

CITY OF LEWISTON

CITY COUNCIL

NOVEMBER 15, 2005

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

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

PRESENT: Councilors Mendros, Bernier, O'Brien, Jean, Connors, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo

Pledge of Allegiance to the Flag.

Moment of Silence.

PRESENTATION TO THE LEWISTON SMASHERS TENNIS TEAM

Mayor Guay and the City Councilors congratulated the Lewiston Smashers Tennis Team on their recent victory as the top team in the Northeast tennis competition. Mayor Guay then presented certificates to the players and their coaches.

MONTHLY REPORT FROM THE LEWISTON YOUTH ADVISORY COUNCIL

The report was postponed until the next meeting since the LYAC representative was unable to attend the meeting since she was attending a class in Portland.

VOTE (336-2005)

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

To dispense with the reading of the minutes of the November 1, 2005, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE LIBRARY ORDINANCE

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

VOTE (337-2005)

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

That the proposed amendment to the City Code of Ordinances, Chapter 48 "Library", Article II "Board of Trustees", Section 48-21 (a), receive final passage by a roll call vote.

Passed - Vote 7-0

**PUBLIC HEARING FOR THE ESTABLISHMENT OF THE COMMUNITY
CONCEPTS, INC. AFFORDABLE HOUSING TAX INCREMENT FINANCING
DISTRICT AND APPROVAL OF A DEVELOPMENT ASSISTANCE AGREEMENT
WITH COMMUNITY CONCEPTS, INC.**

City Administrator James Bennett stated this is a project that the City partnered with CCI to create downtown housing units for low income senior citizens. Thirty units will be created at the site of the old St. Peters School building on Bates Street and the units will be for seniors whose annual income ranges between \$15,000 and \$23,000. Councilors discussed the assessed value of the building and property, parking and quality of the apartment units. Councilor Paradis stated that is he not comfortable with this project and that all taxpayers will be paying for this project in development costs and will be subsidizing this housing.

Dennis Lajoie, Director of Real Estate Development for CCI, stated that they are reviewing the indoor air quality issues with engineers. He stated they also received a grant to build a “green building” to have the building be environmentally efficient.

Mayor Guay opened the public hearing. Barbara Rankins of the Visible Community spoke in support of the program and the TIF. She said that the group requests that the building be of a good design to fit into the neighborhood and is energy efficient. She requested that the Council support the downtown by approving the TIF. Alyson Stone, executive director of Empower Lewiston, also spoke in support of the TIF. She said that Empower Lewiston represents the Enterprise Community which has several low income seniors residing in the area. Ms. Stone praised the partnership between the City and CCI, and knows the reputation of CCI as building quality housing and it is well taken care of. Charles Soule, 170 Bartlett Street, asked about parking issues and also said that he believes there is a cemetery that is located on the property. Mr. Bennett said that the City and the developers do not believe there is a cemetery on this property and asked Mr. Soule to bring in any documentation that he might have regarding this, and Mr. Soule stated that he would. Mayor Guay then closed the hearing.

VOTE (338-2005)

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

To establish the Community Concepts Inc. Affordable Housing Tax Increment Financing District, to approve the Development Program, to authorize the City Administrator to execute the attached Agreement for Development Assistance and Tax Increment Financing Agreement between the City of Lewiston and Bates Street Senior Housing Associated Limited Partnership, substantially in the form as presented, to authorize the City staff to prepare and submit a tax increment financing application to the Maine State Housing Authority 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

AMENDMENT TO THE JOINT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEWISTON AND COMMUNITY CONCEPTS, INC.

VOTE (339-2005)

Motion by Councilor Connors, seconded by Councilor Mendros:

To authorize the City Administrator to execute an amendment to Sections 2.3.3 and 2.5.1 of the "Amended and Restated Joint Development Agreement" between the City of Lewiston and Community Concepts, Inc., dated June 6, 2005, to extend the deadline to secure project financing to March 1, 2006. Passed - Vote 7-0

At this point, the Council took a five minute recess and the meeting resumed at 8:40pm.

STREET ACCEPTANCE FOR A PORTION OF JUDITH STREET

VOTE (340-2005)

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

ORDERED, That a portion of Judith Street, with the boundaries and measurements of the same, as laid out and reported by the legal description, be hereby accepted, allowed and established as a public street or public way for the use of the City of Lewiston. Passed - Vote 7-0

STREET ACCEPTANCE FOR KAREN STREET

VOTE (341-2005)

Motion by Councilor Connors, seconded by Councilor Paradis:

ORDERED, That Karen Street, with the boundaries and measurements of the same, as laid out and reported by the legal description, be hereby accepted, allowed and established as a public street or public way for the use of the City of Lewiston. Passed - Vote 7-0

VOTE (342-2005)

Motion by Councilor Mendros, seconded by Councilor Connors:

To change the name of Karen Street to Shannon Street. Passed - Vote 7-0

DISCONTINUANCE OF A PORTION OF SHAWMUT STREET

VOTE (343-2005)

Motion by Councilor Paradis, seconded by Councilor Jean:

That the Order vacating and discontinuing a portion of Shawmut Street be adopted. Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (344-2005)

Motion by Councilor Connors, seconded by Councilor Jean :

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 \$1,834.96 or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Chris Harmon, CE-04-0023, 04-DEA-439182; the transfer of \$1,962.75 or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Amy Santiago, CE-05-0031, 06-DEA-458147; the transfer of \$1,354.20 or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. Kevin Harmon, CE-04-0021, 06-DEA-458736; and the transfer of \$694.00 or any portion thereof, in the case of the State of Maine vs. Corry Pepin, CR-05-2147. 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

No reports or updates were presented at this time.

OTHER BUSINESS

No other business was presented at this time.

EXECUTIVE SESSION

VOTE (345-2005)

Motion by Councilor Jean, seconded by Councilor Mendros:

To enter into an executive session to discuss a legal matter with the City Attorney.
Passed - Vote 7-0

VOTE (346-2005)

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

To adjourn at 9:34 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine