

CITY OF LEWISTON

CITY COUNCIL

OCTOBER 5, 2004

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:00 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.

**RECOMMENDATION FROM THE CITY CLERK/REGISTRAR OF VOTERS ON
ACTIONS NECESSARY TO CONDUCT THE STATE CANDIDATE AND
REFERENDUM ELECTION ON NOVEMBER 2, 2004**

VOTE (337-2004)

Motion by Councilor Jean, seconded by Councilor Connors:

To approve the following recommendation from the City Clerk/Registrar of Voters on actions necessary to conduct the State Candidate and Referendum Election to be held on Tuesday, Nov. 2, 2004:

- A. That the hours for acceptance of registrations in person only, prior to the Nov. 2nd election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, Oct. 20 through Nov. 1, 2004; and additional hours of 9:00am to 12 noon on Saturday, Oct. 23 and Saturday, Oct 30, 2004.
- B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, except the day prior to the election when they shall be recorded in accordance with subsec. 7A.
- C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 7:00am, 12:00pm, 6:00pm and any and all remaining shall be processed at 8:00pm, if necessary.

Passed - Vote 7-0

**APPROVAL OF PARKING LOT LEASE BETWEEN THE CITY AND
LEWISTON-AUBURN RAILROAD COMPANY**

VOTE (338-2004)

Motion by Councilor Jean, seconded by Councilor Connors:

To authorize the City Administrator to execute the Parking Lot Lease Agreement with the Lewiston-Auburn Railroad Company 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

**APPOINTMENT TO THE LEWISTON HOUSING AUTHORITY
BOARD OF TRUSTEES**

VOTE (339-2004)

Motion by Councilor Jean, seconded by Councilor Connors:

To confirm the Mayor's nomination of Paul Samson of 143 Webster Street and to appoint Mr. Samson as a member of the Board of Trustees of the Lewiston Housing Authority for a five year term, said term to expire September 17, 2009. Passed - Vote 7-0

AMENDMENT TO THE GENERAL ASSISTANCE POLICY

VOTE (340-2004)

Motion by Councilor Jean, seconded by Councilor Connors:

That the maximum amounts allowed for general assistance and the maximum amounts allowed for food and housing, 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 and the current Thrifty Food Plan.

Passed - Vote 6-1 (Councilor Bernier opposed.)

SPECIAL AMUSEMENT PERMIT FOR FRIEND'S LODGE, 2 CROWLEY ROAD

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

VOTE (341-2004)

Motion by Councilor Jean, seconded by Councilor Mendros:

To grant a special amusement permit for dancing and entertainment to Friend's Lodge, 2 Crowley Road. Passed - Vote 7-0

SPECIAL AMUSEMENT PERMIT FOR ROCK 'N ROBINS, 855 LISBON STREET

The Mayor announced this item was continued from the previous Council meeting, and the motion now pending on the floor is as follows:

Motion by Councilor Bernier, seconded by Councilor Paradis:

To grant a special amusement permit for dancing and entertainment to Rock ‘n Robins, 855 Lisbon Street, for a three month probationary period during which time the Police Department shall monitor the business and if problems continue, then the permit will be revoked.

The Police Chief addressed the Council and recommended a denial of the license citing growing concerns over problems that have been escalating at this location. The Chief discussed an incident this past Thursday night which involved numerous patrons, police officers and several assaults. He said the situation is still under investigation, various charges are pending, and several people were severely injured. The City Administrator recommended that city staff prepare a consent agreement to be entered into between Mr. Berube and the City, and to have the agreement approved by the court system. If the agreement is not followed, it would be a contempt of court issue. Councilor Bernier said she disagreed with the suggestion of having an agreement, saying the problems and situations have gone on long enough and it is fortunate that no one was killed in this last incident. She expressed concerns for the safety of police officers responding to these incidents.

Business owner Michael Berube spoke and stated he is planning to change the format of the business from a nightclub style to a comedy club format. He is hoping the problems will disappear with a change in clientele as a result of the change in format. The Police Chief stated that most of the previous problems have been on Thursday nights between 11pm and 1am when no scheduled events are occurring. Mr. Berube stated that he has increased his staffing on Thursday nights and all personnel have attended TIPS training. Mr. Berube said he is not planning to have live bands and dancing for the public, other than during pre-scheduled private events such as weddings, anniversary parties and so forth.

VOTE (342-2004)

Motion by Councilor Paradis, seconded by Councilor Mendros:

In lieu of denying the special amusement permit at this time, the City Council hereby authorizes postponing this item to the next Council meeting to be held on October 19, to allow city staff and Mr. Berube the opportunity to prepare the consent agreement and bring it forth at the next meeting. Passed - Vote 6-1 (Councilor Jean opposed.)

VOTE (343-2004)

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

To adjourn at 7:20 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine