

CITY OF LEWISTON

CITY COUNCIL

MARCH 4, 2003

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00PM

THE HONORABLE LAURIER T. RAYMOND, JR., MAYOR, PRESIDING.

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

Pledge of Allegiance to the Flag.

Moment of Silence.

MONTHLY UPDATE FROM THE YOUTH ADVISORY COUNCIL

Tarrah Bowden updated the Council regarding their recent forum on noise pollution and the distribution of the noise awareness coloring books. The members have asked Senator Rotundo to attend their next meeting to discuss the new proposed changes to the state law regarding teen driving issues. They are exploring the idea of participating in the Adopt-A-Spot program and are planning to hold a poster contest in the spring for elementary school students.

VOTE (68-2003)

Motion by Councilor Rousseau, seconded by Councilor Jean:

To dispense with the reading of the minutes of the February 18, 2003, meeting and to accept and place them on file as prepared by the City Clerk. Passed - Vote 5-0

PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT TO THE LAND USE CODE TO EXTEND THE HIGHWAY BUSINESS DISTRICT

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

VOTE (69-2003)

Motion by Councilor Jean, seconded by Councilor Mason:

That the proposed amendment to extend the Highway Business (HB) District across Old Lisbon Road and South Lisbon Road from the Maine Turnpike to Crowley Road, receive final passage by a roll call vote. Passed - Vote 5-0

**CONTINUATION OF PUBLIC HEARING REGARDING AN AMENDMENT TO
THE LAND USE CODE CONCERNING CHANGES TO THE DEVELOPMENT
REVIEW PROCESS TO STREAMLINE THE REVIEW PROCEDURES**

VOTE (70-2003)

Motion by Councilor Mason, seconded by Councilor Jean:

To continue the public hearing for Final Passage, regarding amendments to the Land Use Code concerning changes to the Development Review process to streamline the review procedures, to the Council meeting of March 18, 2003. Passed - Vote 5-0

**PUBLIC HEARING FOR THE ESTABLISHMENT OF A TAX INCREMENT
FINANCING (TIF) DISTRICT AND APPROVAL OF A DEVELOPMENT
ASSISTANCE AGREEMENT FOR THE CENTRAL MAINE CIVIC CENTER**

Development Director Greg Mitchell announced that the League accepted the agreement to allow the Sherbrooke Casters to relocate to Lewiston. Mr. Mitchell reported that the city staff is working very closely with Civic Center owner Roger Therriault to ensure that the project will be completed in time for the August deadline. Mayor Raymond opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (71-2003)

Motion by Councilor Jean, seconded by Councilor Rousseau:

To approve the establishment of a Tax Increment Financing (TIF) District for the Central Maine Civic Center, and to authorize the City Administrator to execute the Agreement for Development Assistance and Tax Increment Financing. Passed - Vote 5-0

**PUBLIC HEARING AND ADOPTION OF THE FISCAL YEAR 2004 CAPITAL
IMPROVEMENT PROGRAM**

The City Administrator stated that the document presented during the meeting is a preliminary planning document rather than a final proposal. During the budget presentation, recommendations for amendments to the LCIP will also be presented to reflect the final recommendations and priorities for the coming year. Mayor Raymond opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. Mayor Raymond then closed the hearing.

VOTE (72-2003)

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

That pursuant to Article VI, Section 6.07(d) of the City Charter, the City Council hereby adopts the Fiscal Year 2004 Capital Improvement Program, as prepared by the City Administrator. Passed - Vote 5-0

MUNICIPAL/STATE PROJECT AGREEMENT WITH MDOT

VOTE (73-2003)

Motion by Councilor Jean, seconded by Councilor Mason:

To authorize the City Administrator to enter into a Municipal/State Project Agreement with the Maine Department of Transportation for the operation and maintenance of the traffic signals at the intersection of Route 126 and Pond Road. Passed - Vote 5-0

AUTHORIZATION TO COLLECT INTEREST ON FEES DUE TO THE CITY

The City Administrator stated the lack of a policy came to light during the recent negotiations with Mr. Berube regarding his liquor license, and the outstanding balance due the City for the police security. The amount due is in the range of \$10,000, and the Administrator stated that without interest, this equates to an interest-free loan from the City. The Mayor stated that having the interest rate level tied into the interest rate charged for real estate taxes works well. Councilor Mason felt there was no incentive for citizens to pay their overdue fees with a 7% interest rate, and suggested a higher amount. Councilors suggested this is a good starting point, and the issue can be re-evaluated at a later date.

VOTE (74-2003)

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

ORDERED, That the City Council hereby sets the interest rate that the City can charge and collect for any fees or invoices due and payable to the City, at the prevailing rate established for delinquent taxes, as annually set and established by the State Treasurer, and hereby authorizes the Treasurer or Deputy Treasurer to apply the interest rate to any current and future outstanding balances that are owned to the City that are 30 days past due and payable. Passed - Vote 4-1 (Councilor Mason opposed).

RESOLUTION IN SUPPORT OF FULL FUNDING OF FEDERAL HOUSING PROGRAMS

Lewiston Housing Authority Executive Director James Dowling addressed the Council and asked for their support of this resolution. He stated that numerous grant programs have expired over the years which aided local residents with housing issues in the past. He noted there are 987 vouchers issued in Lewiston for low-income residents.

VOTE (75-2003)

Motion by Councilor Bernier, seconded by Councilor Mason:

To adopt the Resolution in Support of Full Funding of Federal Housing Programs:

Whereas, the Department of Housing and Urban Development has notified housing authorities that there will be a significant under funding of the Public Housing program in Federal Fiscal Year 2003; and

Whereas, the Department's Federal fiscal Year 2004 budget proposal provides for a further decrease in funding of the Public Housing Program; and

Whereas, the Department's Federal fiscal Year 2004 budget proposal seeks to withdraw local housing authority funding for the Section 8 Housing Choice Voucher Program and replace it with a block grant to the states; and

Whereas, these actions would be detrimental to the low income, elderly, and disabled persons who rely on these programs for decent safe and affordable housing; and

Whereas, these actions would be detrimental to the City of Lewiston by limiting the Lewiston Housing Authority's ability to provide decent, safe, and affordable housing;

Now, Therefore, Be It Resolved, by the City Council of the City of Lewiston, that the City of Lewiston opposes the funding cuts and program restructuring in the FY 2004 budget proposal; and

Be It Further Resolved, that the City of Lewiston supports full funding of the Public Housing Program and the retention of the Housing Choice Voucher Program as a locally operated program; and

Be It Further Resolved, that copies of this Resolution be forwarded to the City's United States Congressional delegation.

Passed - Vote 5-0

**ANNUAL APPOINTMENT OF PROXIES TO THE LEWISTON-AUBURN
RAILROAD BOARD OF DIRECTORS**

VOTE (76-2003)

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

To nominate Councilor Bernier, Paul Samson, Gerard J. Raymond, Richard R. Albert, Greg Hanscom and Mark Pellerin as proxies to serve on the Lewiston-Auburn Railroad Board of Directors for the 2003-2004 year term. Passed - Vote 5-0

LEGISLATIVE UPDATE

Assistant City Administrator Phil Nadeau stated that there are approximately 500 bills of municipal interest that the MMA LPC is currently tracking. The LPC is focusing their time on tax reform related bills. He stated that the LPC voted to conditionally support Representative McGowen's bill to restructure the State's Tax Code. Some towns are concerned with the proposal to faze out the personal property tax, especially mill towns. There are many tax reform related bills and MMA will be studying and evaluating all of them to determine the municipal impact.

REPORT FROM THE SCHOOL COMMITTEE

Councilor Bernier reminded the Council of the Joint School-Council workshop tomorrow night.

OTHER BUSINESS

The City Administrator informed the Council that Councilor Paradis is doing well, after his heart attack on Saturday morning. He is in the ICU, but is up and walking around. Also, Mr. Bennett stated that today was a bitter sweet day, because it is his Mother's birthday and also the one year anniversary of the Council's appointment of him as City Administrator. He said that as he reflects over the past year, he would like to thank the elected officials for giving him the opportunity to come back home and to be near family, and to help the community work to make a better tomorrow. He noted it has been an enjoyable and interesting year.

EXECUTIVE SESSION

VOTE (77-2003)

Motion by Councilor Jean, seconded by Councilor Mason:

To enter into an executive session to discuss an Economic Development issue regarding Contract Negotiations, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 5-0

Executive session began at 7:45pm and ended at 8:30pm.

VOTE (78-2003)

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

To adjourn at 8:31 P.M. Passed - Vote 5-0

A true record, Attest:

Kathleen M. Montejo, CMC
City Clerk
Lewiston, Maine