

CITY OF LEWISTON

CITY COUNCIL

FEBRUARY 3, 2015

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, Bouchard, Cloutier, Cayer and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (29-2015)

Motion by Councilor Libby, seconded by Councilor Dubois:

To dispense with the reading of the minutes of the meeting of January 20, 2015 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC COMMENT PERIOD

No members of the public offered comment at this time.

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR
REAL ESTATE LOCATED AT 47 AUTUMN LANE**

VOTE (30-2015)

Motion by Councilor Libby, seconded by Councilor Cloutier:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 47 Autumn Lane:

Whereas, the owners, Countryside Management and Harry Darling Heirs, failed to pay their real estate tax bills on a timely basis for 47 Autumn Lane (Tax Map 38, Lot 003, Parcel 90-013433); and

Whereas, a tax lien was filed on June 13, 2012 (Book 8417 Page 73), and matured on December 13, 2013, in the amount of \$612.16; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8699 Page 173), and matured on December 19, 2014, in the amount of \$732.25; and

Whereas, payment was received in full on January 6, 2015;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, that a quitclaim be issued for 47 Autumn Lane to release the City's interest in the property to the owner.

Passed - Vote 7-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR
REAL ESTATE LOCATED AT 97 GOOGIN STREET**

VOTE (31-2015)

Motion by Councilor Libby, seconded by Councilor Cloutier:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 97 Googin Street:

Whereas, the owner, Carrie Lynn B. Wood, failed to pay her real estate tax bills on a timely basis for 97 Googin Street (Tax Map 171, Lot 194, Parcel 00-010640); and

Whereas, a tax lien was filed on June 18, 2008 (Book 7461 Page 343), and matured on December 18, 2009, in the amount of \$1,843.23; and

Whereas, a tax lien was filed on June 17, 2009 (Book 7721 Page 269), and matured on December 17, 2010, in the amount of \$1,681.32; and

Whereas, a tax lien was filed on June 16, 2010 (Book 7953 Page 135), and matured on December 16, 2011, in the amount of \$1,648.64; and

Whereas, a tax lien was filed on June 17, 2011 (Book 8182 Page 28), and matured on December 17, 2012, in the amount of \$1,728.51; and

Whereas, a tax lien was filed on June 13, 2012 (Book 8418 Page 134), and matured on December 13, 2013, in the amount of \$1,740.02; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8700 Page 221), and matured on December 19, 2014, in the amount of \$1,734.29; and

Whereas, a tax lien was filed on June 18, 2014 (Book 8935 Page 138), in the amount of \$1,780.74; and

Whereas, payment was received in full on January 15, 2015;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, that a quitclaim be issued for 97 Googin Street to release the City's interest in the property to the new owner.

Passed - Vote 7-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR
REAL ESTATE LOCATED AT 378 PINEWOODS ROAD**

VOTE (32-2015)

Motion by Councilor Libby, seconded by Councilor Cloutier:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 378 Pinewoods Road:

Whereas, the owners, Marie Saucier and Dora and John Clerk, failed to pay their real estate tax bills on a timely basis for 378 Pinewoods Road (Tax Map 49, Lot 013, Parcel 00-012882); and

Whereas, a tax lien was filed on June 13, 2012 (Book 8418 Page 61), and matured on December 13, 2013, in the amount of \$2,969.01; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8700 Page 133), and matured on December 19, 2014, in the amount of \$2,972.41; and

Whereas, payment was received in full on January 15, 2015; and

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, that a quitclaim be issued for 378 Pinewoods Road to release the City's interest in the property to the owner.

Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR SEA ASIAN BISTRO, 40 EAST AVENUE

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

VOTE (33-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

To grant a Special Amusement Permit for live entertainment to Sea Asian Bistro, 40 East Avenue. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR FRANCO-AMERICAN HERITAGE CENTER, 46 CEDAR STREET

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

VOTE (34-2015)

Motion by Councilor Lachance, seconded by Councilor Cloutier:

To grant a Special Amusement Permit for live entertainment to Franco-American Heritage

Center, 46 Cedar Street. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE CAGE, 97 ASH STREET

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

VOTE (35-2015)

Motion by Councilor Cloutier, seconded by Councilor Bouchard:

To grant a Special Amusement Permit for live entertainment to The Cage, 97 Ash Street.
Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE BUILDINGS AND BUILDING REGULATIONS ORDINANCE REGARDING THE BUILDING CODE AND THE RESIDENTIAL CODE

Gil Arsenault, Director of Code and Planning, stated there are few additional changes he would like to make to the ordinance before having the Council approve first passage. He requested the Council withdraw the proposed amendments and he will present a new version at the next meeting.

VOTE (36-2015)

Motion by Councilor Libby, seconded by Councilor Bouchard:

To postpone indefinitely. Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE BUILDINGS AND BUILDING REGULATIONS ORDINANCE REGARDING THE ELECTRICAL CODE

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

VOTE (37-2015)

Motion by Councilor Libby, seconded by Councilor Bouchard:

That the proposed amendments to the City Code of Ordinances, Chapter 18 “Buildings and Building Regulations”, Article V, “Electrical Code”, receive first passage by a roll call vote and the public hearing on said ordinance be continued to the next regular City Council meeting.
Passed - Vote 7-0

PUBLIC HEARING FOR THE FISCAL YEAR 2016 LEWISTON CAPITAL IMPROVEMENT PROGRAM

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

RESOLVE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A LETTER OF UNDERSTANDING BETWEEN THE CITY OF LEWISTON AND FRIENDS OF PETTINGILL PARK AND AUTHORIZING THE FRIENDS TO SOLICIT AND RAISE FUNDS FOR PETTINGILL PARK

VOTE (38-2015)

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

To approve the Resolve authorizing the City Administrator to execute a Letter of Understanding between the City of Lewiston and Friends of Pettingill Park and authorizing the Friends to solicit and raise funds for Pettingill Park:

Whereas, the Council has supported retaining a playground and green space on the former Pettingill School property; and

Whereas, residents of the neighborhood have organized the Friends of Pettingill Park for the purpose of developing a park; and

Whereas, the Friends have been working to develop a master plan for the park; and

Whereas, it is likely that elements of the master plan may be implemented this year; and

Whereas, at this point, it is appropriate that the City and Friends enter into an agreement that outlines the respective responsibilities of each for construction and maintenance of the park; and

Whereas, the previous permission granted to the Friends to solicit funds for the park expired on January 15, 2015 and they wish to continue to do so;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the City Administrator is hereby authorized to execute a letter of understanding between the City of Lewiston and Friends of Pettingill Park in a form substantially as attached hereto.

Be it Further Resolved, that the Friends of Pettingill are hereby authorized to continue to solicit and raise donations for the purpose of establishing a park and playground on this property. This authorization shall remain valid until January 1, 2016 and may be further extended by the City Administrator during any period that the Friends continue to actively pursue development of a park, abide by its agreements with the City, and adhere to the City's general requirements for soliciting funds for City projects. Pledges and donations for this purpose shall be made to the City of Lewiston and shall be deposited in a separate account established by the Finance Director for this purpose. The Finance Director shall provide all donors with receipts recognizing their

contribution. If, for any reason, this project is not completed, the Finance Director shall return any donations actually received by the City to the donor.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Libby's update on the status of the state budget was postponed to the February 10 Council workshop. The City Administrator stated the Bike-Ped Committee has requested a workshop with both City Councils. He will work on scheduling with Auburn.

OTHER BUSINESS

No other business was presented at this time.

VOTE (39-2015)

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

To adjourn at 7:30P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine