

CITY OF LEWISTON

CITY COUNCIL

DECEMBER 4, 2007

**EXECUTIVE SESSION HELD IN THE
EXECUTIVE CONFERENCE ROOM AT 6:00 P.M.**

RENEE A. BERNIER, COUNCIL PRESIDENT, PRESIDING.

PRESENT: Councilors Bernier, O'Brien, Jean, Samson, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo. Absent/Excused: Mayor Gilbert and Councilor Mendros

The City Council meeting was called to order by Council President Bernier at 6:02 pm in a public session.

VOTE (320-2007)

Motion by Councilor Jean, seconded by Councilor Samson:

To enter into an executive session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Union Negotiations regarding the collective bargaining agreement with Local #785 International Association of Firefighters. Passed - Vote 6-0

Executive Session began at 6:03 pm and ended at 6:40 pm.

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

RENEE A. BERNIER, COUNCIL PRESIDENT, PRESIDING.

PRESENT: Councilors Bernier, O'Brien, Jean, Samson, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo. Absent/Excused: Mayor Gilbert and Councilor Mendros

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (321-2007)

Motion by Councilor Samson, seconded by Councilor O'Brien:

To dispense with the reading of the minutes of the August 14 and November 13, 2007, meetings and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE ADMINISTRATIVE ORDINANCE REGARDING STIPENDS FOR ELECTED AND APPOINTED OFFICIALS

Council President Bernier opened the public hearing for citizen input and comment. No members of the public spoke for or against this item. President Bernier then closed the hearing. Councilor Paradis said that he requested this item to be placed on the agenda, stating that the Councilors and other positions have not received increased in many years and noted that there is a great deal of work involved with these positions. He noted this is the right thing to do and he feels very strongly about it. Councilor Rousseau mentioned that he has served on the Council for six years and he does not know of anyone that runs for Council or serves on a city board for the money, they do it for the community service to contribute to the city. He agreed there is a lot of hard work involved in these positions, but felt the stipend amounts were fine. He then reviewed with the Council a survey of the ten largest towns in the state and noted that the Lewiston Councilors were already the fourth highest paid.

VOTE (322-2007)

Motion by Councilor Samson, second by Councilor O'Brien:

That the proposed amendments to the City Code of Ordinances, Chapter 2 "Administration", Article III "Officers and Employees", receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regular City Council meeting for final passage. Passed - Vote 4-2 (Councilors Bernier and Rousseau opposed)

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE ADMINISTRATIVE CODE REGARDING THE ELIMINATION OF THE PERSONNEL BOARD

Council President Bernier opened the public hearing for citizen input and comment. No members of the public spoke for or against this item. President Bernier then closed the hearing.

VOTE (323-2007)

Motion by Councilor Samson, second by Councilor O'Brien:

That the proposed amendment to the City Code of Ordinances, Chapter 2 "Administration", Article IV "Boards, Commissions, Committees and Bureaus", Division 4. "Personnel Board" receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regular City Council meeting. Passed - Vote 6-0

PUBLIC HEARING ON A NEW LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR CDDL ASSOCIATES, INC., 33 SABATTUS STREET

Council President Bernier opened the public hearing for citizen input and comment. No members of the public spoke for or against this item. President Bernier then closed the hearing.

Councilor O'Brien inquired from the business owner the name of the business which will appear on the sign. Daniel Bosse, manager of the new business, stated it will be "The Pub Lewiston".

VOTE (324-2007)

Motion by Councilor Paradis, second by Councilor O'Brien:

To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for CDDL Associates, Inc., 33 Sabattus Street. Passed - Vote 6-0

SPECIAL AMUSEMENT PERMIT FOR THE RAMANDA, 490 PLEASANT STREET

Council President Bernier opened the public hearing for citizen input and comment. No members of the public spoke for or against this item. President Bernier then closed the hearing.

VOTE (325-2007)

Motion by Councilor Samson, second by Councilor O'Brien:

To grant a special amusement permit for dancing and entertainment to Ramada, 490 Pleasant Street. Passed - Vote 6-0

**RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH LOCAL #785
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

Human Resources Director Denis Jean reviewed the highlights of the contract and he explained the new wellness and fitness incentives as part of the contract. He also noted the union membership just voted about 20 minutes ago to ratify the contract.

VOTE (326-2007)

Motion by Councilor Samson, second by Councilor O'Brien:

To ratify the Collective Bargaining Agreement between the City of Lewiston and Local #785, International Association of Firefighters (IAFF), said agreement being for the period of July 1, 2007 to June 30, 2010, and to authorize the City Administrator to sign the agreement on behalf of the City of Lewiston. Passed - Vote 5-1 (Councilor Jean)

**AMENDMENTS TO THE LIBRARY POLICIES REGARDING OVERDUE
MATERIALS**

Library Director Rick Speer reviewed the changes, noting the fine for overdue books will increase from five cents a day to ten cents a day and the maximum fine will go from three dollars to five dollars. Councilor O'Brien stated she and her family are strong supporters of the Library and feels these fees are reasonable since it is costly to replace material, and she reminded folks it is a privilege to have such a great Library as a wonderful resource for all residents.

VOTE (327-2007)

Motion by Councilor Samson, second by Councilor O'Brien:

To approve the proposed amendments to Library Policies, City Policy Manual Number 39, as recommended by the Library Director. Passed - Vote 6-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (328-2007)

Motion by Councilor Samson, second by Councilor O'Brien:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of 13.34% percent of \$21,024, less administrative fees or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Festus Babundo, case reference CE-07-0004, Exhibit N-71, 08-DEA-491898 and the transfer of 11.43% percent of \$9,700, less administrative fees or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Ernest Brian Weidul, case reference CE-08-0001, Exhibit N-3, 08-DEA-491890. 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 6-0

ADOPTION OF CITY COUNCIL MEETING SCHEDULE FOR JANUARY 2008

VOTE (329-2007)

Motion by Councilor Paradis, second by Councilor Samson:

To suspend Section 1,(a) of the Rules Governing the City Council and to hold the regular Council meetings for January 2008 on Tuesday, January 15 and Tuesday, January 29.
Passed - Vote 6-0

**CONSIDERATION OF CLOSURE OF MUNICIPAL OFFICES FOR
THE MORNING OF DECEMBER 24, 2007**

Councilor Rousseau stated he placed this item on the agenda, noting one of the best assets the City has is it's employees. He reminded the Council that over the past several years, the workforce has been reduced by eleven percent and the current employees have taken on more responsibilities as a result. He also noted the employees have worked hard on the worker's compensation safety program saving one million dollars a year on premiums and the new wellness program saving \$175,000 in employee health insurance rates. He feels it is more than appropriate for the Council to show their appreciation and gratitude by allowing the half day off with pay, the morning of December 24, to allow them to spend a four day weekend with their families. Councilor Paradis thanked the employees for their great work and noted it is the right thing to do.

VOTE (330-2007)

Motion by Councilor Samson, second by Councilor Paradis:

To authorize the closure of all municipal offices with non-essential services on Monday, December 24, 2007, and to provide four hours of time for individual employees in essential services (Police, Fire and Public Works), of which the time can be used at a later date, providing it would not create an overtime situation when their time is used. Passed - Vote 6-0

PRESENTATION REGARDING THE CITY'S EMPLOYEE HEALTH INSURANCE RATES

It was noted that this presentation will be done at the December 18 Council meeting.

REPORTS AND UPDATES

Council President Bernier recognized Councilor-Elect Robert Reed who was in the audience.

OTHER BUSINESS

No other business was presented at this time.

VOTE (331-2007)

Motion by Councilor Samson, second by Councilor Paradis:

To adjourn at 7:28 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine