

**CITY OF LEWISTON**

**CITY COUNCIL**

**OCTOBER 2, 2018**

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

**VOTE (273-2018)**

Motion by Councilor Cloutier, seconded by Councilor Pettengill:

To dispense with the reading of the minutes of the meetings of September 4 and 18, 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.

**PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE LEWISTON RECREATION DIVISION, 65 CENTRAL AVENUE**

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 (274-2018)**

Motion by Councilor Cloutier, seconded by Councilor Beam:

To grant a Special Amusement permit for live entertainment to the Lewiston Recreation Division, 65 Central Avenue. Passed - Vote 7-0

**PUBLIC HEARING ON AN APPLICATION FOR A BUSINESS LICENSE RENEWAL FOR MERRIMACK RIVER MEDICAL SERVICES, INC. FOR AN OUTPATIENT ADDICTION CLINIC AT 18 MOLLISON WAY**

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 (275-2018)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To approve the License for an Outpatient Addiction Treatment Clinic for Merrimack River Medical Services, Inc. to operate a Clinic at 18 Mollison Way, Lewiston, subject to the following

conditions:

- 1) Provide adequate interior waiting space to eliminate the need for clients to queue or wait for service outside of the building, with the exception of clients waiting for public transportation
- 2) Effectively monitor the exterior of the property to ensure that clients do not loiter on or adjacent to the property for any purpose other than waiting for the arrival of public transportation
- 3) Designate the exit from the clinic that leads to a lobby shared with other tenants within the building as an emergency exit only and provide an audible alarm that will sound if this exit door is opened
- 4) Applicant will maintain a methadone maintenance program as described in their “Treatment Components” and “Program Components”. Applicant will immediately report to the police department any breaches of the security system described in the attachment.
- 5) Consistent with the applicant’s application, the number of clients shall not exceed 500 at any given time.
- 6) The applicant will annually provide documentation to the City Clerk of the receipt of all approvals required by any federal or state agency or department pursuant to federal or state law.
- 7) The applicant will comply with the requirements of Chapter 22, Article XIV, Section 22-417 of the Code requiring the applicant to conduct meetings at the discretion of the chief of police and or his designee.

Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AMENDMENTS TO THE GENERAL ASSISTANCE ORDINANCE REGARDING PROHIBITING RENTAL AND UTILITY PAYMENTS UNDER CERTAIN CIRCUMSTANCES WHEN PROPERTIES ARE PLACARDED, CONDEMNED, UNLICENSED OR KNOWN TO BE IN VIOLATION OF MUNICIPAL ORDINANCES**

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 (276-2018)**

Motion by Councilor Lysen, seconded by Councilor Lajoie:

That the proposed amendments to the City Code of Ordinance, Chapter 46 “General Assistance” regarding prohibiting rental and utility payments under certain circumstances when properties are placarded, condemned, unlicensed or known to be in violation of municipal ordinances 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 FOR LAND USE CODE AMENDMENTS CONCERNING OFF-STREET PARKING FOR SINGLE-FAMILY ATTACHED OR MULTIFAMILY DWELLINGS**

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 (277-2018)**

Motion by Councilor Pettengill, seconded by Councilor Lysen:

That the proposed amendments to Appendix A, Article XII “Performance Standards”, Section 17, “Parking”, of the City Zoning and Land Use Code, concerning single-family attached or multifamily dwellings, receive first passage by a roll call vote and that the public hearing for final passage be continued to the next regularly scheduled City Council meeting.

Passed - Vote 6-1 (Councilor Marcotte opposed)

**PUBLIC HEARING ON AMENDMENTS TO THE GENERAL ASSISTANCE POLICY FOR ANNUAL AUTHORIZATION OF ELIGIBILITY AMOUNTS**

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 (278-2018)**

Motion by Councilor Rea, seconded by Councilor Lysen:

That the maximum amounts allowed for general assistance and the maximum amounts allowed for food, housing, personal/household supplies, and utilities in the General Assistance Policy, for persons eligible to receive assistance in accordance with the standards of eligibility, be adopted as presented, in accordance with HUD guidelines and the current Thrifty Food Plan.

Passed - Vote 7-0

**AUTHORIZING TRANSFER OF \$442,034 FROM VARIOUS CAPITAL PROJECTS AND FUND BALANCE ACCOUNTS TO FUND COMPLETION OF THE CITY-WIDE LED STREETLIGHT RETROFIT PROJECT**

**VOTE (279-2018)**

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the Resolve, Authorizing Transfer for \$442,034 from various capital projects and fund balance accounts to fund completion of the city-wide LED Streetlight Retrofit Project:

Whereas, the City Council approved Phase I of the streetlight replacement project in the FY17 LCIP (\$395,000) and with a FY16 fund balance authorization (\$156,505);

Whereas, this funding is sufficient to replace 1,445 luminaires; and

Whereas, the contractor has evaluated the City’s system and made appropriate recommendations including estimating the cost of completing Phase II of the project to address an additional 1,101 lights for \$402,033.48; and

Whereas, the Public Works Electrical Division will address 74 additional vertically mounted

street lights that were not included in the original bid specification at an estimated costs of \$40,000 for materials; and

Whereas, the Phase I project was estimated to produce \$103,400 in annual electric savings, resulting in a 5.3 year payback period and completion of the city-wide replacement project will increase these savings to \$218,000 per year for an overall payback period of 4.6 years; and

Whereas, the FY16 and FY17 bonded projects generated a combined surplus of \$79,000 and \$346,000 respectively in net premium, investment earnings, and project surpluses; and

Whereas, the City has an immediate need to spend outstanding bond proceeds derived from closed or delayed projects in order to avoid potential arbitrage rebates to the Internal Revenue Service; and

Whereas, the City has decided not to move forward with the document scanning application for General Assistance, Code, and Human Resources budgeted as part of the FY18 fund balance authorization in the amount of \$68,040;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston that the amount of \$442,034 is hereby transferred from the following surplus fund balances: 2016 capital projects - \$79,000, 2017 capital projects - \$346,000, and MIS office equipment (4161-450500) - \$17,034 to the FY17 Street Light Replacement Project (7707-707710).

Passed - Vote 7-0

**AUTHORIZING AN AMENDMENT TO THE HANGER LOAN BETWEEN THE CITY'S GENERAL FUND AND THE AUBURN-LEWISTON AIRPORT TO EXTEND ITS MATURITY TO FY2034**

**VOTE (280-2018)**

Motion by Councilor Marcotte, seconded by Councilor Rea:

To approve the Resolve authorizing an amendment to the hanger loan between the City's General Fund and the Auburn-Lewiston Airport to extend its maturity to FY2034, contingent upon similar approval by the City of Auburn:

Whereas, the Auburn-Lewiston Airport is a joint agency between the Cities of Lewiston and Auburn; and

Whereas, Lufthansa has canceled its hanger lease with the Airport and relocated the Constellation it is restoring to New York; and

Whereas, the Airport Board needs the financial flexibility to negotiate a new lease with a prospective tenant or offer overnight hanger space to pilots; and

Whereas, the interest rate will remain at the initial rate of 2.58%, providing an additional \$72,151.52 to each city over the life of the loan;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston, that the loan between the City's General Fund and the Auburn-Lewiston Airport be re-amortized to extend the maturity from FY2027 to FY2034.

Passed - Vote 7-0

**REPORTS AND UPDATES**

Councilor Rea reported that the recent budget review session with the City Council went well and she found it to be very productive. She mentioned a community forum on October 22 and encouraged input and attendance. She noted the search for a new superintendent is underway. Councilor Cloutier reported the high school is working on the school spirit challenge with WGME to collect food for the Good Shepard Food Bank.

**OTHER BUSINESS**

The City Administrator noted November 6 is the first Tuesday and a scheduled Council meeting, but due to election day, it will be cancelled.

**EXECUTIVE SESSION**

**VOTE (281-2018)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

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 7:30pm and ended at 8:05pm.

**VOTE (282-2018)**

Motion by Councilor Marcotte, seconded by Councilor Pettengill:

To adjourn at 8:05P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine