

**CITY OF LEWISTON**

**CITY COUNCIL**

**JANUARY 18, 2005**

COUNCIL PRESIDENT RENEE BERNIER, PRESIDING.

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

PRESENT: Councilors Mendros, Bernier, O'Brien, Jean, Paradis, Rousseau, City Administrator James Bennett and City Clerk Kathleen Montejo. Mayor Guay and Councilor Connors were excused/absent from the meeting.

Pledge of Allegiance to the Flag.  
Moment of Silence.

**MONTHLY REPORT FROM THE LEWISTON YOUTH ADVISORY COUNCIL**

The student representative announced that the members are working with the School Superintendent regarding a community message board.

**APPROVAL OF NAME OF PRIVATE WAY AS LEDGES COURT**

**VOTE (16-2005)**

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

To approve the request to formally name the private road off of Almond Avenue as "Ledges Court". Passed - Vote 6-0

**AMENDMENT TO THE GENERAL ASSISTANCE POLICY**

**VOTE (17-2005)**

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

That the maximum amounts allowed for general assistance and the maximum amounts allowed for housing, electric and heating fuel in the General Assistance Policy, for persons eligible to receive assistance in accordance with the standards of eligibility, be amended in accordance with HUD guidelines. Passed - Vote 6-0

**APPROVAL OF APPLICATION FOR ABATEMENT OF PROPERTY TAXES**

**VOTE (18-2005)**

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

To approve a full abatement of property taxes for year 2003 for Case Number 2005-1; said application submitted under MRSA, Title 36, section 841 (2). Passed - Vote 6-0

**PUBLIC HEARING AND FIRST PASSAGE FOR CITY CODE AMENDMENT  
REGARDING THE BUILDING CODE**

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

**VOTE (19-2005)**

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

To repeal Section 18-26 and 18-27 of the current City Code, and that the proposed amendment to the City Code of Ordinances, Chapter 18, "Buildings and Building Regulations", Article II, "Building Code", Section 18 - 26 "Adoption of Building Code" and Section 18-27 "Amendments to the Building Code", receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of February 1, 2005 for final passage. Passed - Vote 6-0

**PUBLIC HEARING AND FIRST PASSAGE FOR CITY CODE AMENDMENT  
REGARDING THE RESIDENTIAL CODE**

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

**VOTE (20-2005)**

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

That the proposed amendment to the City Code of Ordinances, Chapter 18 "Buildings and Building Regulations", Article VI, "Residential Code", Section 18-200 "Adoption of Residential Code" and Section 18-201 "Amendments to the Residential Code", receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of February 1, 2005 for final passage. Passed - Vote 6-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING CITY CODE  
AMENDMENT FOR THE ELECTRICAL CODE**

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

**VOTE (21-2005)**

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

That the proposed amendment to the City Code of Ordinances, Chapter 18 "Buildings and Building Regulations", Article V, "Electrical Code", Section 18-125 through Section 18-188,

receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of February 1, 2005 for final passage. Passed - Vote 6-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE FIRE PREVENTION AND PROTECTION ORDINANCE**

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

**VOTE (22-2005)**

Motion by Councilor Jean, seconded by Councilor Rousseau:

That the proposed amendment to the City Code of Ordinances, Chapter 38 "Fire Prevention and Protection", Article II, "Fire Prevention Code", Section 38-26 "Codes adopted", receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the meeting of February 1, 2005 for final passage. Passed - Vote 6-0

**SPECIAL AMUSEMENT PERMIT FOR THE LEWISTON LODGE OF ELKS**

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

**VOTE (23-2005)**

Motion by Councilor Jean, seconded by Councilor Rousseau:

To grant a Special Amusement permit for dancing and entertainment to the Lewiston Lodge of Elks, 1675 Lisbon Street. Passed - Vote 6-0

**PRESENTATION OF FY2004 COMPREHENSIVE ANNUAL FINANCIAL REPORT**

Finance Director Richard Metivier and representatives from the City's auditing firm of Runyon, Kersteen and Ouellette, presented the findings of Annual Financial Report to the Council. Auditor Kathy Tyson stated that the auditors are offering a clean opinion of the City's financial records, noting that for the audit reports, they concur that all material is fairly stated in compliance with accounting standards and there were no reportable conditions.

**VOTE (24-2005)**

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

To receive and place on file the Fiscal Year 2004 Comprehensive Annual Financial Report. Passed - Vote 6-0

The Council took a ten minute recess at this time.

**PRESENTATION OF THE FY2006 LEWISTON CAPITAL IMPROVEMENT PLAN**

City Administrator James Bennett presented a power point presentation to the City Council which highlighted the projects in the LCIP.

**VOTE (25-2005)**

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

To receive and place on file the Fiscal Year 2006 Lewiston Capital Improvement Plan.  
Passed - Vote 6-0

**ADOPTION OF COMMUNITY DEVELOPMENT BLOCK (CDBG) CITIZENS PARTICIPATION PLAN AND CONSOLIDATED PLAN FOR 2005**

**VOTE (26-2005)**

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

To repeal Policy Manual Numbers 12 and 13, and to approve the Citizens Participation Plan and Consolidated Plan for the 2005 Community Development Program, City Policy Manual Number 13, as recommended by the Economic and Community Development Department.  
Passed - Vote 6-0

**APPOINTMENT OF BOARDS AND COMMITTEES**

The City Clerk announced the following appointments made by Mayor Guay last week:

<u>Board of Appeals</u>	Anthony Ferguson - term to expire January 2010 Carl Simon - term to expire January 2007
<u>Finance Committee</u>	Robert Reed - term to expire January 2008
<u>Historical Preservation Review Board</u>	Fredda Wolf - term to expire January 2008 Rick Morris - term to expire January 2008 Douglas Hodgkin - term to expire January 2008
<u>Personnel Board</u>	Lucy Bisson - term to expire January 2010
<u>Planning Board</u>	Stephen Morgan - term to expire January 2010

**VOTE (27-2005)**

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

To approve the City Administrator's nomination and to appoint Penny Dick, 350 Randall Road to a three year term on the Board of Assessment Review. Passed - Vote 6-0

**VOTE (28-2005)**

Motion by Councilor Jean, seconded by Councilor Paradis:

To approve the Mayor's nomination and to appoint the following people to the Civic Center Advisory Board: Michael Keaney, two year term; James Adams, Jr., two year term; and Ryan Reed, Youth Advisory Council representative, two year term. Passed - Vote 6-0

**VOTE (29-2005)**

Motion by Councilor Jean, seconded by Councilor Mendros:

To approve the Mayor's nomination and to appoint the following people to the Downtown Advisory Board: Linda Hertell, three year term; Laurent Gilbert, Sr., three year term; and Celeste Yakawanois, three year term. Passed - Vote 6-0

**VOTE (30-2005)**

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

To approve the Mayor's nomination and to appoint the following people to the Library Board of Trustees: Margaret Craven, 41 Russell Street, six year term and Jan Phillips, 40 Jefferson Street, three year term. Passed - Vote 6-0

**VOTE (31-2005)**

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

To approve the Mayor's nomination and to appoint Heather Hunter, City Auditor to a two year term on the 911 Committee. Passed - Vote 6-0

**VOTE (32-2005)**

Motion by Councilor Rousseau, seconded by Councilor Paradis:

To appoint the following people to a two year term on the Lewiston Urban Civic Center Enterprises, Inc. Board (LUCCE): Phil Nadeau, Assistant City Administrator, Marc Porior, citizen, Normand Guay, Lewiston Development Corporation representative and Matt McKnight, Lewiston Maineiacs representative. Passed - Vote 6-0

**REPORTS AND UPDATES**

No reports or updates were presented at this time.

**OTHER BUSINESS**

The City Administrator reminded the Councilors of the following upcoming meeting dates:

January 20 - Joint Agency Banquet  
January 22 - Planning Charrette

January 26 - Joint workshop with School Committee  
January 27 - Annual Chamber Awards Banquet

Councilor Paradis asked the City Administrator to follow up with Northern Utilities regarding their project of replacing old pipes in Lewiston, noting that it was one year ago that the gas explosion at the old hotel and garage occurred. Councilor Paradis wanted to extend the City's support and assistance to Northern Utilities regarding this project.

**VOTE (33-2005)**

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

To adjourn the meeting at 9:25pm. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC  
City Clerk  
Lewiston, Maine