

# CITY OF LEWISTON

CITY COUNCIL

OCTOBER 5, 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, City Administrator Robert J. Mulready, and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

### **VOTE (1)**

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To dispense with the reading of the minutes of the September 21, 1999, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

Request by Councilor Kelly to postpone item one until items two - four have been addressed. This is a request from Mr. Vincent Blais. Council had no objections.

### **ACCEPTANCE OF MILL STREET AS A PUBLIC EASEMENT AND THE DISCONTINUANCE OF PORTIONS OF HINES ALLEY**

Public Works Director Christopher Branch stated the city received a petition from the Lewiston Mill Redevelopment Corporation requesting the designation of Mill Street as a public easement. Mr. Branch reported the Street Committee unanimously approved the requested action. Mr. Branch noted the change is outlined in the Bates Mill Master plan and the Mill Street area meets the standards for an easement.

Mr. Vincent Blais encouraged the Council to hold off on this vote until action is taken on item number four regarding the sale of several mill buildings. Attorney Hark advised this action does not need to be held until after item number four.

### **VOTE (2)**

Motion by Councilor Kelly, seconded by Councilor Albert:

To accept Mill Street as a public easement between Chestnut Street and Main Street and to discontinue portions of Hines Alley. Passed - Vote 7-0

**BATES MILL DEVELOPER AGREEMENT AMENDMENTS**

Finance Director Richard Metivier advised the Council this vote will amend the joint development agreement which was approved in March 1996. One issue this amendment addresses is the removal of parcel seventeen from the agreement; plans now call for the city to develop this lot into a parking garage.

Mr. Vincent Blais suggested the Council wait until the vote calling for the sale of buildings since he believes the vote to amend the agreement would be null and void if the Council does not approve the sale. Attorney Hark advised the Council to authorize the modification of the agreement in light of the proposed sale.

**VOTE (3)**

Motion by Councilor Carignan, seconded by Councilor Albert:

To amend the Bates Mill developer agreement between the Lewiston Mill Redevelopment Corporation (LMRC), the City of Lewiston and the Bates Mill LLC., pursuant to the outlined material. Passed - Vote 7-0

**SALE OF BATES MILL SUBDIVISION LOTS**

Development Director Greg Mitchell and Finance Director Richard Metivier made presentations to the Council. The proposal is to sell Mill buildings three and six to a private developer at a cost of \$700,000. This revenue, combined with a federal grant, will be reinvested into the complex for parking, street upgrades and building improvements to Mill buildings 2A and 2 as well as to construct the courtyard common area. Mill building seven will be sold to the developer in two years at a cost of \$1.3 million dollars.

Mayor Tara stated she has served as the chairperson of the Lewiston Mill Redevelopment Corporation for the past two years. She noted this proposal moves the process closer to private ownership of the mill, brings many new jobs and will attract additional tenants.

At this time, the Mayor asked for public comments on this issue. Mr. Vincent Blais read from a three page prepared statement encouraging the Councilors to postpone the vote on the sale of the Mill and to discuss the option with the developer of purchasing the entire Mill complex rather than selling the buildings individually.

Mr. George Gendron spoke regarding parking concerns in the Mill complex. He believes the City funds for parking upgrades will only benefit the private developer and stated he feels the city is not getting a fair deal in this agreement.

Mr. Robert Gladu stated he agrees with Mr. Blais' comments and urged the Council to postpone tonight's vote until discussions with the developer can take place regarding purchasing the entire complex. He also stated the sale price is not a fair return on the city's investments and noted the city already has a great deal of money invested in this project.

Mr. Robert Stone spoke in support of the sale and encouraged the Council to proceed. He reminded the Council about the November 1998 election and the citizens' vote of support for the Mill project. Mr. Stone also noted the Planning Board and Lewiston Mill Redevelopment Corporation voted unanimously to endorse this agreement as well.

Mr. Martin Eisenstein echoed Mr. Stone's comments and urged the Council to support this action. He stated this is a positive step forward for the future of the city and has faith that the city leaders were able to negotiate the best deal possible for the city.

Mr. Andre Dionne stated he agrees with Mr. Blais and feels the developer's plans will "box in" the city regarding future development and he believes the acquisition cost is too low. He suggested the Council seek out funding sources such as state and federal grants and to not use local taxpayers money for this project.

Councilors spoke in favor of the agreement and pledged their full support to this project. Many noted the strong economic development benefits the city will receive from this action. Several commented on the need for private investment in this project in order to limit the taxpayers' responsibility for this project. Many noted the time that has been dedicated to this project and cited the history of the building. Councilors stated they are very excited about the future of this complex and the city in general. This action sets the pace to have the city grow and to not take a step back.

**VOTE (4)**

Motion by Councilor Kelly, seconded by Councilor Albert:

That the City be and hereby is authorized to enter into a

purchase and sale agreement with respect to the sale by the City of Mills numbers three (3), six (6) and seven (7) in the Bates Mill Complex, in accordance with the terms of certain letter of Intent (proposed to be) executed by the City and Bates Mill Limited Liability Company. That the City Administrator be and hereby is authorized to execute an Agreement on behalf of the City providing for the sale in accordance with the terms of said Letter of Intent, as well as such other agreements, undertakings, deeds, assignments or other documents or instruments containing such provisions as he, the City Administrator shall in his sole and complete discretion determine to be necessary or convenient for the accomplishment of the foregoing. Passed - Vote 7-0

**BATES MILL MASTER PLAN UPDATE**

A presentation was made to the Council to review future development plans at the Bates Mill site.

**VOTE (5)**

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

To amend the Bates Mill Complex Master Plan prepared by the Bates Mill LLC dated October 1997, as proposed.

Passed - Vote 7-0

**TRAFFIC SCHEDULE AMENDMENTS**

**VOTE (6)**

Motion by Councilor Kelly, seconded by Councilor Carignan:

To accept the recommendation of the Police Department and to amend the Traffic Schedule:

Section 9 - Parking Prohibited All Times - Fire Lanes

MAIN STREET      Both sides of the street beginning 260' northeasterly of the intersection of Main Street and Sabattus Street, and extending to 50' northeasterly of the intersection of Main Street and Elm Street.

Passed - Vote 7-0

**VOTE (7)**

Motion by Councilor Kelly, seconded by Councilor Carignan:

To accept the recommendation of the Police Department and to amend the Traffic Schedule:

Section 9 - Parking Prohibited - All Times - Fire Lanes

CAMPUS AVENUE Even numbered side, north side, beginning at a point 55' from the northwest corner of Campus Avenue and Lafayette Street and extending westerly on Campus Avenue a distance of 125'.

NORTH TEMPLE STREET Odd numbered side, southeast side, beginning at a point 600' from the northeast corner of North Temple Street and Ann Street and extending north-easterly on North Temple Street a distance of 140'.

Section 38 - Stop Signs

<u>Exit 13 ON-RAMP TURNING LANE</u>	<u>1 sign at the Alfred Plourde Parkway</u>
BRAULT STREET	<u>1 sign at Robert Avenue</u>
BRAULT STREET	<u>1 sign at Martha Avenue</u>
BRAULT STREET	<u>1 sign at Theresa Street</u>
BRAULT STREET	<u>1 sign at Ronald Avenue</u>
BRAULT STREET	<u>1 sign at Donald Avenue</u>
<u>BEECH STREET</u>	<u>1 sign at Lincoln Street</u>
<u>BEECH STREET</u>	<u>1 sign at Oxford Street</u>

Passed - Vote 7-0

**ELECTION ISSUES**

**VOTE (8 )**

Motion by Councilor Kelly, seconded by Councilor Carignan:

To approve the following recommendation from the City Clerk and the Registrar of Voters on actions necessary to conduct the Regular Municipal and Special State Elections to be held on Tuesday, November 2, 1999:

A. That the hours for acceptance of registrations in person only, prior to the November 2<sup>nd</sup> election, as required by MRSA Title 21-A, sec. 122, 6A (2), be set at 8:00am to 4:30pm, October 20 through November 1, 1999; and additional hours of 8:00am to 12 noon Saturday, October 30, 1999.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA, Title 21-A, sec. 122, subsection 7B, except the day prior to the election when they shall be recorded in accordance with subsection 7A.

C. Pursuant to Title 21-A, sec. 759 (7), absentee ballots will be processed at the central polling place at 7:00am, 6:00pm and 8:00pm, if necessary.

Passed - Vote 7-0

**VOTE (9)**

Motion by Councilor Kelly, seconded by Councilor Carignan:

To accept the recommendation of the City Clerk and to change the voting place of Ward 6, Precinct 2 to the Elk's Lodge, 1675 Lisbon Road for the Regular Municipal and Special State Elections on Tuesday, November 2, 1999. Passed - Vote 7-0

**RECYCLING AGREEMENT WITH THE TOWN OF BOWDOIN**

**VOTE (10)**

Motion by Councilor Kelly, seconded by Councilor Carignan:

To authorize the City Administrator to enter into a Recycling Facility Agreement with the Town of Bowdoin.

Passed - Vote 7-0

**ANIMAL CONTROL OFFICER UPDATE**

Human Resources Director Denis Jean was scheduled to update the Council regarding the status of the Animal Control Officer position. Mr. Jean was detained at another city meeting and was unable to attend the Council meeting.

**VOTE (11)**

Motion by Councilor Carignan, second by Councilor Bilodeau:

To table this item until the October 19, 1999 Council meeting. Passed - Vote 7-0

**CITY ADMINISTRATOR SELECTION PROCESS UPDATE**

Human Resources Director Denis Jean was scheduled to update the Council regarding the status of the City Administrator search process. Mr. Jean was detained at another city meeting and was unable to attend the Council meeting.

**VOTE (12)**

Motion by Councilor Putnam, second by Councilor Carignan:

To ask Mr. Jean to contact Michael Wing of the Maine Municipal Association to set a date for a special meeting to review this topic with the Council. Passed - Vote 7-0

**REPORT FROM THE SCHOOL COMMITTEE**

Councilor Albert reported he was out of state during the previous School Committee and did not have an update for the Council at this time.

**OTHER BUSINESS**

Councilor Bilodeau inquired about the material the Council received earlier regarding questions from a citizen pertaining to the Mayor's financial reports. Councilor Bilodeau asked about the cellular phone bills and the credit card use. She wondered if these items should be reviewed as a policy matter during budget time. The Mayor stated she has already spoken with the citizen who submitted the questions and offered to review with her at any time the questions she may have regarding the specific accounts. The Mayor extended this offer to members of the Council or other members of the public. Mayor Tara said she has reviewed her city financial reports with the City Administrator and Finance Director and everything is in order per their review.

**VOTE (13)**

Motion by Councilor Carignan, second by Councilor Albert:

To adjourn at 9:50P.M. Passed - Vote 6-1 (Councilor Bilodeau opposed).

A true record, Attest:

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Kathleen M. Montejo  
City Clerk  
Lewiston, Maine