

CITY OF LEWISTON

CITY COUNCIL

JUNE 6, 2017

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:45 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.

EXECUTIVE SESSION

VOTE (136-2017)

Motion by Councilor Lysen, seconded by Councilor Lachance:

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

Executive Session began at 6:47pm and ended at 7:03pm.

The regular City Council meeting began at 7:03pm.

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. The Mayor asked to have the public remember the 73rd Anniversary of D-Day today which marks when US infantry troops landed on Normandy Beach in France during World War II. He asked that people remember those that served and lost their lives in battle and the sacrifice their families made for the country.

PUBLIC COMMENT PERIOD

No members of the public offered comment at this time.

**PUBLIC HEARING ON A NEW APPLICATION FOR A NEW LIQUOR LICENSE FOR
C & J BUDDHA ASIAN BISTRO, 736 SABATTUS STREET**

Mayor Macdonald opened the public 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 (137-2017)

Motion by Councilor Bouchard, seconded by Councilor Golden:

To authorize the City Clerk's Office to approve a new liquor license application for C & J

Buddha Asian Bistro, 736 Sabattus Street. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT
TO THE STREETS AND SIDEWALKS ORDINANCE TO ESTABLISH
THE COMPLETE STREETS COMMITTEE**

Mayor Macdonald opened the public hearing to receive citizen input and comment. Craig Saddlemire, 75 Maple Street, spoke in favor of this change. He noted he is the current chairperson of the City’s Bike-Ped Committee and this committee will transform into the Complete Streets Committee for more comprehensive coverage of the issues. The Mayor then closed the hearing. Councilor Lysen thanked Mr. Saddlemire for his work on this program and noted the working relationship with Auburn has been great. He noted that the City Administrator serves as the staff representative to this committee.

VOTE (138-2017)

Motion by Councilor Lysen, seconded by Councilor Lachance:

That the proposed amendments to the City Code of Ordinances, Chapter 66 “Streets and Sidewalks”, Article IV “Design and Improvements”, regarding the Complete Streets program, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting for final passage.

Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT
TO THE STREETS AND SIDEWALKS ORDINANCE TO ESTABLISH
THE COMPLETE STREETS SYSTEM**

Mayor Macdonald opened the public hearing to receive citizen input and comment. Craig Saddlemire, 75 Maple Street, said the goal is for streets that will be safe and convenient for all users – vehicles, pedestrians, bikes and others. The Mayor then closed the hearing. Councilor Lysen stated this ordinance strengthens the policy for this program and it includes good design and best practices. Councilor Cloutier noted it is important for transportation safety. Councilors Bouchard and Lachance stated they both agree with the current policy and do not see a need to change the process on this issue. Councilor Beam said she is concerned with the Sabattus Street issue that was recently addressed where the residents were opposed to the changes. She is also concerned with the lack of safety lights on Lisbon Street.

VOTE (139-2017)

Motion by Councilor Lysen, seconded by Councilor Cloutier:

That the proposed amendments to the City Code of Ordinances, Chapter 66 “Streets and Sidewalks”, Article IV “Design and Improvements”, regarding the Complete Streets Committee, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting for final passage.

Passed - Vote 4-3 (Councilors Lachance, Lajoie and Bouchard opposed)

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE
BUSINESS LICENSING ORDINANCE REGARDING OUTPATIENT ADDICTION
TREATMENT CLINICS**

Mayor Macdonald opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Mayor then closed the hearing. City Planner David Hediger noted these facilities will be limited to those that dispense narcotics.

VOTE (140-2017)

Motion by Councilor Lysen, seconded by Councilor Cloutier:

That the proposed amendment to the City Code of Ordinances, Chapter 22, “Businesses”, Article XIV “Outpatient Addiction Treatment Clinics”, Sections 22-412 “Definitions”, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting for final passage. Passed - Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO TAKE THE NECESSARY
STEPS TO SELL THE PROPERTY LOCATED AT 1047 SABATTUS STREET**

VOTE (141-2017)

Motion by Councilor Bouchard, seconded by Councilor Lajoie:

To approve the Order authorizing the City Administrator to take the necessary steps to sell the property located at 1047 Sabattus Street:

Whereas, in 2016, the City Council took possession of the property at 1047 Sabattus Street after various tax liens had matured; and

Whereas, at the same time, the Council authorized that the property be sold through the formal sealed bid process, subject to a favorable recommendation from the Planning Board that the property be sold; and

Whereas, upon taking possession, the City demolished the structure on the property at a cost of \$31,699.74, including environmental assessment and clean up; and

Whereas, the Planning Board issued a favorable recommendation for disposition at its meeting of July 11, 2016; and

Whereas, bids have subsequently been solicited and one bid in the amount of \$18,205 was received from Bruce Collette, the owner of Collette Monuments, which is located adjacent to this parcel, and

Whereas, Mr. Collete plans to use the property to consolidate his business at this location; and

Whereas, the City Assessor has reviewed this offer and feels that it is reasonable given the property’s small size (.29 acre) and limited road frontage; and

Whereas, given that \$28,639.88 in taxes was owed at the time the City took possession, sale proceeds will be applied to past taxes;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to take the necessary steps to sell the property located at 1047 Sabattus Street to Bruce Collette for \$18,205, said amount to be applied to the past due taxes on this property.

Passed - Vote 7-0

**RESOLVE APPROVING THE SALE OF PROPERTY BY THE
AUBURN LEWISTON AIRPORT**

VOTE (142-2017)

Motion by Councilor Bouchard, seconded by Councilor Cloutier:

To approve the Resolve approving the sale of property by the Auburn Lewiston Airport:

Whereas, the Airport currently owns a certain parcel of property located on Omni Circle in the Auburn Lewiston Airpark; and

Whereas, an adjacent property owner has expressed an interest in purchasing this property for purposes of business expansion; and

Whereas, the Planning Board of the City of Auburn has approved an amendment to an subdivision plan that creates a new lot required to allow for the sale of this property; and

Whereas, the Airport is interested in marketing this newly created lot, with any sales proceeds to be retained by the Airport for airport purposes; and

Whereas, in accordance with the interlocal agreement governing the airport, the City Councils of both Auburn and Lewiston must approve the sale of this property; and

Whereas the Auburn Lewiston Airpark is covered by a tax sharing agreement under which the City of Lewiston receives thirty percent of the property taxes and twenty-five percent of the excise taxes generated from the park;

Now, therefore, be it resolved by the City Council of the City of Lewiston that approval is hereby given to the sale of Parcel PID #143-013 in the Auburn Lewiston Airpark.

Passed – Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (143-2017)

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 \$7,725.00, or any portion thereof, in the case of the State of Maine vs. Jameel Brumfield, CR-16-3515 Court Records, being funds forfeited pursuant to the 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

UPDATE FROM THE LEWISTON SCHOOL COMMITTEE REPRESENTATIVE

Councilor Cloutier reported that the Middle School will be holding a workshop on cyberbullying in response to the recent suicide of a student.

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

No other business was presented at this time.

EXECUTIVE SESSION

VOTE (144-2017)

Motion by Councilor Lysen, seconded by Councilor Lachance:

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

Executive Session began at 8:15pm and ended at 8:38pm.

VOTE (145-2017)

Motion by Councilor Cloutier, 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 Fire Chief. Passed - Vote 7-0

Executive Session began at 8:38pm and ended at 8:51pm.

VOTE (146-2017)

Motion by Councilor Lachance, seconded by Councilor Bouchard:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (A) to discuss a personnel matter. Passed - Vote 7-0

CITY COUNCIL

JUNE 6, 2017

Executive Session began at 8:51pm and ended at 9:02pm.

VOTE (147-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To adjourn at 9:02P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine