

**CITY OF LEWISTON**

**CITY COUNCIL**

**OCTOBER 21, 2003**

**EXECUTIVE SESSION HELD IN THE  
ADMINISTRATIVE CONFERENCE ROOM AT 6:00 P.M.**

COUNCIL PRESIDENT RENEE A. BERNIER, PRESIDING.

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

The City Council meeting was called to order by Council President Bernier at 6:05 pm in a public session.

**VOTE (299-2003)**

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

To enter into executive session to discuss real estate 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 6:06 pm and ended at 6:50 pm. Councilors Philippon and Mason arrived during the executive session.

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

COUNCIL PRESIDENT RENEE A. BERNIER, PRESIDING.

Council President Bernier called the meeting back to order at 7:00pm.

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

Pledge of Allegiance to the Flag.

Moment of Silence.

**PRESENTATION FROM THE LEWISTON MAINEIACS HOCKEY TEAM**

Matt McKnight, vice president of the Maineiacs, presented a framed team jersey to the City as a thank you for the leadership and commitment to the team shown by the City Council regarding their support and assistance for the location of this team to Lewiston. Mr. McKnight noted the support received from the City Council, city staff and the community has been tremendous.

**MONTHLY UPDATE FROM THE YOUTH ADVISORY COUNCIL**

Tarrah Bowden reported that Councilor Rousseau is working with the group to assist them with fundraising efforts for the Clock Tower Renovation project, and to date, they have raised \$13,875 toward the goal of \$22,000. The local chapter of Modern Woodman have offered a matching grant of up to \$2,500 if an event is held to raise funds for the clock project. The Sun Journal ran a free ad in this Sunday's paper, promoting the fundraising efforts. The LYAC will be working with the Recreation Department to beautify the area around the southern gateway. Group members will be doing face painting at the B Street Community Center grand opening party.

**PRESENTATION ON CLOCK TOWER VIDEO**

A 15 minute video made by the members of LYAC and Great Falls TV was shown regarding the planned restoration efforts for the City Hall Clock Tower.

**VOTE (300-2003)**

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

To dispense with the reading of the minutes of the September 23 and October 7, 2003, meetings and to accept and place them on file as prepared by the City Clerk.

Passed - Vote 7-0

**CONTINUATION OF PUBLIC HEARING FOR THE CENTRAL MAINE POWER COMPANY TAX INCREMENT FINANCING (TIF) DISTRICT AGREEMENT**

**VOTE (301-2003)**

Motion by Councilor Philippon, second by Councilor Jean:

To continue the public hearing regarding the Tax Increment Financing (TIF) District for the Central Maine Power Company Project to the November 18, 2003 City Council meeting.

Passed - Vote 7-0

**CANCELLATION OF THE NOVEMBER 4, 2003 COUNCIL MEETING DUE TO A CONFLICT WITH ELECTION DAY**

**VOTE (302-2003)**

Motion by Councilor Philippon, second by Councilor Jean:

To suspend Section 1 (a) of the Rules Governing the City Council and to hold one regular meeting during the month of November on November 18, 2003. Passed - Vote 7-0

**SPECIAL AMUSEMENT PERMIT FOR CENTRAL MAINE CIVIC CENTER**

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing. The Fire Chief made a brief presentation and stated that he last inspected the building a week ago and several items were not completed. He noted that six fire fighters have been provided during events to have sufficient fire guard protection until these issues are completed. The City Administrator stated that the Fire Chief and State Fire Marshall's Office have been working with the owners of CMCC to have the items finished, noting these are technical items in nature and are not complex issues, they just need to be done. If this work is not completed by the next Council meeting, the Council will be notified.

**VOTE (303-2003)**

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

To grant a Special Amusement Permit for Dancing and Entertainment to the Central Maine Civic Center, 190 Birch Street, pending final completion of all life safety code issues, identified in Inspector Morrell's communication dated October 1, 2003 and final approval from the Fire Chief. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE FOR CODE AMENDMENT TO  
ALLOW TRANSFER OF CERTAIN CONTIGUOUS LOTS**

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing.

**VOTE (304-2003)**

Motion by Councilor Paradis, second by Councilor Mason:

That the proposed amendments to Appendix A, Article VI "Nonconformance", Section 2, "Nonconforming Lots", of the City Zoning and Land Use Code, concerning authorization to transfer certain lots contiguous with non-conforming developed lots, receive first passage by a roll call vote and that the public hearing on said ordinance to be continued to the meeting of November 18, 2003 for final passage. Passed - Vote 7-0

**LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR LEGENDS**

Council President Bernier opened the public hearing. No members of the public spoke for or against this issue. Council President Bernier then closed the hearing. Councilor Paradis noted that there are residents near this establishment location and he is hoping not to have any noise problems in the future, noting that it has been favorable so far.

**VOTE (305-2003 )**

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

To authorize the City Clerk's Office to approve the liquor license application and special amusement permit for Legends, 1567 Lisbon Street. Passed - Vote 7-0

The Mayor announced that at this time, agenda item number 7, Air Rights Easement, will be taken up at this time.

**AIR RIGHTS EASEMENT FOR COMMUNITY CREDIT UNION**

Chris Branch, Public Services Director, stated the department has reviewed this request and is in support of the issuance of this easement. Donna Steckino, president of the credit union, stated this is needed to have a conduit to have the delivery tube travel from the drive up area to the office building. The current system is underground and it is not working, is in need of repair on a regular basis and is difficult to access since it is underground. An overhead system would be better.

**VOTE (306-2003 )**

Motion by Councilor Paradis, second by Councilor Jean:

Be It Ordered, that the City shall issue an Easement Deed to Community Credit Union for air rights over Prince Street, and to authorize the City Administrator to execute and sign all related documents on behalf of the City. Passed - Vote 7-0

**AUTHORIZATION TO ENTER INTO A PURCHASE AND SALE AGREEMENT  
FOR PROPERTY AT 480-482 CANAL STREET**

**VOTE (307-2003)**

Motion by Councilor Mason, second by Councilor Jean:

To enter into an executive session to discuss real estate negotiations, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 7-0

The executive session began at 8:10p.m. and ended at 8:30p.m.

Councilor Rousseau excused himself from the meeting immediately after the executive session adjourned.

The City Administrator explained that this property is important for the development of the southern gateway. The City is planning to purchase this property and there could be up to a five month time frame to allow the current tenants time to find new apartments. The City is not required to offer relocation assistance to the tenants, yet is working with the landlord and offering financial support to the landlord for the tenants to assist them with the relocation efforts. There are 23 units in the building.

**VOTE (308-2003)**

Motion by Councilor Mason, second by Councilor Jean:

To authorize the City Administrator to enter into a Purchase & Sale Agreement for the property at 480-482 Canal Street. Passed - Vote 6-0

**ANDROSCOGGIN COUNTY MUNICIPAL AND COUNTY OFFICIALS MEETING**

City Administrator James Bennett explained that this process will be modeled after the Lewiston and Auburn example of working together.

**VOTE (309-2003)**

Motion by Councilor Jean, second by Councilor Mason:

To authorize the Council President and City Administrator to pursue details of organizing a meeting for municipal and county officials in Androscoggin County. Passed - Vote 6-0

**LEGISLATIVE UPDATE**

No report was presented at this time.

**REPORT FROM THE SCHOOL**

No report was presented at this time.

**OTHER BUSINESS**

- 1) The Chamber of Commerce is sponsoring a Candidate's Night Forum on Thursday, October 23 at L/A College. Interested citizens are welcome to attend.
- 2) A reminder was issued to residents that one half of the polling locations in the City have been changed, urged citizens to contact the City Clerk's Office if they have any questions. Resident Paul Samson, 143 Webster Street, asked why the locations were changed, expressing concern for residents of Meadowview.

**VOTE (310-2003)**

Motion by Councilor Mason, second by Councilor Jean:

To adjourn at 8:40 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC  
City Clerk  
Lewiston, Maine