Putnam, Assistant City Administrator Phil Nadeau, Student Representative Karen Gagnon and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

RECOGNITION OF GIRLS HIGH SCHOOL TENNIS TEAM

Mayor Tara presented copies of the City Council Resolution recognizing the achievements of the tennis team for their undefeated season this past spring. Members of the team, their coach and school staff members were on hand to receive their certificates.

PRESENTATION OF PLAQUE TO COUNCILOR SAMSON

Mayor Tara presented Councilor Paul Samson with a plaque commemorating his many years of service with the Lewiston Police Department.

COMMITTEE APPOINTMENTS

VOTE (1)

Mayor Tara announced her appointment of Frank Kelly to serve a five year term on the Lewiston Housing Authority Board of Directors. Motion by Councilor Lynch, seconded by Councilor Bilodeau to endorse the nomination. Passed - Vote 6-0-1 (Councilor Kelly abstained.)

VOTE (2)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To dispense with the reading of the minutes of the July 13 & 20, and August 9 & 10, 1999, meeting and to accept and place them on file as prepared by the City Clerk.
Passed - Vote 7-0

**RATIFICATION OF LEWISTON DEPUTY FIRE CHIEFS
ASSOCIATION AGREEMENT**

VOTE (3)

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

To ratify the Collective Bargaining Agreement between the City of Lewiston and the Lewiston Deputy Fire Chiefs Association, said agreement being for the period of July 1, 1998 to June 30, 2001, and to authorize the Mayor to sign the agreement on behalf of the City of Lewiston.

Passed -Vote 7-0

NO NAME POND WATERSHED MANAGEMENT PROJECT

Al Curran spoke on behalf of the residents in the No Name Pond Watershed area. He stated the residents have meet several times with city staff and Councilor Kelly regarding water quality concerns of the pond. Mr Curran stated the group is requesting the Council support three items:

- 1) to approve allocation of funds for planning and design of a sewage collection system
- 2) a rigorous inspection of the Pond Road reconstruction project to prevent erosion during construction
- 3) a five year continuous financing of the No Name Pond Watershed Management fund

Councilor Kelly noted there is \$50,000 earmarked in the Capital Improvement Program for "land acquisition" around No Name Pond. There is a suggestion to broaden the scope to allow funds to be used for management of the area to also allow for water clarity testing, a review of the road runoff, possible sewerage system and many other needed items.

FISCAL YEAR 2000 CAPITAL IMPROVEMENT PROGRAM BOND ISSUE

VOTE (4)

Motion by Councilor Carignan, seconded by Councilor Albert:

- 1) That the project name for the No Name Pond Watershed be changed from "Land Acquisition in the No Name Pond Watershed" to "No Name Pond Watershed Management Fund".

Passed - Vote 7-0

VOTE (5)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

That the following Order has passage:

ORDERED, That \$4,435,000 be appropriated for financing the following Capital Improvement Program:

<u>PROJECT</u>	<u>AMOUNT</u>
<u>SCHOOL</u>	
Middle School Accessible Route Entry with Parking & Sidewalk Curb Cuts \$	35,000
Middle School - Wide Intercom	40,000
McMahon School - Replace old playground equipment	97,000
McMahon School - Re-pave roads and parking areas	<u>160,000</u>
sub-total School \$	332,000
<u>ADMINISTRATION</u>	
ADA Compliance Improvements	75,000
<u>DEVELOPMENT</u>	
Downtown Loan (Bates/Oak/Blake acquisition	200,000
Downtown Property Acquisition (72-76 Lisbon Street)	175,000
Downtown Property Acquisition (68 Lisbon Street)	75,000
Demolition (Bates/Oak/Blake)	50,000
Demolition/Parking/Landscape (68-76 Lisbon Street)	125,000
Courthouse Property Acquisition	350,000
Downtown Acquisition & Parking	75,000
Downtown Street Lighting	150,000
<u>FIRE</u>	
Central Fire Station Upgrade	140,000
<u>PARKS & RECREATION</u>	
Recreation Facilities - Construction - Railroad Bridge Property	100,000
<u>PUBLIC WORKS</u>	
Combined Sewer Overflow Separation	940,000
City of Lewiston GIS System	150,000
Lisbon, Sabattus Sts. & East Ave. Traffic Signal Improvements	122,000
Street Rehabilitation	460,000
Jordan Road Bridge Replacement	25,000
Pine Street Angled Parking & Sidewalk Improvements	85,000
Sabattus Street Resurfacing Project (Randall Rd. to Grove St.)	60,000
No Name Pond Watershed Management Fund	50,000
Recycling Program	36,000
Recycling Roll-off Truck	<u>110,000</u>
Sub-total City \$	3,553,000

CITY COUNCIL

AUGUST 17, 1999

WATER

Small Water Main Replacement various streets		<u>100,000</u>
Sub-total Water	\$	100,000

SEWER

48" Sewer Rehab (Lisbon St./ to Androscoggin River)		<u>450,000</u>
Sub-total Water	\$	450,000

TOTAL	\$	4,435,000
--------------	-----------	------------------

FURTHER ORDERED, That to meet this appropriation, \$4,435,000 shall be raised by a Public Improvement Bond Issue;

FURTHER ORDERED, That the City Council instruct the Mayor and Finance Director to advertise for bids for \$4,435,000 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 Mayor and Finance Director are 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 Mayor and Finance Director;

FURTHER ORDERED, That bonds issued hereunder may be subject to call for redemption on such terms as may be determined by the Mayor and Finance Director.
Passed - Vote 7-0

ADOPTION OF SCHOOL ORDERS

VOTE (6)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That this City Council hereby authorizes the School Committee to expend appropriated monies per line in support of educational programs during Fiscal Year 1999-2000 as follows:

LINE	DESCRIPTION	AMOUNT
1	Undistributed	8,098,786
2	Elementary Education - Instructional	5,563,602
3	Elementary Education - All Other	1,882,009
4	Junior High School - Instructional	2,052,626

CITY COUNCIL

AUGUST 17, 1999

5	Junior High School - All Other	581,109
6	High School - Instructional	3,340,976
7	High School - All Other	973,852
8	Special Education	5,514,122
9	Vocational - Instructional	1,036,920
10	Vocational - All Other	439,540
11	Student Activities	421,005
12	Adult Education	<u>425,580</u>
13	TOTAL	<u>\$30,330,127</u>

Passed - Vote 7-0

VOTE (7)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation from the foundation allocation for school purposes the sum of \$25,078,186 and to raise as the local share of the foundation the sum of \$10,690,141.

Passed - Vote 7-0

VOTE (8)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation from the debt service allocation for school purposes, the sum of \$65,756 and to raise as the local share of the debt service, the sum of \$28,604. Passed - Vote 7-0

VOTE (9)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby agrees to appropriate \$3,875,396 in additional local funds under the provisions of 20-A, M.R.S.A., Section 15614. Passed - Vote 7-0

VOTE (10)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes the Lewiston School Committee to expend \$30,330,127 for the fiscal year beginning July 1, 1999 and ending June 30, 2000 from the

state foundation allocation (\$14,388,044), state debt service allocation (\$37,152), FY99 hardship adjustment (\$0), student activities (\$15,000), rentals - classrooms and auditoriums (\$12,000), state agency clients - special education (\$120,000), surplus-prior year (\$442,113), Medicaid reimbursement (296,096), local appropriation (\$14,594,141) for the support of schools. Passed - Vote - 7-0

VOTE (11)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation of \$425,580 for adult education and to bring forward surplus-prior year (\$0), and to raise as the local share for adult education the sum of \$242,580. Passed - Vote 7-0

VOTE (12)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes the Lewiston School Committee to accept the categories of funds listed below as provided by the Maine State Legislature.

CATEGORY	ESTIMATED AMOUNT
Dwight D. Eisenhower Act (1996-97) (Title II)	32,666.00
Chapter I (Title IA)	1,060,474.00
Chapter II (Title VI)	46,862.00
Migrant Education (Title IC)	0.00
Local Entitlement, Part B, P.L. 101-476	391,200.00
Emergency Shelter Program	120,762.00
Drug Free School Program (Title IV)	27,869.00
Carl D. Perkins Vocational and Applied Technology	
Education Act of 1990 (P.L.101-392)	155,239.00
Pre-Apprenticeship	5,000.00
Maine Career Advantage	5,000.00
Sex Equity Cadre Project	5,000.00
Adult Basic Education	56,189.00
Child Care/Transportation Program	4,000.00
Carl Perkins - Central Maine Technical College	3,800.00
School to Work	6,500.00
Learning Results	21,000.00
 ESTIMATED TOTAL	 1,941,561.00

Passed - Vote 7-0

LIBERTY FESTIVAL

Richard Martin and Mac McPeake spoke on behalf of the Festival organizers and represented the request to the City for \$10,000 to help cover the \$35,000 deficit from this year's festival. It was noted the group is seeking \$10,000 from Lewiston, \$10,000 from Auburn and the remaining amount to be covered in a loan from area banks.

Motion by Councilor Lynch, second by Councilor Kelly:

To provide a grant of \$10,000 to the Liberty Festival to assist in covering their deficit, contingent upon the balance of \$15,300 funded through bank loans.

After much discussion regarding whether the money should be a loan or a grant, the motion was withdrawn by Councilors Lynch and Kelly. Festival organizers stated they are not looking for a "hand out" and would like to work out a payment arrangement.

Motion by Councilor Lynch, seconded by Councilor Samson:

To subsidize the festival in the amount of \$10,000, contingent upon the festival receiving equivalent financial assistance from the City of Auburn and contingent upon receiving support from local banks, said subsidy to be repaid with deductions from the City's contributions to future festivals at a rate of \$2500 per year.

VOTE (13)

Amendment to the original motion:

Motion by Councilor Albert, seconded by Councilor Putnam:

Said amount of \$2500 each year shall either be subtracted from the city's annual contribution or shall be paid to the city, a minimum of \$2500 shall be recouped by the City.

Passed - Vote 7-0

VOTE (14)

Vote on original motion as amended Passed - Vote 6-0-1
Councilor Carignan abstained.

TAXI DRIVER LICENSE APPEAL

VOTE (15)

Motion by Councilor Carignan, seconded by Councilor Albert:

To conduct a hearing for the appeal and to make a determination on Mr. Randall's request for the issuance of his taxi driver's permit.

Mr. Randall told the Council he does not feel he should be denied his taxi license for his crime, which was selling cigarettes to minors. Mr. Randall will be eligible for his taxi license in 30 days, but would like to appeal the denial in order to receive this license now so he may earn a living and not wait. The Police Department does not have an objection to issuing the license now as opposed to waiting the 30 days.

Council voted 7-0 to issue Mr. Randall his taxi driver's license.

RECYCLING AGREEMENT WITH NEW GLOUCESTER

VOTE (16)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

To authorize the City Administrator to enter into a Recycling Facility Agreement with the Town of New Gloucester.
Passed - Vote 7-0

TRAFFIC SCHEDULE AMENDMENTS

VOTE (17)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To approve amendments to the traffic schedule for Oak Street to convert the area in front of Oak Part to 15 minute parking from 9:00am to 9:00pm. Passed - Vote 7-0

VOTE (18)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

To approve amendments to the traffic schedule for Pinewood Road to prohibit parking on the odd numbered side of Pinewood Road. Passed - Vote 7-0

CITY WEBSITE UPDATE

Assistant City Administrator Phil Nadeau updated the Council on proposed changes to the city's website. Some ideas include the possibility of paying traffic tickets on-line.

The Council agendas and meeting minutes are currently available on the website.

APPOINTMENT PROCESS FOR CITY ADMINISTRATOR POSITION

The Council discussed ideas on how to proceed with the selection process for the City Administrator position. Mayor Tara stated she would like to have a citizen committee work with the Council regarding this selection. Councilors discussed ideas regarding the size of the committee and cautioned about the committee becoming too large and unmanageable. It was decided to have each Councilor submit a list of names of potential search committee members to either the Mayor or the Council president by August 23 and to meet on August 30 in a special meeting to review the names of possible members.

FORFEITURE FUNDS

VOTE (19)

Motion by Councilor Carignan, seconded by Councilor Lynch:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5826(6) the City Council hereby acknowledges and approves of the transfer of \$701.09 in the case of State of Maine vs. Richard Record, DEA case # CE 93-0014. 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. Passed - Vote 7-0

APPOINTMENT OF PLUMBING INSPECTOR

VOTE (20)

Motion by Councilor Carignan, seconded by Councilor Lynch:

To appoint Gary Campbell as the City of Lewiston Local Plumbing Inspector to serve for a term of one year and to appoint Gildace Arsenault as the Alternate Plumbing Inspector to serve for a term of one year. Passed - Vote 7-0

CARNIVAL PERMIT FOR GREAT FALLS BALLOON FESTIVAL

VOTE (21)

Motion by Councilor Carignan, seconded by Councilor Lynch:

To grant a carnival permit to Miller Amusements for the Great Falls Balloon Festival to be held August 19, 20, 21 and 22, 1999. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMITS

VOTE (22)

Motion by Councilor Carignan, seconded by Councilor Lynch:

To grant a Special Amusement Permit for Dancing and Entertainments to Porter's Restaurant & Pub, 729 Main Street. Passed - Vote 7-0

VOTE (23)

Motion by Councilor Carignan, seconded by Councilor Lynch:

To grant a Special Amusement Permit for Dancing and Entertainment to The Bird/Toucan Lounge, 1243 Lisbon Street. Passed - Vote 7-0

VOTE (24)

Motion by Councilor Carignan, seconded by Councilor Lynch:

To authorize the City Clerk's Office to approve the liquor license application and Special Amusement Permit for Dancing and Entertainment for Gary's Grove, 1018 Sabattus Street, pending approval from the appropriate departments. Passed - Vote 7-0

SCHOOL COMMITTEE REPORT

Councilor Albert noted the school committee has been working on goals for the coming school year.

VOTE (25)

Motion by Councilor Kelly, second by Councilor Carignan:

To adjourn at 9:30P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo

CITY COUNCIL

AUGUST 17, 1999

City Clerk
Lewiston, Maine