

CITY OF LEWISTON

CITY COUNCIL

FEBRUARY 17, 2009

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

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Mayor Gilbert, Councilors T. Peters, N. Peters, Poulin, Theriault, Bailey, Dube, Reed, City Administrator James Bennett, and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.
Moment of Silence.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Luke Jenson reported that the filming for the recycling video started today and that the coloring book about recycling for elementary students is complete. He thanked the City Administrator for meeting with the LYAC members about their input for the strategic plan. The group is developing a survey for Lewiston youth to gather a list of city related issues they are interested about and could work on in the future. Some of suggested topics are lowering the age to hold local elected office, lack of night life options, developing a community youth center, walking paths and increase the offerings of LRTC classes.

At this time, the Mayor took agenda item number fourteen out of order to accommodate the residents who were in attendance for this item.

REQUEST TO THE CITY COUNCIL FROM RESIDENTS IMPACTED BY THE CENTRAL MAINE POWER TRANSMISSION LINE UPGRADE PROJECT

Elaine Dumas of the Dyer Road spoke on behalf of residents who would be impacted by the placement of the new power lines along their property. She expressed concerns regarding potential health issues with high voltage and other matters.

VOTE (30-2009)

Motion by Councilor Theriault, seconded by Councilor Poulin:

To authorize the Deputy City Administrator to work with the impacted residents and to send a response to CMP on behalf of the City. Passed - Vote 7-0

ANNUAL AUTHORIZATION FOR THE PUBLIC WORKS DEPARTMENT TO POST CERTAIN ROADS, FROM MARCH 1 TO MAY 1, PROHIBITING VEHICLES HAVING A GROSS VEHICLE WEIGHT OF OVER 23,000 POUNDS

VOTE (31-2009)

Motion by Councilor Poulin, seconded by Councilor Theriault:

To authorize the Public Works Department to post the following roads prohibiting vehicles having a gross vehicle weight of over 23,000 pounds:

From March 1, 2009 to May 1, 2009:

Ferry Road - From Apple Road to River Road
River Road - From Ferry Road to Solid Waste Facility
Dyer Road - From Lisbon Road to Ferry Road
Pinewoods Road - From Ferry Road to Town Line
Gayton Road - From Lisbon Road to Town Line
Webster Road - From Old Lisbon Road to Crowley Road
Merrill Road - From College Road to Main Street
Sleeper Road - From Merrill Road to Town Line
Randall Road - From Sunrise Lane to Grove Street
Grove Street - From Randall Road to Town Line
Old Greene Road - From North Temple Street to Town Line
No Name Pond Road - From Old Greene Road to Town Line
Pond Road - From Cherrywood Drive to No Name Pond Road

Passed - Vote 7-0

**ANNUAL APPOINTMENT FOR THE LEWISTON-AUBURN RAILROAD COMPANY
BOARD OF DIRECTORS**

VOTE (32-2009)

Motion by Councilor T. Peters, seconded by Councilor Reed:

To accept the nominations from the Lewiston Auburn Railroad Board of Directors and to elect the following residents to serve on the Lewiston Auburn Railroad Board of Directors: Richard Albert to a three year term and Marc Pellerin to a three year term. Passed - Vote 7-0

APPOINTMENT TO THE LAKE AUBURN WATERSHED COMMISSION

VOTE (33-2009)

Motion by Councilor Reed, seconded by Councilor Theriault:

To appoint Joseph Grube to the Lake Auburn Watershed Committee for a three year term, said term to expire January 3, 2012. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT TO
THE PARKS AND RECREATION ORDINANCE REGARDING THE CREATION OF
DRUG-FREE SAE ZONES AROUND THE PARKS, PLAYGROUNDS AND
RECREATIONAL FACILITIES**

Mayor Gilbert opened the public hearing to receive public input and comment. No members of the public spoke for or against this matter. Mayor Gilbert then closed the hearing. Councilor Reed asked the Police Chief if Auburn would consider adopting a similar ordinance so this coverage would be applicable to the entire area, and Chief Welch noted this is already in place in Auburn.

VOTE (34-2009)

Motion by Councilor Poulin, seconded by Councilor Bailey:

That the proposed amendments to the City Code of Ordinances, Chapter 54 “Parks and Recreation”, Section 54-8 “Public drinking of alcoholic beverages prohibited” and Section 54-9 “Designation of Drug-Free Safe Zones”, receive final passage by a roll call vote.

Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR BARNIE’S BAR & GRILL,
1065 SABATTUS STREET**

Mayor Gilbert opened the public hearing to receive public input and comment. John Conde of 54 Acadia Avenue introduced himself as manager of the business. Mayor Gilbert then closed the hearing.

VOTE (35-2009)

Motion by Councilor Reed, seconded by Councilor Theriault:

To grant a special amusement permit for live entertainment to Bernie’s Bar & Grill, 1065 Sabattus Street. Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR THE CARLTON CLUB, INC.,
25 SABATTUS STREET**

Mayor Gilbert opened the public hearing to receive public input and comment. Steve Bernard introduced himself as an officer of the club. Mayor Gilbert then closed the hearing.

VOTE (36-2009)

Motion by Councilor N. Peters, seconded by Councilor Reed:

To grant a special amusement permit for live entertainment to the Carlton Club, Inc., 25 Sabattus Street. Passed - Vote 7-0

**APPROVAL OF DEEDS FOR CONSERVATION EASEMENTS FOR GARCELON BOG
AND NO NAME POND, AS ASSOCIATED WITH THE GENDRON BUSINESS PARK,
PHASE II PROJECT**

Jonathan LaBonte of the Androscoggin Land Trust and Lincoln Jeffers, Assistant to the City Administrator for Economic Development, made a presentation to the Council about this project. Councilor Theriault inquired about costs and Mr. Jeffers noted the city’s wetland mitigation account has funds for this project. Councilor Poulin inquired about the process for monitoring the site. It was noted the property will be walked once a year to ensure the easements are upheld and the neighbors usually volunteer as stewards of the land for projects like this. Mr. LaBonte offered to conduct a walking tour of the area for Councilors.

VOTE (37-2009)

Motion by Councilor Reed, seconded by Councilor T. Peters:

Be It Ordered, that the City Council shall authorize the City Administrator to sign all documents and agreements on behalf of the City to grant conservation easements on a portion of city owned land at Garcelon Bog and 140 Bradbury Road, to execute the Conservation Easement Deeds, in substantially the forms as presented, with the Androscoggin Land Trust, and to hereby grant, allow and establish these portions of land as conservation easements to the Androscoggin Land Trust. Passed - Vote 7-0

ENDOWMENT FUNDS FOR THE ANDROSCOGGIN LAND TRUST'S STEWARDSHIP OF THE CONSERVATION EASEMENTS OF GARCELON BOG AND NO NAME POND

VOTE (38-2009)

Motion by Councilor Reed, seconded by Councilor Theriault:

That the City's net contribution is forty three percent of the \$25,000 due to the reimbursement for the project. Passed - Vote 7-0

VOTE (39-2009)

Motion by Councilor N. Peters, seconded by Councilor T. Peters:

To appropriate \$25,000 to help fund the endowment fund for the Androscoggin Land Trust stewardship for the conservation easements at Garcelon Bog and No Name Pond.
Passed - Vote 7-0

RECOMMENDATION TO DISBAND THE SOLID WASTE COMMITTEE

Councilor Reed provided background on this item noting the committee has going through three chairpersons and the committee is deadlocked on many issues and does not seem to be going anywhere and is not productive anymore. Michael Dumas, chair of the committee, noted that progress on the committee is unattainable and suggested disbanding the committee.

VOTE (40-2009)

Motion by Councilor Reed, seconded by Councilor T. Peters:

To direct staff to take the appropriate actions to disband the solid waste committee.
Passed - Vote 7-0

DISPOSITION OF CITY OWNED PROPERTY AT 98 BRADBURY ROAD

VOTE (41-2009)

Motion by Councilor T. Peters, seconded by Councilor Reed:

Be It Ordered by the City Council that the City Administrator be and hereby is authorized to dispose of the city owned property at 98 Bradbury Road, and to execute paperwork related to the transfer of this property, and that the City Administrator be and hereby is authorized to make, execute and deliver such deeds and other documents as he, in his discretion, may deem necessary or convenient to the accomplishment of such transaction.

Passed - Vote 7-0

REPORTS AND UPDATE

Councilor Reed noted the Airport is working on a study with a consulting group about regional shuttle service. Councilor Theriault requested to have fifteen minutes at the beginning of the March 3 meeting for Auburn Mayor Jenkins to address the Council. He also requested to have an item on the agenda for an RFP for the Bates Mill Number Five property. The City Administrator reviewed the list of upcoming budget workshops and meetings.

OTHER BUSINESS

No other business was presented at this time.

VOTE (42-2009)

Motion by Councilor T. Peters, second by Councilor Dube:

To adjourn at 9:00 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine