

CITY OF LEWISTON

CITY COUNCIL

JANUARY 18, 2000

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

THE HONORABLE KAILEIGH A. TARA, MAYOR, PRESIDING.

PRESENT: Councilors Gousse, Bernier, Carignan, Jean, Samson, Bilodeau, Adams, City Administrator Robert J. Mulready, student representative Karen Gagnon and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence.

COMMITTEE APPOINTMENTS

VOTE (1)

Motion by Councilor Carignan, seconded by Councilor Bilodeau:

To confirm the Mayor's nomination of the following residents and Councilors to serve on the following committees as outlined below:

<u>Committee</u>	<u>Name</u>	<u>Term Expires</u>
A/L Airport	Ed Plourde	Jan. 2002
	Councilor Bilodeau	Jan. 2002
Cable TV	Roger Philippon	Jan. 2002
	Joanne Potvin	Jan. 2002
	Norman L'Heureux	Jan. 2002
	Raoul Pinette	Jan. 2002
	Gregory Nadeau	Jan. 2002
	Muriel Minkowsky	Jan. 2002
Lake Auburn Watershed	Joe Grube	Jan. 2003
	Councilor Jean	Jan. 2001
Library Trustee	Patricia Butler	Jan. 2006
LMRC	Councilor Carignan	Jan. 2002
	Councilor Adams	Jan. 2002
Lewiston/Auburn 911	Councilor Jean	Jan. 2002

Passed - Vote 7-0

VOTE (2)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To dispense with the reading of the minutes of the January 3 and 4, 2000 meetings and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC HEARING - SIGN ORDINANCE

VOTE (3)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

That the proposed amendments to the Appendix A, Article XII, Section 16 of the City Zoning and Land Use Code regarding the sign ordinance receive final passage by a roll call vote. Passed - Vote 7-0

PUBLIC HEARING FOR AUTOMOBILE GRAVEYARDS/JUNKYARDS

VOTE (4)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To grant Automobile Graveyard/Junkyard permits to Al's Used Parts, Crowley Road; Normand St. Laurent, 1445 Sabattus Street; Public Works Department, 424-482 River Road; Grimmel's Industries, 50 River Road, subject to conditions; and K.T.I. Bio Fuels, Inc., 38 Alfred A. Plourde Parkway, subject to conditions.

Grimmel's Industries:

1. The hours of operation shall be limited to 7:00 A.M. to 5:00 P.M. Monday through Saturday.
2. Improve screening from the Maine Turnpike.

K.T.I. Bio Fuels, Inc.:

1. Permit is granted for storage of wood waste and oversized bulky waste (OBW). OBW will consist of furniture, rugs, plastics, and any other large burnable household goods. Unacceptable OBW consists of sheetrock, roofing materials (unless wood), aggregate products, dirt and sand, fiberglass insulation, and no hazardous materials such as asbestos.
2. All wood waste and OBW which is to be placed in storage shall be piled no higher than 20'.
3. The width of the pile shall be no wider than 50', and overall length of the pile no more than 100'.
4. There shall be no more than nine (9) piles of wood waste and OBW at any time. OBW will not exceed two (2) piles.
5. Access rows or fire lanes shall be maintained between piles with a minimum distance

of 40' between piles.

6. The main entrance roadway must be kept at a minimum of 24' of travel way at all times.
7. An additional second access road, or fire lane at least 20' in width, from the main road, (Alfred A. Plourde Parkway) to the storage area must be maintained.
8. All roads and fire lanes on the facility shall be of all weather surface adequately constructed to support the heaviest piece of fire apparatus likely to be operated on the fire lane or road.
9. All storage pile locations be properly identified by the placement of poles at the four corners of the pile. A mark shall be placed at a height of 20' on at least one pole for each pile.
10. The site be designated no smoking throughout except office areas and control room. A sign shall be placed at the entrance to the facility designating the facility as no smoking.
11. Training of employees for use of fire protection equipment and reporting of fires shall be conducted.
12. KTI shall conduct a self-inspection of their activities. The self-inspections shall be performed on a weekly report submitted to Fire Prevention for review.
13. That pine trees be planted along the perimeter of the site to replace dead and/or missing trees.
14. Replacement of buffer pine trees as necessary.
15. That the processing of pressure treated wood be done in full compliance with the EPA & DEP regulations.

Mayor Tara opened the public hearing. No members of the public spoke for or against the issuance of these permits. Mayor Tara closed the public hearing.

Passed - Vote 7-0

ADOPTION OF RULES TO GOVERN CITY COUNCIL

VOTE (5)

Motion by Councilor Gousse, seconded by Councilor Samson:

To amend the Rules to Govern the City Council for the period of January 4, 2000 to January 2, 2001 to include Section 13, Institutional Cooperation.

The following procedures, defined by the L/A Together Commission, outlines the protocol for joint meetings with the City of Auburn officials.

1. There will be a joint committee of four (4) councilors, two from Lewiston and two from Auburn. This will be a regular standing committee of each council.
 - a. The committee will meet at least each quarter of the fiscal year, with the chair alternating between Lewiston and Auburn councilors.

- b. The committee will consider and recommend joint cooperative policies and programs to the respective councils.
 - c. The committee will prepare the agenda on the basis of consultations with municipal departments for the quarterly joint meetings of the Lewiston and Auburn city councils.
2. The city councils of Lewiston and Auburn will meet in joint session on the Tuesday after Labor Day, the Tuesday after Martin Luther King, Jr. Day, the Tuesday after President's Day, the Tuesday after Patriot's Day and the regular joint budget session in May.
 - a. The mayors will alternate as the chair.
 - b. The agenda will be prepared by the joint committee.
 - c. The councils will consider policies and programs of cooperation to improve services to the citizens of both communities.
3. The City Administrator of Lewiston and the City Manager of Auburn will meet regularly (at least once each quarter) to develop cooperative planning, policies, and programs of joint action for the cities. They shall report to their respective councils in January and July of each year on the nature and substance of their discussions, as well as results of cooperative actions taken.

Passed - Vote 7-0

STRATEGIC PLANNING UPDATE

Representatives from Planning Decisions updated the Council on the work of the Strategic Planning Committee. One of the goals of the committee is for the City Council to hold a planning retreat to work together to set goals and objectives for the next few years. The retreat will be held February 12 -13 in Nobleboro.

TRANSFER OF FUNDS FOR STRATEGIC PLANNING RETREAT

Councilors discussed the location of the retreat and reviewed reasons for holding the retreat off-site as opposed to in Lewiston. Discussion was also held regarding the transfer of funds. The Finance Director informed the Council the surplus money in this retirement account is due to a higher number of employees selecting other retirement plans.

VOTE (6)

Motion by Councilor Carignan, second by Councilor Jean:

To transfer \$3,000 from the Pensions & Retirement account, number 49310-4044001, into

the City Council Miscellaneous Services account, number 41110-4028800, to cover expenses for the City Council Strategic Planning retreat.

Passed - Vote 5-2 (Councilors Bernier and Bilodeau opposed)

CITY HALL THIRD FLOOR RENOVATIONS

Development Director Greg Mitchell and Public Works Director Chris Branch reviewed the renovation plans with the Council. The goal is to improve customer service, make more efficient use of existing space and provide for employee safety. Several Councilors expressed concerns regarding the project costs.

VOTE (7)

Motion by Councilor Bilodeau, second by Councilor Samson:

To transfer \$75,000 from the Pensions & Retirement account, number 49310-4044001 Maine State Retirement, employer share, into the City Hall Building Improvement account, number 41910-4058000, to provide the additional funding for the third floor renovations project. Passed - Vote 6-1 (Councilor Jean opposed.)

MAYOR'S DOWNTOWN ADVISORY BOARD APPOINTMENTS

The Council received a list of names the Mayor is nominating for appointment to the Mayor's Downtown Renaissance Advisory Board. Discussion took place regarding the exact make-up of the committee and the number of Councilors that shall serve on the committee and in what capacity. Questions arose regarding the exact definition of a committee member's eligibility as defined in the new ordinance amendment approved in December 1999 which established this committee.

VOTE (8)

Motion by Councilor Carignan, second by Councilor Bilodeau:

To table this item until the February 1, 2000 Council meeting. Passed - Vote 7-0

POLICE DEPARTMENT RECLASSIFICATION UPGRADE REQUEST

VOTE (9)

Motion by Councilor Samson, second by Councilor Carignan:

To approve the reclassification upgrade request to change an existing Police Detective position to a Police Sergeant position. Passed - Vote 7-0

AMENDMENT TO THE 911 CENTER INTERLOCAL AGREEMENT

VOTE (10)

Motion by Councilor Carignan, second by Councilor Bilodeau:

To amend Article II of the 911 Interlocal Agreement between the Cities of Lewiston and Auburn to amend the membership eligibility definition to allow a city employee to serve as the city's committee representative and expanding the eligibility for the committee treasurer position. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMITS

VOTE (11)

Motion by Councilor Samson, second by Councilor Bilodeau:

To grant Special Amusement Permits for Dancing and Entertainment to Midtown Athletic Club, 315 Lisbon Street; Club Cairo, 39 Chestnut Street; Hurricane Club, 308 Lisbon Street; Acme Social Club, 255 Park Street; Elks Lewiston Lodge #371, 1675 Lisbon Street and Augustine's, 37 Park Street. Passed - Vote 7-0

LEGISLATIVE POLICY COMMITTEE UPDATE

Councilor Samson stated the next meeting of the Maine Municipal Association's Legislative Policy Committee meeting will be this coming Thursday. He and Assistant City Administrator Phil Nadeau will be attending. They will have an update for the Council at the next Council meeting.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Samson stated the School Committee held their first meeting of the year on January 10 and Peggy Rotundo was re-elected to serve as Chairperson. He reminded Council of the joint Council and School Committee workshop on February 5.

OTHER BUSINESS

Charles Peillet spoke to the Council about his concerns regarding the condition of the Empire Theater. He noted it is a great eye sore on Main Street and should be addressed. The Council thanked Mr. Peillet for his concerns and reminded him this is a building owned by a private individual and not by the City.

Councilor Bilodeau reminded the Councilors about vacant positions on some of the standing committees.

EXECUTIVE SESSION

VOTE (12)

Motion by Councilor Carignan, second by Councilor Samson:

To enter into executive session to discuss an application submitted under Title 36, section

841 (2). Passed - Vote 7-0 Session began at 8:40pm

VOTE (13)

Motion by Councilor Gousse, second by Councilor Bernier:

To exit from Executive Session. Passed - Vote 7-0 Session ended at 9:30pm.

VOTE (14)

Motion by Councilor Carignan, second by Councilor Samson:

To approve the application submitted under Title 36, section 841 (2). Motion Failed 1-6 (Councilor Bernier in favor).

VOTE (15)

Motion by Councilor Carignan, second by Councilor Samson:

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

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine