

**CITY OF LEWISTON**

**CITY COUNCIL**

**JANUARY 7, 2014**

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

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Dubois, D’Auteuil, Libby, Christ, Cloutier, Cayer and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.  
Moment of Silence.

**VOTE (5-2014)**

Motion by Councilor Libby, seconded by Councilor Christ:

To dispense with the reading of the minutes of the meeting of December 17, 2013 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

**PUBLIC COMMENT PERIOD**

School Committee member Matthew Roy reminded residents about Tuesday’s school budget re-adoption vote and encouraged voters to please support the school budget.

**ADOPTION OF THE RULES TO GOVERN THE CITY COUNCIL**

**VOTE (6-2014)**

Motion by Councilor Cayer, seconded by Councilor Libby:

To adopt the Rules to Govern the City Council for the period of January 7, 2014 to January 5, 2106 as presented. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE ON AMENDMENTS TO THE TRAFFIC AND VEHICLES ORDINANCE REGARDING PARKING RESTRICTIONS**

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

**VOTE (7-2014)**

Motion by Councilor Libby, seconded by Councilor Christ:

That the proposed amendment to the City Code of Ordinances, Chapter 70 “Traffic and Vehicles”, Section 70-131 “Regulations not exclusive” and Section 70-150 “Authority to designate hazardous or congested places; parking restricted”, receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE ON AMENDMENTS TO THE BUSINESS LICENSING ORDINANCE TO CREATE A TATTOO ARTIST APPEALS BOARD**

Mayor Macdonald opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. Mayor Macdonald then closed the hearing. Councilor Lachance expressed concern for this change stating he disagrees with it and feels the tattoo appeal information should be reviewed during a City Council meeting since the criminal records are open records and the public has a right to know the information. He expressed concerns about a loss of transparency if the hearings are not held in front of the full Council.

**VOTE (8-2014)**

Motion by Councilor Christ, seconded by Councilor Cloutier:

That the proposed amendment to the City Code of Ordinances, Chapter 22, "Businesses", Article XI, "Tattooing", Section 22-364 "Right to Appeal", receive final passage by a roll call vote.  
Passed - Vote 5-2 (Councilors Dubois and Lachance opposed)

**AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL APPLICATIONS TO OPERATE BEANO, BINGO AND OTHER GAMES OF CHANCE**

**VOTE (9-2014)**

Motion by Councilor Dubois, seconded by Councilor Cayer:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance on behalf of the Municipal Officers, during the period January 7, 2014 through January 5, 2016.  
Passed - Vote 7-0

**AUTHORIZIATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL PERMITS FOR CIRCUSES AND CARNIVALS**

**VOTE (10-2014)**

Motion by Councilor Cloutier, seconded by Councilor Dubois:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all permits for a circus or carnival on behalf of the Municipal Officers, during the period January 7, 2014 through January 5, 2016. Passed - Vote 7-0

**AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO SIGN ALL LIQUOR LICENSE APPLICATIONS**

**VOTE (11-2014)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers, during the period January

7, 2014 through January 5, 2016. Passed - Vote 7-0

**AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL APPLICATIONS FOR UTILITY POLE PERMITS**

**VOTE (12-2014)**

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

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications for utility pole permits on behalf of the Municipal Officers, during the period January 7, 2014 through January 5, 2016. Passed - Vote 7-0

**AUTHORIZATION FOR CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL LICENSES FOR CLOSE OUT SALE PERMITS**

**VOTE (13-2014)**

Motion by Councilor Christ, seconded by Councilor Cloutier:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits on behalf of the Municipal Officers, during the period January 7, 2014 through January 5, 2016. Passed - Vote 7-0

**AUTHORIZATION FOR THE FINANCE DIRECTOR, TAX COLLECTOR AND DEPUTY TREASURER TO ACT ON BEHALF OF THE MUNICIPAL OFFICERS**

**VOTE (14-2014)**

Motion by Councilor Dubois, seconded by Councilor Cayer:

ORDERED, That the City Council hereby authorizes the Finance Director, Tax Collector or Deputy Treasurer to withhold monies payable by the City of Lewiston to cover taxes due pursuant to MRSA Title 30-A, section 905; to sign on behalf of the City, the necessary deeds and liens and tax settlements; and to invest funds in accordance with Maine Revised Statutes Annotated, Title 30-A, Section 5706, during the period January 7, 2014 through January 5, 2016. Passed - Vote 7-0

**AUTHORIZATION FOR CITY ADMINISTRATION TO APPROVE OR DENY ALL REQUESTS TO HANG BANNERS, POST COMMUNITY EVENT SIGNS ON MUNICIPAL PROPERTY AND PLACE TEMPORARY SIGNS, FLAGS AND DECORATIONS IN THE PUBLIC RIGHT OF WAY, ON BEHALF OF THE MUNICIPAL OFFICERS**

**VOTE (15-2014)**

Motion by Councilor Christ, seconded by Councilor Cloutier:

ORDERED, That the City Council hereby authorizes the City Administrator or Deputy City Administrator to review and approve or deny all requests to hang banners, post community event signs on city property, and place temporary signs, flags and decorations in the public right of

way, on behalf of the Municipal Officers, during the period of January 7, 2014 through January 5, 2016. Passed - Vote 7-0

**AUTHORIZATION FOR DEPUTY CITY ADMINISTRATOR AND/OR FINANCE DIRECTOR TO HAVE SIGNATORY AUTHORITY FOR THE CITY ADMINISTRATOR WHEN THE ADMINISTRATOR IS UNAVAILABLE**

**VOTE (16-2014)**

Motion by Councilor Christ, seconded by Councilor Lachance:

ORDERED, That the City Council hereby authorizes the Deputy City Administrator, or in the absence of the Deputy City Administrator, the Finance Director, to have signatory authority for the City Administrator, when the Administrator is unavailable, during the period of January 7, 2014 through January 5, 2016. Passed - Vote 7-0

**ORDER CALLING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 10, 2014 FOR THE PURPOSE OF ELECTING THREE MEMBERS OF THE JOINT CHARTER COMMISSION REGARDING THE PROPOSED CONSOLIDATION OF THE CITIES OF LEWISTON AND AUBURN**

The City Administrator provided background information on this item. Matthew Roy of Randall Road encouraged citizens, especially younger citizens, to get involved with this process since they will be the ones to live with the final outcome that is approved by the voters.

**VOTE (17-2014)**

Motion by Councilor Cayer, seconded by Councilor Cloutier:

To adopt the Order calling for a Special Municipal Election to be held on Tuesday, June 10, 2014 for the purpose of electing three members of the Joint Charter Commission regarding the proposed consolidation of the Cities of Lewiston and Auburn:

Whereas, Maine State Statutes outline and define the process for the consolidation of two or more municipalities; and

Whereas, in November 2013, a petition was submitted to the City containing 1,000 signatures, as required by state statutes, calling for the election of a Joint Charter Commission to draft a charter for the merger of municipal governments of Lewiston and Auburn and to prepare a Consolidation Agreement; and

Whereas, June 10, 2014 is the scheduled day for the state primary election;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that a Special Municipal Election will be held on Tuesday, June 10, 2014, for the purpose of electing three Lewiston citizens to serve on the Joint Charter Commission, said Commission's duties to be as defined in State Statutes.

Passed - Vote 7-0

**APPOINTMENT TO VARIOUS CITY BOARDS AND COMMITTEES**

Mayor Macdonald announced the following Mayoral appointments:

- 1) Community Development Block Grant Committee – two year term - Richard White of Blake St
- 2) Community Forestry Board – three year terms - John Butler of Ware St and Zam Zam Mohamud of Tall Pines Dr
- 3) Finance Committee – three year term - Nelson Peters III of Water’s Edge Drive
- 4) Historical Preservation Review Board – three year terms - Rick Morris of College St and Douglas Hodgkin of Sutton Place
- 5) Planning Board – Full member positions – 5 year terms: Paul Madore of Sabattus Street and Bruce Damon of Buttonwood Lane; Associate member position – five year term: Pauline Gudas of Raymond Avenue

**VOTE (18-2014)**

Motion by Councilor Cayer, seconded by Councilor D’Auteuil:

To approve Mayor Macdonald’s nominations to the following boards and committees:

Cable Television Advisory Committee - two year terms - Herve Gendreau of Arkwright Ave and Larry Gilbert, Jr. of Chestnut Avenue

Library Board of Trustees - three year terms – Elizabeth Clifford of Ware Street, Darby Ray of Bearce Ave and John Painter of Richmond Avenue

Passed – Vote 7-0

**VOTE (19-2014)**

Motion by Councilor Cayer, seconded by Councilor Libby:

To appoint Normand R. Lamie of 234 Montello Street to serve as a member of the Lewiston Auburn Water Pollution Control Authority, said term to expire December 31, 2015.

Passed – Vote 7-0

**VOTE (20-2014)**

Motion by Councilor D’Auteuil, seconded by Councilor Christ:

To approve the following appointments of the City Council representatives to the various boards and committees:

- |   |   |
|---|---|
| 911 Committee   | Councilor D’Auteuil                     |
| Airport Board of Directors                                  | Councilor Cayer                         |
| Androscoggin County Budget Committee*                       | Councilor D’Auteuil, Councilor Lachance |
| Androscoggin Valley Council of Governments General Assembly | Councilors Cloutier, Councilor Dubois   |
| Community Development Block Grant Committee                 | Councilor Libby                         |

## CITY COUNCIL

JANUARY 7, 2014

Comprehensive Plan Committee	Councilor Cloutier, Councilor Lachance
Downtown Neighborhood Action Committee	Councilor Cloutier
L/A Transit Committee	Councilor Cayer
Lake Auburn Watershed Protection Commission	Councilor Lachance
Lewiston Auburn Economic Growth Council	Councilor Libby, Mayor Macdonald
Lewiston Auburn Public Health Committee	Councilor Cloutier
Lewiston Mill Redevelopment Corp	Mayor Macdonald
Loan Qualification Committee	Councilor D'Auteuil
Library Board of Trustees	Mayor Macdonald
Maine Municipal Association	Mayor Macdonald
Legislative Policy Committee	
School Committee	Councilor D'Auteuil
South Park Industrial Park Board of Directors	Council President, Mayor
Taxi & Tattoo Appeals Board	Councilor Cayer, Councilor Christ
Youth Advisory Council	Councilor Libby, Councilor Cloutier

Passed – Vote 7-0

The City Council President also issued his appointments to the Finance Committee. Council President Cayer appointed Councilor Dubois and Councilor Christ to the Finance Committee.

### REPORTS AND UPDATES

The City Administrator updated the Council on a potential joint meeting with Auburn and the Council planning session. He also noted there will be a joint workshop with the Planning Board and Finance Committee regarding the Lewiston Capital Improvement Plan (LCIP) and also that night there will be a presentation on the FY2013 city financial audit.

### OTHER BUSINESS

Councilor Lachance requested a future workshop discussion regarding the idea of placing the city's restaurant inspection reports on the city's website.

### EXECUTIVE SESSIONS

#### VOTE (21-2014)

Motion by Councilor Dubois, seconded by Councilor Christ:

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 of the position of the City. Passed - Vote 7-0

### EXECUTIVE SESSION

#### VOTE (22-2014)

Motion by Councilor Dubois, seconded by Councilor Christ:

To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(D) to discuss Labor Negotiations regarding the city's six employee unions – International Association of Firefighters, Local 785; Maine State Employees Association, Local 1989; Maine Association of Police; Lewiston Police Supervisory Command Unit; Lewiston Professional Technical Unit, Local 3855 and Lewiston Public Works Unit, Local 1458. Passed - Vote 7-0

**VOTE (23-2014)**

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

To adjourn at 9:58P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine