

CITY OF LEWISTON

CITY COUNCIL

AUGUST 15, 2006

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:30 P.M.

THE HONORABLE LIONEL C. GUAY, JR., MAYOR, PRESIDING.

PRESENT: Councilors Mendros, Bernier, O'Brien, Jean, Samson, Paradis, Rousseau, City Administrator James Bennett, and Deputy City Clerk Kelly Mercier.

Pledge of Allegiance to the Flag.

Moment of Silence.

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE ADMINISTRATIVE ORDINANCE REGARDING FEE ADJUSTMENTS

Mayor Guay opened the public hearing. No members of the public spoke for or against this item. Mayor Guay then closed the hearing.

VOTE (200-2006)

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

That the proposed amendments to the City Code of Ordinances, Chapter 2 "Administration", Article VI "Fee Adjustment", receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of September 5, 2006 for final passage. Failed - Vote 3-4 (Councilors Paradis, Bernier and O'Brien voted in favor, Councilors Rousseau, Mendros, Jean and Samson opposed.)

PUBLIC HEARING ON A NEW LIQUOR LICENSE FOR LITTLE DAN'S BBQ

Mayor Guay opened the hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Guay then closed the hearing.

VOTE (201-2006)

Motion by Councilor Jean, seconded by Councilor Paradis:

To authorize the City Clerk's Office to approve a new liquor license application for Little Dan's BBQ, 757 Main Street. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMIT FOR THE CARRIAGE HOUSE PLUS

Mayor Guay opened the hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Guay then closed the hearing.

VOTE (202-2006)

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

To grant a Special Amusement Permit for Dancing & Entertainment to Carriage House Plus, 1119 Lisbon Street. Passed - Vote 7-0

ACQUISITION AND DISPOSITION OF PROPERTY ADJACENT TO LINCOLN STREET ALLEY AND ORDER VACATING AND DISCONTINUING A PORTION OF LINCOLN STREET ALLEY

Lincoln Jeffers, Assistant to the City Administrator, gave a brief overview of the of the area affected by the land transfer and the discontinuance of a portion of Lincoln Street Alley.

VOTE (203-2006)

Motion by Councilor Jean, seconded by Councilor Paradis:

Be It Resolved by the City Council that the City Administrator be and hereby is authorized to dispose of a portion of the city owned property at 34 Oxford Street to Jimmy Koutsikos, and to execute the Quitclaim Deed for this property; that the Order vacating and discontinuing a portion of Lincoln Street Alley, be adopted; to acquire a public easement deed from Jimmy Koutsikos for a portion of property at 95 Lincoln Street; to establish a right of way easement at 34 Oxford Street and to dispose of the remaining portions of property at 34 Oxford Street and to execute a Quitclaim Deed for this property, and to authorize the City Administrator to execute the necessary documents in form substantially as presented, and that the City Administrator be and hereby is authorized to make, execute and deliver other such documents as he, in his discretion, may deem necessary or convenient to the accomplishment of such transaction. Passed - Vote 7-0

ADOPTION OF LEGISLATIVE INITIATIVES

Councilors debated the various pros and cons of the list of Initiatives prior to voting.

VOTE (204-2006)

Motion by Councilor Jean, seconded by Councilor Paradis:

To adopt the list of Legislative Initiatives for the upcoming state legislative session. Passed - Vote 7-0

PROJECT UPDATE REGARDING THE REPAIRS TO THE CITY'S WATER MAINS

Public Services Director David Jones and Deputy Director Kevin Gagne updated the Council on the findings and progress of the city's water main projects.

**APPOINTMENT TO THE MAINE MUNICIPAL ASSOCIATION'S
LEGISLATIVE POLICY COMMITTEE**

VOTE (205-2006)

Motion by Councilor Mendros, seconded by Councilor Jean:

To appoint the Deputy City Administrator as the City's staff representative, and the City Administrator and the City Clerk as the City's alternate representatives, to the Maine Municipal Association's Legislative Policy Committee, for the term of July 1, 2006 through June 30, 2008. Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (206-2006)

Motion by Councilor Samson, seconded by Councilor Mendros:

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 \$641.00, or any portion thereof, in the case of the State of Maine vs. Jasper Melton, CR-06- Court Records and the transfer of \$1,216.00, or any portion thereof, in the case of the State of Maine vs. Jesse Caron, CR-06-498 Court Records. 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

REPORTS AND UPDATES

Jim Bennett announced that taxes would be lowered by seventy (70) cents this year as a result of the FY07 budget adoption. This is the second year in a row that the Council reduced the tax rate. In 2006, the average single family home is paying less in dollars for property taxes than they did in 1997.

OTHER BUSINESS

Charles Soule, 70 Bartlett Street, and Roger Beaudoin, 10 Oak Street, addressed the City Council concerning the recent vandalism that took place near Oak Park. They also complained about noise apparently from some of the patrons from the Club Adrenalin. Jim Bennett said that he would have Chief Welch set up a meeting with the resident of Oak Park to hear their concerns. He also indicated that the Chief would have a talk with the owner of Club Adrenalin.

The Council meeting ended at 7:40pm At this time, the Council took a ten minute recess and the workshop began at 7:50pm.

WORKSHOP

The Council entered into a workshop for discussion and review of proposed stormwater utility district ordinance fees.

**EXECUTIVE SESSION HELD IN THE
ADMINISTRATIVE CONFERENCE ROOM AT 9:20 P.M.**

VOTE (207-2006)

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

To enter into executive session to discuss the annual performance evaluation of the City Administrator. Passed - Vote 7-0

Executive Session began at 9:20 pm and ended at 10:03 pm.

VOTE (208-2006)

Motion by Councilor Samson, second by Councilor Rousseau:

To adjourn at 10:05 P.M. Passed - Vote 7-0

A true record, Attest:

Kelly J. Mercier, CMC
Deputy City Clerk
Lewiston, Maine