

CITY OF LEWISTON

CITY COUNCIL

MARCH 7, 2017

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

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Lysen, Lajoie, Golden, Bouchard, Cloutier, Beam and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.
Moment of Silence.

PUBLIC COMMENT PERIOD

Shanna Cox of 119 Ash Street addressed the Council and stated she is the president of the Grow LA project. She stated their project is moving forward and they look forward to working with the City on the redevelopment of Mill 5.

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR
REAL ESTATE LOCATED AT 10 NOMAR COURT**

VOTE (57-2017)

Motion by Councilor Lachance, seconded by Councilor Lajoie:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 10 Nomar Court:

Whereas, the owner, Win/Win Corporation, failed to pay their tax bill on a timely basis for 10 Nomar Court (Parcel 00-007791); and

Whereas, a tax lien, which included a special tax for demolition was filed on May 12, 2015 (Book 9135 Page 238) and matured on January 18, 2017 in the amount of \$15,737.35; and

Whereas, payment was received in full;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, that a quitclaim deed is hereby authorized to release the City's interest in the property located at 10 Nomar Court to the owner.

Passed - Vote 7-0

**ORDER AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO POST
ROADWAYS PROHIBITING VEHICLES WITH A GROSS VEHICLE WEIGHT
GREATER THAN 23,000 POUNDS FROM TRAVELING ON CERTAIN ROADS AT
THE DISCRETION OF THE PUBLIC WORKS DIRECTOR**

VOTE (58-2017)

Motion by Councilor Lachance, seconded by Councilor Lajoie:

To approve the Order authorizing the Public Works Department to post roadways prohibiting vehicles with a gross vehicle weight greater than 23,000 pounds from traveling on certain roads at the discretion of the Public Works Director:

Whereas, spring road posting is done to prevent damage to the road base and pavement during the critical period of time when the frost is thawing from the road base; and

Whereas, historically, this period of time is when the roads are the most susceptible to damage from heavy weight traffic; and

Whereas, the streets and roadways to be weight limited are those with an open ditch drainage system and no under drains; and

Whereas, exceptions can and are made if road conditions are favorable on a case-by-case basis by the Director of Public Works or his designee; and

Whereas, exempted vehicles include all vehicles or combination of vehicles 23,000 pounds or less, emergency response vehicles, school buses, fuel delivery trucks, State or municipal highway maintenance vehicles, or authorized vehicles under the direction of a public jurisdiction engaged in emergency maintenance of a public highway thereof;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the Public Works Department is authorized to post 23,000 pound weight limits for the following streets:

- | | |
|---------------------|---|
| Ferry Road – | from Cottage Road to River Road |
| River Road – | from Ferry Road to the Solid Waste Facility |
| Dyer Road – | from Lisbon Road to Ferry Road |
| Pinewoods Road – | from Ferry Road to Town Line |
| Gayton Road – | from Lisbon Road to Town Line |
| Webster Road – | from Old Lisbon Road to Crowley Road |
| Merrill Road – | from College Road to Main Street |
| Sleeper Road – | from Merrill Road to Town Line |
| Randall Road – | from Sunrise Lane to Grove Street |
| Grove Street – | from Randall road to Town Line |
| Old Greene Road – | from North Temple Street to Town Line |
| No Name Pond Road – | from Old Greene Road to Town Line |
| Pond Road – | from Cherrywood Drive to No Name Pond Road |

Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (59-2017)

Motion by Councilor Lachance, seconded by Councilor Lajoie:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section

5822(4)(A), the City Council hereby acknowledges and approves of the transfer of items such as outlined on the attached listing, less administrative fees or any portion thereof, in the cases of the US Department of Justice Drug Enforcement Administration vs. the cases outlined on the attached listing. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the “City of Lewiston Drug Enforcement Program” account.
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 hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (60-2017)

Motion by Councilor Cloutier, seconded by Councilor Bouchard:

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
AGORA GRAND, 220 BATES STREET**

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

VOTE (61-2017)

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To grant a Special Amusement permit for live entertainment to the Agora Grand, 220 Bates Street. Passed - Vote 7-0

**PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL
AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR
THE CARLETON CLUB, 25 SABATTUS STREET**

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

VOTE (62-2017)

Motion by Councilor Bouchard, seconded by Councilor Golden:

To grant a Special Amusement permit for live entertainment to the Carlton Club, 25 Sabattus Street. Passed – Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT TO THE ADMINISTRATIVE ORDINANCE REGARDING FIRE DEPARTMENT STAFFING

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

VOTE (63-2017)

Motion by Councilor Lachance, seconded by Councilor Lysen:

That the proposed amendment to the City Code of Ordinances, Chapter 2 “Administration”, Division 5, “Department of Fire”, receive final passage by a roll call vote. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR A MORATORIUM ORDINANCE REGARDING LODGING HOUSES IN THE NEIGHBORHOOD CONSERVATION “B” DISTRICT

Citing a conflict of interest regarding her employment, Councilor Cloutier recused herself at this time. Mayor Macdonald opened the hearing to receive citizen input and comment. Deion Davis, 494 Main Street, said he owns a building across from a building that houses Bates College students. He said he is concerned for the safety of students living in buildings that are not designated as multi-unit structures. He noted the neighboring house is a college student party house and many times, there are parties until 3am during the weeknights, and in the morning, there is trash, bottles and cups all over the yard. He said there are working families that live in his building who need to sleep during the weeknights and not be up until 3am due to noise. He expressed concerns for the students noting that inebriated students will stand in the middle of Main Street. The Mayor then closed the hearing.

VOTE (64-2017)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

That the proposed Moratorium Ordinance regarding Lodging Houses in the Neighborhood Conservation “B” District, to be effective retroactively to February 14, 2017, receive final passage by a roll call vote. Passed - Vote 7-0 (Councilor Cloutier recused herself; the Mayor voted in her place.)

UPDATE FROM THE LEWISTON SCHOOL COMMITTEE REPRESENTATIVE

Councilor Cloutier announced there has been a recent change in four principals – Shawn Chabot is the new Assistant Superintendent, Jake Langlois moved from the Middle School to the High School, Jana Mats moved from Farwell Elementary School to the Middle School and Kristy Clark will be the principal at the new elementary school. She also said the School Committee recently received their budget books to review for the upcoming fiscal year.

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

No other business was presented at this time.

EXECUTIVE SESSION

It was announced by the City Administrator that the Executive Session scheduled for the union updates has been cancelled since there is no new information to update for the Council on this matter at this time.

VOTE (65-2017)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (A) to discuss a personnel matter regarding the search for a new Library Director. Passed - Vote 7-0

Executive Session began at 7:24pm and ended at 7:39pm.

VOTE (66-2017)

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (A) to discuss a personnel matter regarding the search for a new Fire Chief. Passed - Vote 7-0

Executive Session began at 7:40pm and ended at 8:12pm.

VOTE (67-2017)

Motion by Councilor Lajoie, seconded by Councilor Bouchard:

To adjourn at 8:13P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine