

CITY OF LEWISTON

CITY COUNCIL

MARCH 6, 2018

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:00 P.M.

THE HONORABLE SHANE D. BOUCHARD, MAYOR, PRESIDING.

PRESENT: Mayor Bouchard, Councilors Lysen, Pettengill, Rea, Lajoie, Cloutier, Beam and Marcotte, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

EXECUTIVE SESSION

VOTE (67-2018)

Motion by Councilor Lysen, seconded by Councilor Cloutier:

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

Executive Session began at 6:01pm and ended at 6:12pm.

VOTE (68-2018)

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. Passed - Vote 7-0

Executive Session began at 6:12pm and ended at 6:30pm.

VOTE (69-2018)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

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 6:30pm and ended at 6:40pm.

VOTE (70-2018)

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To enter into an Executive Session, pursuant to MRSA Title 1, section 405 (6) (C) to discuss Acquisition 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 6:40pm and ended at 7:00pm.

Regular Meeting began at 7:00pm

THE HONORABLE SHANE D. BOUCHARD, MAYOR, PRESIDING.

PRESENT: Mayor Bouchard, Councilors Lysen, Pettengill, Rea, Lajoie, Cloutier, Beam and Marcotte, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence – The Mayor asked for a Moment of Silence to honor David Gilchrist who recently passed away. Mr. Gilchrist was a former member of the School Board and an active citizen in Lewiston.

MAYORAL RECOGNITION

Mayor Bouchard recognized students from the Lewiston Regional Technical Center Culinary Arts program for their recent First Place win at the State Championship competition for high school culinary arts students.

VOTE (71-2018)

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To dispense with the reading of the minutes of the meeting of February 20, 2018 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC COMMENT PERIOD

Eileen Fair and Karen Lane represented the Green Dot LA Initiative and talked about the work of the national Green Dot project, a training program regarding bystander intervention during a situation of observed harassment or abuse. The goal of the program is to reduce violence at an intrapersonal level and conducts training for community members to learn safe approaches to assist victims.

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

Mayor Bouchard 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 (72-2018)

Motion by Councilor Rea, seconded by Councilor Cloutier:

To grant a Special Amusement Permit for Live Entertainment to the Carlton Club, 25 Sabattus Street. Passed - Vote 7-0

PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ENTERTAINMENT PERMIT FOR AN OUTDOOR MOVIE TO BE SHOWN IN THE VETERAN'S MEMORIAL PARK PARKING LOT

Mayor Bouchard 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 (73-2018)

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To conduct a public hearing on an application for an outdoor entertainment event in the Veterans Memorial Park parking lot, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, for an outdoor movie screening to be held at the Veterans Memorial Park on Friday, April 27, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances. Passed - Vote 7-0

AMENDMENT TO THE TRAFFIC SCHEDULE TO PROHIBIT LEFT TURNS FROM MAIN STREET ONTO MOUNTAIN AVENUE

Councilor Lysen thanked the residents for attending the meeting and working with the City to resolve their concerns.

VOTE (74-2018)

Motion by Councilor Cloutier, seconded by Councilor Lajoie:

To adopt the proposed amendment to the Traffic Schedule to prohibit left turns from Main Street onto Mountain Avenue:

Section 2, Left Turn Prohibited, Code Section 70-91

Traffic traveling in a southerly direction on Main Street is prohibited from making left turn onto Mountain Avenue. Passed – Vote 7-0

ORDER AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH BATES COLLEGE TO COMPLETE UTILITY UPGRADES FOR BATES COLLEGE AS PART OF A PLANNED CITY UTILITY PROJECT

Councilors Cloutier and Rea recused themselves citing a conflict of interest regarding their place of employment.

VOTE (75-2018)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the Order authorizing the City Administrator to enter into a Memorandum of Understanding with Bates College to complete Utility Upgrades for Bates College as part of a

planned City Utility Project:

Whereas, the City has a planned utility project for 2018 on Frye and College Streets abutting Bates property, and

Whereas, Bates has planned for certain private utility upgrades within the area of the City project and have approached the City with a proposal that they be completed as part of the City project; and

Whereas, all work requested to be included by Bates College will be paid for by Bates College; and

Whereas, completing this work together with the City project will eliminate the potential of scheduling conflicts between two separate contractors and will help facilitate completing the project in a timely manner prior to placing a street opening moratorium on Frye Street at the completion of paving;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to enter into a Memorandum of Understanding with Bates College, in a form substantially as attached hereto, to complete utility upgrades for Bates College as part of a planned City utility project.

Passed - Vote 6-0 (Councilors Cloutier and Rea abstained; under the City Charter, the Mayor is able to cast a vote in the absence of a Councilor.)

RESOLVE TAKING POSSESSION OF VARIOUS TAX ACQUIRED PROPERTIES

VOTE (76-2018)

Motion by Councilor Rea, seconded by Councilor Cloutier:

To adopt the Resolve, Taking Possession of Various Tax Acquired Properties:

Whereas, staff has recently undertaken a review of properties on which tax liens have matured; and

Whereas, among such properties are eight vacant parcels of land; and

Whereas, each of these properties previously included a structure that the City demolished under the Maine dangerous building statute resulting in the application of a special tax to recover the City's costs; and

Whereas, after numerous attempts to contact the owners through the normal collection and tax lien process in accordance with City Policy #92, Properties with Matured Tax or Utility Liens, the amounts due to the City have not been paid; and

Whereas, as a result, it is appropriate for the City Council to act to take possession of these properties and consider their future use and/or disposition;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that, based on matured liens, the City take formal possession of the following properties: 23 Howe Street, 86 Nichols Street, 84 Walnut Street, 94 Howe Street, 115 Shawmut Street, 264 Lincoln Street, 227 Lincoln Street, and 175 Stetson Road; and

Be it Further Ordered, that subject to a positive recommendation from the Planning Board, these properties be offered for sale through a formal sealed bid process.

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

Councilor Marcotte inquired about Pleasant Street. The Public Works Director noted that has weight limitations on a year-round basis and not just during the spring thaw.

VOTE (77-2018)

Motion by Councilor Lajoie, seconded by Councilor Pettengill:

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, this road posting is intended to prevent damage to road base and pavement during the critical period when the frost is thawing from the road base; and

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

Whereas, the streets and roadways designated for weight limit posting are those with an open ditch drainage system and no underdrains; and

Whereas, the thirteen roads proposed for posting are as follows:

- 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; and

Whereas, 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 would be exempted from this limitation; and

Whereas, this posting is in accordance with Lewiston City Ordinance 70-100.

Now, therefore, be it ordered by the City Council of the City of Lewiston that the Public Works Department is hereby authorized to post the streets identified above for weight limits through the spring thaw period beginning March 7, 2018 and ending May 1, 2018.

Passed – Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported the School Committee received their budget books last night, and the proposed school budget is available for review on line at the School’s website.

OTHER BUSINESS

Councilor Cloutier asked to have a workshop regarding the Green Dot Initiative program and noted that the Auburn City Council recently passed a Proclamation in support of the program. The City Administrator noted there will be a Public Hearing regarding a recent On-Street Parking Study and this will be held on Wednesday, March 21 in the City Council Chambers. Councilor Rea asked to have it recorded and/or broadcast since she has a School Committee meeting that night and cannot attend. Councilor Cloutier stated the Mayor’s Office recently sent a letter to residents who registered to vote in the November 2017 and December 2017 election. She said she received a complaint about the letter from a constituent and she met with the Maine Secretary of State today to discuss the letter. She felt it was intimidating to those who received it and noted it does not reflect the opinion of the City Council.

VOTE (78-2018)

Motion by Councilor Lysen, seconded by Councilor Marcotte:

To adjourn at 7:20P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine