

CITY OF LEWISTON

CITY COUNCIL

NOVEMBER 9, 1999

REGULAR MEETING HELD AT THE MULTI-PURPOSE CENTER AT 7:00 P.M.

CITY COUNCIL PRESIDENT FRANK KELLY, PRESIDING.

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

Mayor Tara was absent due to a family illness.

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (1)

Motion by Councilor Bilodeau, seconded by Councilor Lynch:

To dispense with the reading of the minutes of the October 19, 1999, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

VOTE (2)

Motion by Councilor Carignan, seconded by Councilor Albert:

To move agenda items four and five, Pond Road traffic issues and Street Renaming, to the end of the agenda.
Passed - Vote 6-1 (Councilor Putnam opposed)

ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT

Development Director Greg Mitchell reviewed the project for the Councilors. This development will be located on Lisbon Street near Federal Distributors.

VOTE (3)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

To approve the establishment of a Tax Increment Financing and Development District for Butler Brothers/Butler Realty Limited Partnership, pursuant to Title 30-A M.R.S.A., section 5253 and;

To designate those geographic areas of the City of Lewiston on the "Site Plan for Butler Brothers/Butler Realty Limited Partnership Facility at Lisbon Road and Dyer Road" which are to be included in said District and;

To authorize City staff to submit the appropriate documents to the State of Maine Department of Economic & Community Development for the purpose of establishment and implementation of the Butler Brothers/Butler Realty Limited Partnership Tax Increment Financing and Development District and further;

To authorize the City Administrator to execute, on behalf of the City, the Development Assistance and Tax Increment Financing Agreement. Passed - Vote 7-0

DOWNTOWN MASTER PLAN

Councilor Bilodeau and City Planner Jim Lysen presented a summary report to the City Councilors regarding the recommendations of the Mayor's Downtown Renaissance Task Force, of which Councilor Bilodeau served as co-chairperson. Councilor Bilodeau clarified for the Council that the requested action for this meeting is to endorse the plan, yet the City Council will not be appropriating any financial support at this time. She noted project fund sources are identified from many resources such as city general funds, CDBG funds, federal and state grants as well as private foundation monies.

VOTE (4)

Motion by Councilor Carignan, seconded by Councilor Samson:

That the adoption of the Downtown Master Plan and incorporation of the Downtown Master Plan as a component of the City's Comprehensive Plan receive first passage by a yeay or nay vote. Passed - Vote 7-0

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Putnam:

To waive the Rules Governing City Council Procedure and to hold final passage at this time. Passed - Vote 7-0

VOTE (6)

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

That the adoption of the Downtown Master Plan and incorporation of the Downtown Master Plan as a component of the City's Comprehensive Plan receive final passage by a yeay or nay vote. Passed - Vote 7-0

CONDITIONAL REZONING OF 1046 MAIN STREET

VOTE (7)

Motion by Councilor Carignan, seconded by Councilor Albert:

To approve first passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone the front portion of the property at 1046 Main Street from Neighborhood Conservation "A" (NCA) District to Highway Business (HB) District subject to a conditional agreement. Passed - Vote 6-0 (Councilor Lynch abstained due to a conflict of interest).

VOTE (8)

Motion by Councilor Carignan, seconded by Councilor Samson:

To waive the Rules Governing City Council Procedure and to hold final passage at this time. Passed - Vote 6-0 (Councilor Lynch abstained due to a conflict of interest)

VOTE (9)

Motion by Councilor Samson, seconded by Councilor Carignan:

To approve final passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone the front portion of the property at 1046 Main Street from Neighborhood Conservation "A" (NCA) District to Highway Business (HB) District subject to a conditional agreement. Passed - Vote 6-0. (Councilor Lynch abstained due to a conflict of interest).

PROPERTY ACQUISITION OF 10 ASH STREET

Councilor Bilodeau stated the Land Committee met earlier and unanimously supports the acquisition of 10 Ash Street, 84 Lisbon Street and 408 Canal Street.

VOTE (10)

Motion by Councilor Samson, seconded by Councilor Carignan:

To exercise the real estate option authorized at the October 19, 1999 City Council meeting and to authorize acquisition of

the property located at 10 Ash Street, in the amount of Eighty-Five Thousand Dollars (\$85,000). Passed - Vote 7-0

PROPERTY ACQUISITION OF 84 LISBON STREET

VOTE (11)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To exercise the real estate option authorized at the October 19, 1999 City Council meeting and to authorize acquisition of the property located at 84 Lisbon Street, in the amount of One Hundred, Thirty-Five Thousand Dollars (\$135,000).

Passed - Vote 7-0

PROPERTY ACQUISITION OF 408 CANAL STREET

Finance Director Richard Metivier stated the Good Shepard Food Bank is donating this property to the City.

VOTE (12)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To authorize acquisition of the property located at 408 Canal Street. Passed - Vote 7-0

FINANCING OPTIONS FOR DOWNTOWN DEVELOPMENT PROJECTS

VOTE (13)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To authorize the City Finance Director to transfer the total amount of Three Hundred, Eighty-Five Thousand Dollars (\$385,000) from the Capital Projects Bond Surplus Funds in order to finance the cost of the Downtown Development Projects. The following amounts will be transferred from the following bond issues:

Pre 1991 Capital Project Bond Issues	\$90,524
1993 Capital Projects Bond Issues	\$50,266
1995 Capital Projects Bond Issues	\$34,937
1996 Capital Projects Bond Issues	\$209,273

Passed - Vote 7-0

EXTENSION OF REAL ESTATE OPTION FOR FRYE SCHOOL BUILDING

VOTE (14)

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

To authorize the City Administrator to extend the real estate

option until March 31, 2000 for the Frye School building, based upon the same terms and conditions outlined in the previous option, to allow Seniors Plus to finalize their financing options. Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS**VOTE (15)**

Motion by Councilor Bilodeau, seconded by Councilor Carignan:

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 \$1216.00 in the case of State of Maine vs. Theodore Israel, Superior Court, MDEA Case Number #98-3408S. 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 at People's Heritage Bank. Passed -Vote 7-0

POND ROAD TRAFFIC ISSUES

Police Chief William Welch provided the Council with an update of the Police Department's recent efforts for the Pond Road traffic control. He noted increased speed enforcement has resulted in 65 summonses for speeding, of which about 6 were for trucks. The department is seeking a grant to provide for additional coverage in the area and are hoping to purchase a radar display screen reminding drivers to slow down. Public Works Director Chris Branch outlined suggestions for engineering changes which should result in traffic calming issues, such as additional stop signs and so forth.

Alan Sterns from the Department of Transportation spoke regarding the recent question of authority to determine the truck weight limit for the roadway. He noted the state statutes are confusing, yet DOT's position is they have the authority to establish the limit, however the City believes they do. He offered to work with city officials to find a solution.

Many residents spoke in support of truck drivers as well as in opposition to allowing trucks on Pond Road. Many feel that enhanced speed enforcement will resolve the issue as well as road repairs to reduce noise of vehicles traveling on the roads.

City Administrator Robert Mulready suggested holding a meeting with representatives from the neighborhood, area

truck drivers, city staff and MDOT officials to work on solutions. He noted this is not an "us verses them" issue, but an "us with us" issue which will impact the city. He noted solutions need to be found to meet the needs of both the residents and the truck drivers. He noted that the problem will not be solved in the short term, but needs some long term solutions such as an East Side Corridor study and an Exit 13A Crowley Grove option. It was determined to hold the meeting on November 17 at City Hall. Mr. Gendron and Mr. Beaulieu will serve as truck company representatives and Pauline Taylor will represent residents on Webster Street. Additional volunteers are welcome. The local state delegation will also be invited to participate as well as LACTS representatives.

STREET RENAMING FOR ENHANCED 911

Assistant City Administrator Phil Nadeau provided the Council with an update on the work of the E911 Street Renaming committee and outlined for Council the public input process. Council President Kelly asked for public comment on the slate of street names presented for changes.

A resident of Orange Street Extension requested the new name to be Dove Lane rather than Dove Court. Public Works Director Chris Branch suggested the name of Willow Street be changed to Adams Avenue rather than to Pepperell Road as the committee had suggested. Mr. Branch noted there are no residential properties on this road and that Public Works is the largest facility on the road. He stated Mr. Adams was a long-serving Public Works director and the current staff felt the new street name would serve as nice recognition.

VOTE (16)

Motion by Councilor Lynch, seconded by Councilor Bilodeau:

To change the proposed name of Dove Court to Dove Lane and to change the proposed name of Pepperell Road to Adams Avenue.
Passed - Vote 7-0

VOTE (17)

Motion by Councilor Putnam, seconded by Councilor Bilodeau:

That the street renaming be conditional upon all City and public safety agencies conducting the necessary work to insure that street signs and applicable maps are updated, and;

That the City work with the Post Office to notify all

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residences as to when the names will be officially changed,
and;

That the following streets be renamed as proposed by the E911
Committee:

<u>Ward</u>	<u>Current Street Name</u>	<u>Proposed New Street Name</u>
1	Gulf Island Road	Deer Road
1	Montello Street Ext.	Landry Road
1	Surry Lane (smaller portion)	South Surry Lane
2	Bardwell Street	North Bardwell Street
2	Foss Street	Cornwall Court
2	Roadway	Loon Drive
3	Jones Court	Jack Court
3	King Street	Prince Street
3	Hamel Road	Old Farm Road
4	Donnell Street	Payne Street
4	Harold Street Ext.	Cloutier Street
4	Brule Avenue	West Brule Street
5	Bailey Court	Diamond Court
5	King Street	Prince Street
5	Orange Street Ext.	Dove Lane
5	Sylvan Avenue Ext.	Marcotte Avenue
5	Willow Street	Adams Avenue
6	Bradbury Street	Westbury Street
6	Cottage Road	Apple Road
7	Mountainview Avenue	Jill Street
7	Webster Road	Old Webster Road
7	Second Street Ext.	Perrier Street
7	Cote Street (off Webster St.)	East Cote Street

Passed - Vote 7-0

A motion was made by Councilor Lynch and seconded by
Councilor Bilodeau to conduct a public hearing to receive
citizen input and comments on the proposed street names and
to authorize that the following streets be renamed after
receiving and reviewing recommendations from the residents
and E911 Committee:

<u>Ward</u>	<u>Current Name</u>	<u>Proposed Name(s)</u>	<u>Origin</u>
2	Dumont Circle	Bergeron Circle Demi Circle Rainbow Circle	Public Petition Public
3	Allen Court	Nomar Court	Public
4	Morse Avenue	Samuel Avenue	Committee
4	Grove Avenue	Goshen Avenue	Committee

6 Pleasant Street Edgewood Street Committee
(Near turnpike)

The Council addressed the street names on a ward-by-ward basis.

Ward 2 - Dumont Circle

Proposed names include Bergeron Circle, Demi Circle and Rainbow Circle

Jackie McMorin of 24 Dumont Circle and Claudette Dumont of Dumont Circle spoke in favor of Demi Circle. Ms. McMorin circulated a citizen petition in support of Demi Circle.

Assistant City Administrator Phil Nadeau noted two citizen petitions were submitted for this street. A petition for Demi Circle contained nine signatures and a petition for Bergeron Circle contained six signatures. There are eight parcels and five residences on Dumont Circle.

VOTE (18)

Motion by Councilor Kelly, seconded by Councilor Lynch:

To change the name of Dumont Circle to Demi Circle.
Passed - Vote 7-0

Ward 3 - Allen Court

Proposed street name is Nomar Court.

Mrs. Breton of 8 Allen Court suggested the name of Nomar Court. It was noted that there are six buildings on Allen Court and this was the only suggested name that was submitted by residents.

VOTE (19)

Motion by Councilor Carignan, seconded by Councilor Lynch:

To change the name of Allen Court to Nomar Court.
Passed - Vote 7-0

Ward 4 - Morse Avenue

Proposed name is Samuel Avenue. The Street Renaming Committee is concerned that Morris and Morse sound too much alike which may create problems for emergency dispatching.

Several residents of Morse Avenue spoke in favor of maintaining their street name and requested that no change be

made for Morse Avenue. A few residents mentioned they have lived on the street for over fifty years and have never experienced a problem with people confusing Morse and Morris. They noted they have called for ambulances and there was never a delay due to confusion. They stressed the cost of changing street names, both to the city for new maps and signs, as well as to the residents. A few commented that Morse Avenue is older than Morris Avenue, so perhaps Morris Avenue should be changed rather than Morse.

The committee explained the city-wide policy is to change street names which will have the less impact per resident, and Morse Avenue has fewer residents than Morris.

VOTE (20)

Motion by Councilor Albert, seconded by Councilor Kelly:

To maintain the name of Morse Avenue. Passed - Vote 7-0

Ward 4 - Grove Avenue

Proposed name is Goshen Avenue.

Gloria Pettengill of Grove Avenue spoke against having the street name changed, she noted many of the residents do not care for the proposed name of Goshen Avenue. She suggested the names of Gloria Avenue, Gloria Way or Larry Lane.

The Council noted the name will need to be changed since there is a Grove Avenue and a Grove Street.

VOTE (21)

Motion by Councilor Carignan, seconded by Councilor Putnam:

That the name of Grove Avenue must be changed.
Passed - Vote 6-1 (Councilor Albert opposed).

The Council directed the E911 Street Renaming Committee to work with the residents on Grove Avenue and suggested a citizen petition regarding a new proposed name be presented to the Council at the December 14 meeting.

Ward 6 - Pleasant Street - near turnpike.

Proposed name is Edgewood Street.

Councilor Bilodeau said she recently spoke with a resident on Pleasant Street who would like to propose a different street

name. Councilor Bilodeau suggested this issue be tabled until the next Council meeting.

VOTE (22)

Motion by Councilor Bilodeau, seconded by Councilor Putnam:

To table the street name change for Pleasant Street (near turnpike) to the December 14, 1999 City Council meeting.

Passed - Vote 7-0

REPORT FROM THE SCHOOL COMMITTEE

Councilor Albert stated the School Committee will be meeting with parents groups regarding the recent bomb scares at the Middle School and the High School. He assured the Council the School Committee is working closely with the Police Department on the recent scares and that both groups are taking these threats very seriously.

OTHER BUSINESS

Councilor Carignan noted the building which used to house the Greyhound Bus Service is closed and therefore people waiting for the City bus must wait outside. Councilor Samson said he would address this issue with the L/A Transit Committee. Marcee Holmes, a Lewiston resident, volunteered to open and close the building each day.

VOTE (23)

Motion by Councilor Putnam, second by Councilor Bilodeau:

To adjourn at 10:20 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo
City Clerk
Lewiston, Maine