

**CITY OF LEWISTON**

**CITY COUNCIL**

**OCTOBER 1, 2013**

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

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Butler, D’Auteuil, Libby, Christ, Saddlemire, Cayer and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.  
Moment of Silence.

**VOTE (1)**

Motion by Councilor Butler, seconded by Councilor Christ:

To dispense with the reading of the minutes of the meetings of June 18 and July 16, 2013 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

**PUBLIC COMMENT PERIOD**

Melissa Dunne, a resident of Auburn who works as an advocate for tenant’s rights issues, said the residents in the downtown want to have safe and affordable housing and encouraged the Council to support housing developments in light of the 200 people homeless as a result of the fires in May. Heidi Brooks of 29 Howard Street also supported the idea of affordable housing for those with low-incomes.

**APPROVAL OF ELECTION WARRANT FOR THE NOVEMBER 5 ELECTION**

**VOTE (2)**

Motion by Councilor Libby, seconded by Councilor Christ:

To approve the Order regarding the Election Warrant calling for the Municipal Election to be held on Tuesday, November 5, 2013 for the offices of Mayor, City Council and School Committee, and Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the Municipal Candidate and State Referendum Election, to be held on Tuesday, November 5, 2013:

Be It Ordered by the City Council that the Election Warrant be issued for the Regular Municipal Election to be held on Tuesday, November 5, 2013 for the purposes of voting for the following positions: Mayor - citywide, seven City Council seats - Wards 1 - 7, School Committee - At Large and seven School Committee seats - Wards 1 - 7; and

To approve the following recommendation from the City Clerk/Registrar of Voters on actions necessary to conduct the Municipal Candidate and State Referendum Election to be held on Tuesday, November 5, 2013:

A. That the hours for acceptance of registrations in person only, prior to the Nov. 5th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, Oct. 16 through Nov. 4, 2013; and additional hours of 4:30pm to 7:00pm on Wednesday, October 30, 2013.

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, expect 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 3:00pm, 7:00pm and any and all remaining shall be processed at 8:00pm, if necessary.

Passed - Vote 7-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR  
REAL ESTATE LOCATED AT 37 LISBON STREET**

**VOTE (3)**

Motion by Councilor Libby, seconded by Councilor Christ:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 37 Lisbon Street:

Whereas, the former owner, Richard A. Spiro, failed to pay his real estate and utility bills on a timely basis for 37 Lisbon Street (Tax Map 207, Lot 125, Parcel 00-005779); and

Whereas, a real estate tax lien in the amount of \$2,256.04 was recorded on June 17, 2011 (Book 8181 Page 315) and matured on December 17, 2012; and

Whereas, a water lien in the amount of \$122.90 was recorded on June 29, 2010 (Book 7966 Page 338) and matured on December 29, 2011; and

Whereas, a sewer lien in the amount of \$136.18 was recorded on June 29, 2010 (Book 7967 Page 130) and matured on December 29, 2011; and

Whereas, payment was received in full and the property was sold to ATL Holdings LLC;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that a quitclaim is hereby authorized for 37 Lisbon Street to release the City's interest in the property to the owner.

Passed - Vote 7-0

**PUBLIC HEARING FOR A SPECIAL AMUSEMENT PERMIT FOR  
THE DEMPSEY CENTER**

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

**VOTE (4)**

Motion by Councilor Saddle mire, seconded by Councilor Cayer:

To grant a Special Amusement Permit for live entertainment to The Dempsey Center, 29 Lowell Street. Passed - Vote 7-0

**ORDER AUTHORIZING CITY STAFF TO NEGOTIATE AN OPTION AGREEMENT WITH THOMAS PLATZ REGARDING BATES MILL #5**

**VOTE (5)**

Motion by Councilor Cayer, seconded by Councilor Butler:

To approve the Order authorizing city staff to negotiate an Option Agreement with Thomas Platz regarding Bates Mill #5:

Whereas, the building has long been vacant and past efforts to find a suitable tenant or qualified developer to redevelop the building have not been successful; and

Whereas, Grow L+A, a non-profit citizens' group dedicated to promoting responsible development that is economically sound, sustainable, socially responsible and that supports a health community has dedicated significant time and effort to articulating a vision, promoting discussion, and generating interest in a redeveloped Bates Mill #5 as the preferred alternative to demolition of the structure; and

Whereas, Grow L+A's efforts have resulted in adequate tenant and developer interest to make further exploration of redevelopment opportunities and costs worthwhile; and

Whereas, Thomas Platz has engaged in engineering, architectural, and other due diligence related to redevelopment of the building for use by a variety of commercial tenants and has engaged in initial discussions with several of those tenants regarding needs and possible leasing of space within the building; and

Whereas, more time is needed to fully develop concepts and costs associated with redevelopment so that negotiations with tenants and be entered into based on real numbers and the economic viability of the project can be ascertained;

Now Therefore, Be It Ordered by the City Council of the City of Lewiston that staff is hereby authorized to negotiate an Option Agreement with Thomas Platz regarding the transfer of title to Bates Mill #5.

Passed - Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PERMIT WITH BROOKFIELD WHITE PINE HYDRO LLC**

The City Administrator requested to have this item delayed until the next City Council meeting noting the company recently asked for some changes to the agreement language and city staff wanted to have additional time to review it.

**VOTE (6)**

Motion by Councilor D'Auteuil, seconded by Councilor Saddlemire:

To postpone action on this item until the next City Council meeting. Passed - Vote 7-0

**RESOLVE ACCEPTING AND APPROPRIATING A TARGETED ASSISTANCE GRANT FROM THE OFFICE OF REFUGEE RESETTLEMENT FOR THE PURPOSE OF ASSISTING REFUGEES IN FINDING EMPLOYMENT**

**VOTE (7)**

Motion by Councilor Butler, seconded by Councilor Saddlemire:

To approve the Resolve accepting and appropriating a Targeted Assistance Grant from the Office of Refugee Resettlement for the purpose of assisting refugees in finding employment:

Whereas, the United States Government's Office of Refugee Resettlement provides grants designed to assist local communities in finding employment for refugees residing in that community; and

Whereas, the State of Maine, as lead applicant, has been awarded a grant and will contract with the City of Portland to implement the grant; and

Whereas, the City of Lewiston will contract with the City of Portland to deliver services under the grant; and

Whereas, the grant will run for a three year period beginning in October 2013; and

Whereas, the City's share of the grant will pay for a part-time contracted employment caseworker and a portion of the salary of the Social Services Director; and

Whereas, the employment caseworker will work closely with Lewiston Adult Education to train and secure employment for our refugee population; and

Whereas, refugee unemployment remains a serious concern in Lewiston; and

Whereas, the grant will provide the City of Lewiston with a total of \$29,817 for each year of the 3-year grant;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that there is hereby accepted and appropriated a Targeted Assistance Grant from the Office of Refugee Resettlement for the Purpose of Assisting Refugees in Finding Employment and that the City Administrator, Finance Director, and Social Services Director are hereby authorized to take the necessary steps to implement this grant and to ensure that its terms and conditions are met.

Passed - Vote 7-0

**PRESENTATION REGARDING THE CITY'S NEW VOTING MACHINES**

The City Clerk made a presentation regarding the new voting machines city voters will be using starting in November. Deputy City Clerk Kelly Mercier and Assistant City Clerk Allison Pease assisted with the demonstration of the machine. The new paper ballot format was shown and test ballots were inserted into the machine to demonstrate the screen on the voting machine. The new machines will return a ballot to the voter if the voter did not fill in the ovals or if the voter voted for more than the number of candidates allowed.

### **REPORTS AND UPDATES**

The City Administrator announced that the Volunteers of American housing project scheduled for the Pierce Street and Bartlett Street area has been cancelled. Volunteers of America withdrew their application noting they were unable to secure site control for all of the properties involved. The Joint Development Agreement approved by the Council at the previous meeting is now terminated as a result of the group's withdrawal of the project application.

### **OTHER BUSINESS**

#### **VOTE (8)**

Motion by Councilor Christ, seconded by Councilor Butler:

To appoint John Clifford of 14 Ware Street as a full member of the Board of Appeals for a five year term, said term to be filling a current vacancy and therefore will expire January 5, 2016.  
Passed - Vote 7-0

The City Administrator asked the Council to consider directing the Planning Board to review the issue of advertising signs placed on the roofs of buildings. He noted the Code Enforcement Department is seeing more requests for these permits.

#### **VOTE (9)**

Motion by Councilor Cayer, seconded by Councilor Christ:

To direct the Planning Board to review the zoning requirements and regulations for signs placed upon the roofs of buildings in town. Passed - Vote 7-0

### **EXECUTIVE SESSION REGARDING REAL ESTATE NEGOTIATIONS**

#### **VOTE (10)**

Motion by Councilor Butler, seconded by Councilor Saddlemire:

To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Acquisition of Property, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 7-0

Session began at 7:30pm and ended at 8:15pm.

**EXECUTIVE SESSION REGARDING REAL ESTATE NEGOTIATIONS**

**VOTE (11)**

Motion by Councilor Butler, seconded by Councilor Saddlemire:

To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Disposition of Property, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 7-0

Session began at 8:15pm and ended at 8:45pm

**VOTE (12)**

Motion by Councilor Butler, second by Councilor Cayer:

To adjourn at 8:45P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine