

CITY OF LEWISTON

CITY COUNCIL

MAY 2, 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, Acting City Administrator Phil Nadeau, Student Representative Karen Gagnon, and Deputy City Clerk Kelly Mercier.

Pledge of Allegiance to the Flag.

Moment of Silence.

The Presentation of the Alfred A. Plourde Memorial Scholarship Award was made to Aimee L. Jack by City Council President Joyce Bilodeau.

VOTE (1)

Motion by Councilor Samson, seconded by Councilor Jean:

To dispense with the reading of the minutes of the April 18, 20, and 25, 2000, meetings and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

VOTE (2)

Motion by Councilor Samson, seconded by Councilor Bilodeau:

To add item #10, Local Project Agreement with MDOT for Sabattus Street, to the consent agenda. Passed - Vote 7-0

MAIN STREET OVERPASS PROJECT

A motion was made by Councilor Bilodeau and seconded by Councilor Adams to endorse and recognize the need for an overpass on Main Street and to authorize the Acting City Administrator to notify the Maine Department of Transportation of the City's support of this concept.

Several citizens spoke both in favor and against the Main Street Overpass Project. Most citizens voiced concerns about pedestrian safety. After a lengthy discussion the following action was taken.

VOTE (3)

Motion by Councilor Samson, seconded by Councilor Jean:

To amend the requested action to include, that the project take into consideration landscaping, noise mitigation in the area, traffic mitigation and especially pedestrian

crossing. Passed - Vote 7-0

VOTE (4)

Motion by Councilor Carignan, seconded by Councilor Gousse:

To table, the endorsement and recognition of the need for an overpass on Main Street and the authorization for the Acting City Administrator to notify the Maine Department of Transportation of the City's support of this concept, to include that the project take into consideration landscaping, noise mitigation in the area, traffic mitigation and especially pedestrian crossing. Failed - Vote 2-5 Yeas 1 -3 Nays 2-4-5-6-7

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Adams:

To endorse and recognize the need for an overpass on Main Street and to authorize the Acting City Administrator to notify the Maine Department of Transportation of the City's support of this concept, to include that the project take into consideration landscaping, noise mitigation in the area, traffic mitigation and especially pedestrian crossing. Passed - Vote 5-2 Yeas 2-4-5-6-7 Nays 1-3

PRESENTATION OF PROPOSED BUDGET ALTERNATIVES

A motion was made by Councilor Jean and seconded by Councilor Samson to accept the recommendation of the Acting City Administrator and Finance Director that the CDBG Budget be amended.

Community Development Director James Andrews made a brief presentation to council outlining the proposed amendments to the CDBG budget.

At this time Mayor Tara opened the public hearing.

Approximately twelve agencies addressed the city council in support of funding for their agencies.

Councilor Carignan was excused from the meeting at 10:40 p.m.

VOTE (6)

Motion by Councilor Gousse, seconded by Councilor Samson:

To continue the final public hearing on the 2001 Fiscal Year Community Development Block Grant Budget and Five Year Consolidated Plan until Thursday, May 11, 2000. Passed - Vote 6-0

**PUBLIC HEARING ON AN ORDINANCE PERTAINING TO
REZONING 76, 80 AND 84 LAFAYETTE STREET**

The ordinance pertaining to rezoning the property located at 76, 80 and 84 Lafayette Street received its second reading at this time.

VOTE (7)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

That the proposed amendment to re-zone 74, 80 and 84 Lafayette Street from the Neighborhood Conservation "A" (NCA) District to the Institutional Office Service (IO) District, receive final passage by a roll call vote. Passed - Vote 6-0

**PUBLIC HEARING ON AN ORDINANCE PERTAINING TO
REZONING 181 AND 189 RUSSELL STREET**

The ordinance pertaining to rezoning the property located at 181 and 189 Russell Street received its second reading at this time.

VOTE (8)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

That the proposed amendment to re-zone 181 and 189 Russell Street from the Neighborhood Conservation "A" (NCA) District to the Office Service (OS) District, receive final passage by a roll call vote. Passed - Vote 6-0

**PUBLIC HEARING ON AN ORDINANCE PERTAINING TO
CONDITIONALLY REZONING 1434 SABATTUS STREET**

The ordinance pertaining to conditionally rezoning the property located at 1434 Sabattus Street received its second reading at this time.

VOTE (9)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

To approve final passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone 1434 Sabattus Street from the Highway Business (HB) District to the Office Service (OS) District subject to a conditional agreement. Passed - Vote 6-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO

CONDITIONALLY REZONING 780-782 LISBON STREET

The ordinance pertaining to conditionally rezoning the property located at 780-782 Lisbon Street received its first reading at this time.

VOTE (10)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

To approve first passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone 780-782 Lisbon Street from the Neighborhood Conservation “A” (NCA) District to the Community Business (CB) District subject to a conditional agreement and that the public hearing on said ordinance be continued to the meeting of May 16 for final passage. Passed - Vote 6-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO DISTRICT REGULATIONS

The ordinance pertaining to District Regulations received its first reading at this time.

VOTE (11)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

That the proposed amendment to Article XI, “District Regulations”, Section 9, “Community Business District”, of the City Zoning and Land Use Code, to allow mixed use structures as a permitted use, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of May 16 for final passage. Passed - Vote 6-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO SHORELAND ZONING REGULATIONS

The ordinance pertaining to Shoreland Area Standards received its first reading at this time.

VOTE (12)

Motion by Councilor Bilodeau, seconded by Councilor Gousse:

That the proposed amendments to the Shoreland Area Standards contained in Appendix A, Article XII, Section 2 of the City Zoning and Land Use Code receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of May 16 for final passage. Passed - Vote 6-0

**LEWISTON RACEWAY REDEVELOPMENT PROJECT
TAX INCREMENT FINANCING (TIF) DISTRICT AGREEMENT**

VOTE (13)

Motion by Councilor Samson, seconded by Councilor Carignan:

To continue the public hearing on amending the Tax Increment Financing (TIF) District for the Lewiston Raceway Redevelopment Project to the May 16, 2000 City Council meeting.
Passed - Vote 7-0

**MAINE DEPARTMENT OF TRANSPORTATION PROJECT AGREEMENT
FOR SABATTUS STREET**

VOTE (14)

Motion by Councilor Samson, seconded by Councilor Carignan:

To authorize the Acting City Administrator to enter into a Local Project Agreement with the Maine Department of Transportation for the resurfacing of a portion of Sabattus Street as a locally administered project. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMIT

VOTE (15)

Motion by Councilor Samson, second by Councilor Carignan:

To grant a Special Amusement Permit for Dancing and Entertainment to Chances Pub, 675 Main Street. Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (16)

Motion by Councilor Samson, second 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 \$1027.00, or any portion thereof, in the case of State of Maine vs. Alan McCollum, Superior Court Docket Number CR-00-153. 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

OTHER BUSINESS

Finance Director Dick Metivier briefed the council on budget issues.

VOTE (17)

Motion by Councilor Bilodeau, second by Councilor Adams:

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To adjourn at 11:24 p.m. Passed - Vote 6-0

A true record, Attest:

Kelly J. Mercier
Deputy City Clerk
Lewiston, Maine