

CITY OF LEWISTON

CITY COUNCIL

MARCH 20, 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.

Pledge of Allegiance to the Flag.

LEWISTON YOUTH ADVISORY COUNCIL UPDATE

The LYAC members have been working on a survey, at the suggestion the Mayor, to poll students in the 4th, 8th and 12th grades to ask how they perceive Lewiston.

VOTE (79-2018)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To dispense with the reading of the minutes of the meeting of March 6, 2018 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 12 FAIR STREET

VOTE (80-2018)

Motion by Councilor Rea, seconded by Councilor Beam:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 12 Fair Street:

Whereas, the owners, Eric and Tracy M. Smith, failed to pay their bills on a timely basis for 12 Fair Street (Tax Map 170, Lot 134, Parcel 00-001462); and

Whereas, a storm water lien was filed on December 6, 2013 (Book 8830 Page 109) and matured on June 7, 2015 in the amount of \$104.78; and

Whereas, a storm water lien was filed on December 22, 2015 (Book 9282 Page 179) and matured on June 24, 2017 in the amount of \$92.52; and

Whereas, a storm water lien was filed on March 25, 2016 (Book 9337 Page 112) and matured on September 25, 2017 in the amount of \$92.52; and

Whereas, a tax lien was filed on June 15, 2016 (Book 9387 Page 106) and matured on December 15, 2017 in the amount of \$888.28; 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 12 Fair Street to the owner.

Passed - Vote 7-0

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 12 HORTON STREET

VOTE (81-2018)

Motion by Councilor Rea, seconded by Councilor Beam:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 12 Horton Street:

Whereas, the owner, Gerard A. Granger, failed to pay his bills on a timely basis for 12 Horton Street (Tax Map 195, Lot 308, Parcel 00-009087); and

Whereas, a storm water lien was filed on December 6, 2013 (Book 8830 Page 269) and matured on June 7, 2015 in the amount of \$102.22; and

Whereas, a storm water lien was filed on June 19, 2014 (Book 8936 Page 232) and matured on December 19, 2015 in the amount of \$104.46; 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 12 Horton Street to the owner.

Passed - Vote 7-0

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (82-2018)

Motion by Councilor Rea, seconded by Councilor Beam:

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 \$841.15, or any portion thereof, in the case of the State of Maine vs. Shuaib Naji, CR-18-475 Court Records; the transfer of \$1,806.00, or any portion thereof, in the case of the State of Maine vs. Boakei Rogers, CR-18-04 Court Records; the transfer of 2,383.00, or any portion thereof, in the case of

the State of Maine vs. Daniel Letourneau, CR-18-15 Court Records; the transfer of \$747.00, or any portion thereof, in the case of the State of Maine vs. Mukhtar Sheikh-Yousef, CR-17-3818 Court Records; the transfer of \$989.00, or any portion thereof, in the case of the State of Maine vs. Crystal Miller, CR-17-1658 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

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR BEAR BONES, INC., 43 LISBON 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 (83-2018)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

To grant a Special Amusement permit for live entertainment to Bear Bones, Inc., 43 Lisbon Street. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR DAVINCI’S, 150 MILL 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 (84-2018)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

To grant a Special Amusement permit for live entertainment to Davinci’s, 150 Mill Street. Passed - Vote 7-0

The Mayor took agenda item 7 out of order and addressed it at this time.

RESOLVE RECOGNIZING THE GREEN DOT LA INITIATIVE

VOTE (85-2018)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the Resolve, Recognizing the Green Dot LA Initiative:

Whereas, Green Dot Bystander Intervention is an approach to preventing violence with the help of bystanders and builds on the premise that violence can be measurably and systematically reduced within a community; and

Whereas, interventions can be successful in addressing numerous forms of violence within a

community, ranging from sexual and domestic violence to bullying to violence based on an individual's race, religion, or ethnicity; and

Whereas, the Green Dot program has recently been introduced into the Lewiston Auburn community where Green Dot LA has trained and certified instructors who are sharing what they have learned within our community and its various organizations; and

Whereas, we recognize and value the work of teaching bystanders how to recognize the signs of harassment and violence and how to safely and effectively respond so as to make hateful or hurtful words and behaviors less common, thus lessening threats and violent behavior in our community; and

Whereas, during a time of increasing polarization, efforts aimed at reducing physical or vocally abusive violence are important and remind us all of the necessity that we respect one another as members of the same community; and

Now, therefore, be it resolved by the City Council of the City of Lewiston that we hereby recognize and honor the work of Green Dot LA and its certified instructors and call upon all members of our community to join in and support this work, coming together to safely and effectively address potentially violent or abusive situations and recognizing that our actions must be guided by respect for one another regardless of our differences.

Passed - Vote 7-0

AUTHORIZING THE CITY ADMINISTRATOR TO TAKE THE NECESSARY STEPS TO SELL THE CITY-OWNED PROPERTIES AT 20 WINN STREET, 7 ACORN LANE, 11 JACK COURT, AND 152 RANDALL ROAD

Resident Curt Roundy of Shawmut Street inquired about the process and noted that he submitted a bid and noted he would rehabilitate the property. He pointed out the winning bidder stated they are planning to demolish and reconstruct the current property.

VOTE (86-2018)

Motion by Councilor Lysen, seconded by Councilor Marcotte:

To approve the Order, authorizing the City Administrator to take the necessary steps to sell the City-owned properties at 20 Winn Street, 7 Acorn Lane, 11 Jack Court, and 152 Randall Road:

Whereas, the City acquired ownership of these properties on the basis of matured property tax liens; and

Whereas, the property at 20 Winn Street is comprised of land and a vacant abandoned building and the other properties are all vacant lots; and

Whereas, a request for bids was issued for the sale of these properties, which resulted in a number of offers to purchase from residents of abutting properties; and

Whereas, two bids were received for the purchase of the property at 20 Winn Street, and the Purchasing Agent has recommended it be sold to the high bidders who are proposing to demolish

the vacant structure and construct a new residence on the property; and

Whereas, the Planning Board has reviewed all of these properties and has recommended that the City dispose of them;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to sell the following City-owned properties to the parties and for the amounts shown below:

20 Winn Street to Alexandra Linca and Johnathan Chasse for \$8,700;
7 Acorn Lane to Lucien and Doris Doucet for \$2,100
11 Jack Court to Denise and Richard Vincent for \$4,500
152 Randall Road to Lisa Lebel for \$6,550.

Amounts received from these sales shall be credited to the General Fund toward taxes previously owed to the City.

Passed – Vote 7-0

**RESOLVE REALLOCATING \$179,000 OF CDBG PROGRAM INCOME FROM THE
COMMERCIAL REVOLVING LOAN FUND TO ANOTHER CDBG ELIGIBLE
PROJECT**

VOTE (87-2018)

Motion by Councilor Lysen, seconded by Councilor Beam:

To approve the Resolve reallocating \$179,000 of CDBG Program Income from the Commercial Revolving Loan Fund to another CDBG Eligible Project:

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 polices 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 (Timeliness Cap); 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 could be reallocated which included:

- \$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; at which they did approve the reallocation of funds; and

Whereas, because of approximately \$150,000 in unexpected residential and commercial revolving loan payoffs the balance of unexpended CDBG funds may again exceed the Timeliness Cap;

Now, therefore, be it Resolved by the City Council of the City of Lewiston that in keeping with requirements of Lewiston’s Citizen Participation Plan for HUD Funded Programs as a minor amendment requiring no public notice, the City Council hereby reallocates \$179,000 in CDBG funds from the Commercial Revolving Loan Fund to the following project and use:

- \$179,000 for cast in place pipe concrete sanitary sewer lining in street sections in the CDBG Target Area.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported that the proposed school budget is available on their website. She noted the School Committee is looking into changing the funds set aside for software for proficiency based learning to now be used for educational supplies instead. Councilor Rea also stated parents with concerns regarding the number of snow days used for this year and the impact on the date for the start of summer catino should contact the Superintendent’s Office.

OTHER BUSINESS

Mayor Bouchard provided an update on the newly re-established Public Works Committee and noted they will be reviewing on issues such as sidewalk plowing, recycling punch pass and more.

EXECUTIVE SESSION

VOTE (88-2018)

Motion by Councilor Lysen, seconded by Councilor Pettengill:

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 7:19 pm and ended at 7:55pm.

VOTE (89-2018)

Motion by Councilor Lysen, seconded by Councilor Rea:

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 7:55pm and ended at 8:00pm.

VOTE (90-2018)

Motion by Councilor Rea, seconded by Councilor Beam:

To adjourn at 8:00 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine