

CITY OF LEWISTON

CITY COUNCIL

NOVEMBER 21, 2017

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

THE HONORABLE KRISTEN CLOUTIER, CITY COUNCIL PRESIDENT, PRESIDING.

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

Pledge of Allegiance to the Flag.
Moment of Silence.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Emma Williams reported the group is working on projects to improve the image of Lewiston.

MAYOR'S PRESENTATION – RECOGNITION OF A CITY EMPLOYEE

This item was postponed to the next City Council meeting.

**PRESENTATION OF THE NORTHERN NEW ENGLAND CHAPTER OF THE
AMERICAN PLANNING ASSOCIATION'S PLAN OF THE YEAR FOR 2017:
"LEGACY LEWISTON" – LEWISTON'S COMPREHENSIVE PLAN**

Carol Ireland, chapter president of the Northern New England Association of the American Planning Association, presented the 2017 Plan of the Year Award to David Hediger and the City of Lewiston for the City's Comprehensive Plan.

VOTE (289-2017)

Motion by Councilor Lachance, seconded by Councilor Lysen:

To dispense with the reading of the minutes of the meetings of March 7, March 21, April 4, April 18, May 9 and May 16, 2017 and to accept and place them on file as prepared by the City Clerk.
Passed - Vote 6-0

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 238 LISBON STREET**

VOTE (290-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 238 Lisbon Street:

Whereas, the owners, William Maselli and Adam Baroudi, failed to pay their bills on a timely basis for 238 Lisbon Street (Tax Map 208, Lot 99, Parcel 00-006105); and

Whereas, a storm water lien was filed on December 6, 2013 (Book 8830 Page 214) and matured on June 6, 2015 in the amount of \$104.78; and

Whereas, a storm water lien was filed on December 28, 2015 (Book 9282 Page 106) and matured on June 28, 2017 in the amount of \$92.52; and

Whereas, a storm water lien was filed on April 5, 2016 (Book 9337 Page 165) and matured on October 5, 2017 in the amount of \$92.86; and

Whereas, payment has been 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 238 Lisbon Street to the owner.

Passed - Vote 6-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR
REAL ESTATE LOCATED AT 1056 SABATTUS STREET**

VOTE (291-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 1056 Sabattus Street:

Whereas, the owners, Richard A. Taylor and Edward Nasta, failed to pay their bills on a timely basis for 1056 Sabattus Street (Tax Map 62, Lot 28, Parcel 00-004830); and

Whereas, a tax lien was filed on June 17, 2011 (Book 8181 Page 334) and matured on December 17, 2012 in the amount of \$3,225.91; and

Whereas, a tax lien was filed on June 13, 2012 (Book 8418 Page 87) and matured on December 13, 2013 in the amount of \$3,259.32; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8700 Page 168) and matured on December 19, 2014 in the amount of \$3,254.97; and

Whereas, a tax lien was filed on June 18, 2014 (Book 8935 Page 88) and matured on December 18, 2015 in the amount of \$3,339.30 and

Whereas, a tax lien was filed on June 23, 2015 (Book 9165 Page 220) and matured on December 23, 2016 in the amount of \$3,364.96; and

Whereas, payment has been 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 1056 Sabattus Street to the owner.

Passed - Vote 6-0

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 30 SCRIBNER CIRCLE

VOTE (292-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 30 Scribner Circle:

Whereas, the owners, Scott L. and Bonnie Moore, failed to pay their bills on a timely basis for 30 Scribner Circle (Tax Map 150, Lot 427, Parcel 00-005402); and

Whereas, a storm water lien was filed on December 28, 2015 (Book 9282 Page 202) and matured on June 28, 2017 in the amount of \$92.15; and

Whereas, a water lien was filed on December 28, 2015 (Book 9282 Page 248) and matured on June 28, 2017 in the amount of \$394.66; and

Whereas, a sewer lien was filed on December 28, 2015 (Book 9282 Page 211) and matured on June 28, 2017 in the amount of \$197.35; and

Whereas, payment has been 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 30 Scribner Circle to the owner.

Passed - Vote 6-0

APPROVAL OF THE ELECTION WARRANT CALLING FOR A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, DECEMBER 12, 2017 FOR THE SPECIAL MAYORAL RUN-OFF ELECTION AND RECOMMENDATIONS FROM THE CITY CLERK/REGISTRAR OF VOTERS ON ACTIONS NECESSARY TO CONDUCT SAID ELECTION

VOTE (293-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

Be It Ordered by the City Council that the Election Warrant be issued for the Special Municipal Election to be held on Tuesday, December 12, 2017 for the purpose of voting for The Office of Mayor and to approve the following recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the Special Municipal Election :

- A. That the hours for acceptance of registrations in person only, prior to the Dec. 12th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:30am to 4:00pm, Nov. 21 through Dec. 11, 2017.
- 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.
- C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the polling place at 9:00am, 7:00pm and any and all remaining shall be processed at 8:00pm, if necessary.
- D. To appoint the City Clerk as the City's Election Warden and the Deputy Registrar of Voters as the City's Ward Clerk, for the Dec. 12 election.

Passed - Vote 6-0

ORDER AUTHORIZING THE DIRECTOR OF SOCIAL SERVICES TO ENTER INTO AGREEMENTS WITH VARIOUS ORGANIZATIONS FOR THE PLACEMENT OF WORKFARE CLIENTS

VOTE (294-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To approve the Order authorizing the Director of Social Services to enter into Agreements with various organizations for the placement of Workfare Clients:

Whereas, the City's General Assistance ordinance requires certain able-bodied recipients of General Assistance to fulfill work requirements; and

Whereas, the City's General Assistance ordinance allows recipients to fulfill workfare by working for the City or other non-profits contracted by the City who agree to participate in the City's work program; and

Whereas, the City does not have enough work for all workfare participants and wishes to enhance the work opportunities for recipients of General Assistance; and

Whereas, the current agreement between the City and such agencies has been reviewed and updated to clarify certain requirements, particularly in regard to insurance and indemnifications;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the Social Services Director is hereby authorized to execute agreements, in a form substantially as attached, with various non-profit agencies for the placement of workfare clients with the additional authorization that the Director may, at her sole discretion, reduce the required insurance limits

based on the number of workfare clients assigned and the financial situation of the non-profit organization.

Passed - Vote 6-0

**ORDER AUTHORIZING THE ACCEPTANCE OF GENDRON DRIVE AS
A CITY STREET**

VOTE (295-2017)

Motion by Councilor Bouchard, seconded by Councilor Golden:

To adopt the Order authorizing the Acceptance of Gendron Drive as a City Street:

Whereas, Gendron Drive was designed and constructed under a Joint Development Agreement between the City of Lewiston and Gendron & Gendron, Inc.; and

Whereas, Gendron & Gendron has submitted a formal request for the City to accept Gendron Drive as a City street and provided a Quitclaim Deed, Transfer Tax Declaration, legal description, and a sketch; and

Whereas, the City Engineer has affirmed the street has been constructed to meet all requirements to allow street acceptance and recommends Gendron Drive be accepted as a City Street;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that Gendron Drive, as described in the attached legal description and sketch, is accepted as a City street. The City Administrator is authorized to execute any/all documents to complete the transfer of the property to the City.

Passed – Vote 6-0

**PUBLIC HEARING ON A NEW APPLICATION FOR A NEW LIQUOR LICENSE FOR
JADE GARDEN, 675 MAIN STREET**

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

VOTE (296-2017)

Motion by Councilor Lachance, seconded by Councilor Bouchard:

To authorize the City Clerk’s Office to approve a new liquor license application for Jade Garden, 675 Main Street. Passed - Vote 6-0

**PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL
AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR LBK EVENTS,
1 BATES STREET**

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

VOTE (297-2017)

Motion by Councilor Bouchard, seconded by Councilor Lachance:

To grant a special amusement permit for live entertainment to LBK Events, 1 Bates Street.
Passed - Vote 6-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR FISH BONES AMERICAN GRILL, 70 LINCOLN STREET

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

VOTE (298-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To grant a Special Amusement permit for live entertainment to Fish Bones American Grill, 70 Lincoln Street. Passed - Vote 6-0

PUBLIC HEARING AND FINAL PASSAGE REGARDING AN AMENDMENT TO THE OFFENSES AND MISCELLANEOUS PROVISIONS ORDINANCE REGARDING SEX OFFENDER RESTRICTED ZONES

Councilor Lysen stated he is opposed to residency restrictions because they will not have any effect but people will think it will have an effect. He noted these have not worked in other towns. Council President Cloutier opened the public hearing to receive citizen input and comment. Steve Asselin, 21 Rollin Ave, asked the Council to think about the victims. He said those opposed to this ordinance are only thinking about how it will affect the offender but are forgetting about the victims. Heather Everly noted this is an issue of personal liberties and people should not be told where to live. Eric Therriault said this is an issue of perceived outcome vs. actual outcome and these ordinances have been proven to not work. The Council President then closed the hearing.

VOTE (299-2017)

Motion by Councilor Bouchard, seconded by Councilor Beam:

To approve the proposed amendment adding a new Subsection C to Section 50-284:

C) A designated Sex Offender shall not be in violation of this ordinance for residing in a residence within the 750 foot radius of the property line of a school, "safe zone", or premise as defined above if all of the following conditions are met: (1) the residence in question is owned by the offender or an immediate family member, (2) it is not the residence of anyone who was

victimized by the offender, and (3) no probation conditions restrict the offender from living in a residence within the safe zone radius. For purpose of this exception, immediate family is defined as a parent; sibling; child by blood, adoption, or marriage; spouse; grandparent, or grandchild.

Passed - Vote 5-1 (Councilor Lachance opposed)

VOTE (300-2017)

Motion by Councilor Bouchard, seconded by Councilor Beam:

That the proposed amendment to the City Code of Ordinances, Chapter 50 “Offenses and Miscellaneous Provisions”, Article X. “Sex Offender Restricted Zone”, receive final passage by a roll call vote. Passed - Vote 5-1 (Councilor Lysen opposed)

PUBLIC HEARING AND FINAL PASSAGE REGARDING AMENDMENTS TO THE CITY’S LAND USE CODE, BUSINESS LICENSING ORDINANCE AND FIRE PREVENTION & PROTECTION ORDINANCE PERTAINING TO LODGING HOUSES AND LODGING PLACES

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

VOTE (301-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

That the proposed amendment to Appendix A, Article II “Definitions”, Article IV “Establishment of Districts”, Article XI “District Regulations”, Article XII “Performance Standards”, of the City Zoning and Land Use Code, as well as Sections 22-2 and 22-41 of the Businesses Ordinance and Section 38-26 of the Fire Prevention & Protection Ordinance concerning lodging houses, receive final passage by a roll call vote. Passed - Vote 5-0-1 (Councilor Cloutier abstained)

PUBLIC HEARING AND FIRST PASSAGE REGARDING AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE REGARDING ELIGIBILITY

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

VOTE (302-2017)

Motion by Councilor Lachance, seconded by Councilor Bouchard:

That the proposed amendments to the City Code of Ordinances, Chapter 46 “General Assistance” 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 6-0

PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE OFFENSES AND MISCELLANEOUS PROVISIONS ORDINANCE REGARDING

TOBACCO USE PROHIBITED IN DESIGNATED HOSPITAL AREAS

Council President Cloutier opened the public hearing to receive citizen input and comment. Ronnie Paradis, 82 Prospect Avenue, stated she is the chairperson of the Public Health Committee and they have voted to endorse this request from St. Mary’s Hospital. She noted the dangers of second hand smoke and many patients going to the hospital have chronic disease. Tracy Bean of Healthy Androscoggin also spoke in support of this ordinance. The Council President then closed the hearing.

VOTE (303-2017)

Motion by Councilor Bouchard, seconded by Councilor Golden:

That the proposed amendment to the City Code of Ordinances, Chapter 50 “Offenses and Miscellaneous Provisions”, Section 50-19 and 50-20, “Prohibiting Tobacco Use in Designated Hospital Areas”, 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. Passed - Vote 6-0

PUBLIC HEARING AND FIRST PASSAGE ON AMENDMENTS TO THE TRAFFIC AND VEHICLES ORDINANCE REGARDING THE ESTABLISHMENT OF AN EXCISE TAX EXEMPTION FOR MAINE RESIDENTS ON ACTIVE MILITARY DUTY STATIONED OUTSIDE OF MAINE

Councilor Lysen brought this forward at the request of a constituent. Councilor Beam stated she did not see a need to limit this to only the military members and this should apply to the entire household. Councilor Lysen requested a tighter definition of the term “vehicle” and it should be clear that the exemption is for the military personnel member and they are only eligible for their service. Council President Cloutier opened the public hearing to receive citizen input and comment. Rob Ullrich of Woodhaven Drive stated that this would probably apply to a small percentage of active duty military members but he did note his son is active duty and stationed elsewhere but still registers his vehicle in Lewiston. The Council President then closed the hearing.

VOTE (304-2017)

Motion by Councilor Lachance, seconded by Councilor Cloutier:

To limit this exemption to the first vehicle registered for each military member.
Did Not Pass - Vote 1-5 (Councilor Lachance in favor)

VOTE (305-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

That the proposed amendment to the City Code of Ordinances, Chapter 70 “Traffic and Vehicles”, Sections 70-300 through 70-303 “Vehicle Registration and Excise Tax Exemption” 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 6-0

**CONDEMNATION HEARING FOR THE BUILDING LOCATED AT
15 LINCOLN DRIVE**

Council President Cloutier opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Council President then closed the hearing. Gil Arsenault, Director of Planning and Code Enforcement, and Tom Maynard, Code Enforcement Officer, provided their professional background credentials regarding their working knowledge of building codes and building safety. Mr. Arsenault and Mr. Maynard then reviewed the City's efforts to communicate with the building owners and to work with them to resolve the numerous outstanding safety violations. They then outlined the condition of the building noting it is unsafe for habitation and is a danger to the neighborhood. They also showed photographs documenting the code violations and safety concerns. No members of the Council personally know the property owner and therefore do not have a conflict of interest for this hearing. No one representing the property owner was present for the hearing.

VOTE (306-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

With regard to the property at 15 Lincoln Drive, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action. Passed - Vote 6-0

**CONDEMNATION HEARING FOR THE BUILDING LOCATED AT
235 LINCOLN STREET**

Council President Cloutier opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Council President then closed the hearing. Gil Arsenault, Director of Planning and Code Enforcement, and Tom Maynard, Code Enforcement Officer, provided their professional background credentials regarding their working knowledge of building codes and building safety. Mr. Arsenault and Mr. Maynard then reviewed the City's efforts to communicate with the building owners and to work with them to resolve the numerous outstanding safety violations. They then outlined the condition of the building noting it is unsafe for habitation and is a danger to the neighborhood. They also showed photographs documenting the code violations and safety concerns. No members of the Council personally know the property owner and therefore do not have a conflict of interest for this hearing. No one representing the property owner was present for the hearing.

VOTE (307-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

With regard to the property at 235 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective

action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action. Passed - Vote 6-0

RESOLVE ADOPTING PROPOSED AMENDMENTS TO THE CITY'S PUBLIC PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

VOTE (308-2017)

Motion by Councilor Bouchard, seconded by Councilor Lachance:

To approve the Resolve adopting proposed amendments to the City's Public Participation Plan for the Community Development Block Grant Program:

Whereas, Lewiston has been a Community Development Block Grant (CDBG) Entitlement Community since 1974 and annually receives an allocation of CDBG dollars that must be spent in accordance with regulations promulgated by the U.S. Department of Housing and Urban Development (HUD); and

Whereas, these funds are intended to meet three national objectives: providing decent, safe and sanitary housing; providing a suitable living environment; and expanding economic opportunities; and

Whereas, in pursuit of these goals, the City is required to develop multi-year plans and annual budgets and work plans tied to these national priorities; and

Whereas, an important element of this work is a Public Participation Plan that guarantees the public and other interested parties access to the process of allocating resources; and

Whereas, HUD has recently changed the criteria that must be met to engage citizens in helping develop recommendations for the use of CDBG dollars; and

Whereas, the City's *Community Development Grant Program Citizen Participation Plan* was last approved by the City Council on February 7, 2012; and

Whereas, staff has revised and updated the plan to meet the HUD required changes; and

Whereas, in accordance with HUD regulations, a public notice was published on October 7th to notify the public of an October 17, 2017 public hearing and of a 30 day public comment period on the proposed changes; and

Whereas, no public comment was received at either the public hearing or during the comment period;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the Revised Lewiston Community Development Grant Program Citizen Participation Plan attached hereto is hereby approved.

Passed - Vote 6-0

RESOLVE REALLOCATING \$394,500 OF CDBG PROGRAM INCOME FROM THE COMMERCIAL REVOLVING LOAN FUND TO OTHER CDBG ELIGIBLE PROJECTS

VOTE (309-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To approve the Resolve reallocating \$394,500 of CDBG Program Income from the Commercial Revolving Loan Fund to other CDBG Eligible Projects:

Whereas, Lewiston has been a Community Development Block Grant (CDBG) Entitlement Community since 1974; and

Whereas, being a CDBG Entitlement Community requires adherence to rules, regulations and policies of the U.S. Department of Housing and Urban Development (HUD) related to CDBG and other federal programs; and

Whereas, included among those rules, regulations and policies is a requirement that the combined total of undrawn CDBG funds plus program income in Entitlement Communities may not be more than 1.5 the annual allocation the community received that year 60 days before the end of the fiscal year; and

Whereas, Lewiston did not meet this requirement in FY 2017; and

Whereas, HUD has provided Lewiston with a one year grace period to meet this requirement, during which the city been endeavoring to meet this requirement by providing HUD with a Timeliness Work Out Plan; and

Whereas, as part of that work out plan staff agreed to identify suitable CDBG eligible projects to which a portion of the Commercial Revolving Loan Fund, which has accumulated approximately \$608,500 in program income, could be reallocated;

Whereas, the projects identified by staff and after discussion with the City Council in a workshop and after a public hearing have been identified as:

- \$300,000 for sanitary sewer lining in street sections in the CDBG Target Area
- \$58,500 for environmental, design and engineering costs for an athletic field to be developed at the former Hudson Bus site on Bartlett Street
- \$36,000 for environmental, engineering and design costs for Shane's Inspiration Universal Playground being developed at Marcotte Park; and

Whereas, a public hearing on the proposed changes was held on October 17, 2017, and based

upon discussion at that public hearing proposed projects were amended, after which a Public Notice of the proposed reallocation of funds was published in the Sun Journal on October 21, 2017, providing a 30 day public comment period and notice that the City Council would take action on the proposed reallocation of funds at the November 21st City Council meeting;

Now, therefore, be it Resolved by the City Council of the City of Lewiston that the City Council hereby reallocates \$394,500 in CDBG funds from the Commercial Revolving Loan Fund to the following projects and uses:

- \$300,000 for sanitary sewer lining in street sections in the CDBG Target Area;
- \$58,500 for environmental, design and engineering costs for an athletic field to be developed at the former Hudson Bus site on Bartlett Street;
- \$36,000 for environmental, engineering and design costs for Shane’s Inspiration Universal Playground being developed at Marcotte Park.

Passed - Vote 6-0

ORDER APPROVING THE HOME AGREEMENT FOR THE HARTLEY BLOCK AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE SAME

VOTE (310-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To approve the Order approving the HOME Agreement for The Hartley Block and authorizing the City Administrator to execute the same:

Whereas, the Szanton Company, dba as Szanton Monks Properties, LLC, as The Hartley Block, LP, and as Maine Workforce Housing, LLC, desires to build a 63 unit mixed income housing project at 159 – 177 Lisbon Street in Lewiston, Maine; and

Whereas, the City Council approved a Joint Development Agreement between the City and the Hartley Block, LP which was executed on June 28, 2016; and

Whereas, in that Joint Development Agreement, the City agreed to provide \$325,000 of HOME funds to assist with construction of the project; and

Whereas, that pledge of HOME funds was contingent upon the Hartley Block, LP securing financing to construct The Hartley Block; and

Whereas, MaineHousing has committed \$7,988,870 in Low Income Housing Tax Credits, \$625,075 of HOME funds, and additional debt financing to fund construction of the project; and

Whereas, the attached *HOME Agreement and Declaration of Covenants and Restrictions* between the City and The Hartley Block, LP specifies the obligations of each party related to the commitment of City HOME funds, including but not limited to the timing of disbursement of HOME funds, income restrictions on tenants, restrictions on rents that can be charged, and how the property will be marketed and comply with federal fair housing requirements;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the attached *HOME Agreement and Declaration of Covenants and Restrictions* between the City and The Hartley Block, LP is hereby approved and the City Administrator is authorized to execute the document on behalf of the City.

Passed - Vote 5-1 (Councilor Lachance opposed)

UPDATE FROM THE LEWISTON SCHOOL COMMITTEE REPRESENTATIVE

Councilor Cloutier reported their next meeting is November 27 at Farwell School. She noted the School Department recently hired a school coordinator position.

REPORTS AND UPDATES

The City Clerk provided an update regarding the December 12 Mayoral Run-Off election. The City Administrator noted there will not be a workshop on November 28 and he wished everyone a Happy Thanksgiving.

OTHER BUSINESS

No other business was presented at this time.

VOTE (311-2017)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To adjourn at 9:11P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine