

CITY OF LEWISTON

CITY COUNCIL

DECEMBER 18, 2018

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:30 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 (328-2018)

Motion by Councilor Lysen, seconded by Councilor Rea:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Negotiations regarding the International Association of Firefighters, Local 785.

Passed - Vote 7-0

Executive Session began at 6:30pm and ended at 7:25pm.

Regular City Council meeting began at 7:25pm.

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.

RECOGNITION OF LEWISTON HIGH SCHOOL MOCK TRIAL TEAM

The Mayor recognized the team members noting this is the first time they have been state champions in twenty five years. The team is heading to the national championship in Georgia later this spring. The Mayor then presented certificates to all members of the team and their advisors.

RECOGNITION OF ROBERT REED AND BRUCE DAMON FOR YEARS OF SERVICE TO CITY BOARDS AND COMMITTEES

The Mayor presented a certificate of appreciate to Bruce Damon for his 11 years of service on the Planning Board. During that time, he served as the Planning Board's representative to the School Department's building committee, Energy Saving Committee and Community Forestry Board. He is currently term limited and is not able to continue service on the Planning Board due to Charter limitations. The Mayor also presented a certificate of appreciation to Robert Reed for his 11 years of service on the Finance Committee. He is also term limited per the City Charter and is unable to continue his service on the Finance Committee.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

The Chair reported the group conducted a presentation on November 28 regarding an inside look at working as a police officer in Lewiston. They interviewed a few members of the department and asked them questions about their work in the City. Their next project is on February 7 and will be a food festival highlighting the different restaurants in Lewiston. They are inviting area restaurants to have a table and provide food samples for the public. They are hoping to have a wide array of international foods offered during their event.

VOTE (329-2018)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To incorporate the wording change that Councilor Marcotte provided to the City Clerk this afternoon regarding the December 4 minutes and dispense with the reading of the minutes of the meetings of October 16, November 20 and December 4, 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.

RESOLVE CONFIRMING ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

VOTE (330-2018)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To approve the Resolve confirming adoption of the National Incident Management System (NIMS):

WHEREAS, President Bush issued Homeland Security Presidential Directive (HSPD-5), *Management of Domestic Incidents*, on February 28, 2003, directing the Secretary of Homeland Security to develop, submit for review to the Homeland Security Council, and administer a National Incident Management System (NIMS); and

WHEREAS, NIMS will provide a consistent nationwide approach allowing federal, state, local and tribal governments to work effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents; and

WHEREAS, the Department of Homeland Security has sought extensive input on NIMS from state, local and tribal officials, the emergency response community, and the private sector and has incorporated the best practices currently in use by incident managers; and

WHEREAS, effective homeland security incident management involves new concepts, processes, and protocols that will require refinement over time. The collective input and guidance from all homeland security partners has been, and will continue to be, vital to the further

development of an effective and comprehensive national incident management system;
and

WHEREAS, NIMS was published by the Department of Homeland Security on March 1, 2004; and

WHEREAS, HSPD-5 and NIMS require all federal departments and agencies to adopt NIMS and use it in domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation programs and activities, as well as to assist state, local, or tribal entities; and

WHEREAS, HSPD-5 and NIMS require federal departments and agencies to require state, tribal and local organizations to adopt NIMS as a condition for federal preparedness assistance beginning in federal FY 2005 and to confirm adoption of the NIMS Resolution in FY 2018.

NOW, THEREFORE, BE IT RESOLVED by the Lewiston City Council as follows:

SECTION 1: That all departments of the City of Lewiston, in Androscoggin County, shall utilize the National Incident Management System (NIMS) prescribed by the Department of Homeland Security.

SECTION 2: That the Lewiston City Council directs all departments to train their personnel on the NIMS and to update the City's Integrated Emergency Management Plan (formerly known as the Incident Command System Plan – an Addendum to the City's overall Emergency Operations Plan).

SECTION 3: That this City Council hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4: This Resolution shall take effect at the earliest period allowed by law.

Passed - Vote 7-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR
REAL ESTATE LOCATED AT 265 LINCOLN STREET**

VOTE (331-2018)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 265 Lincoln Street:

WHEREAS, the owner, Jean-Marie Tremblett, failed to pay her bills on a timely basis for 265 Lincoln Street (Tax Map 209, Lot 004, Parcel 00-008760); and

WHEREAS, a tax lien was filed on June 16, 2010 (Book 7953 Page 106) and matured on December 16, 2011 in the amount of \$730.42; and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8181 Page 347) and matured on December 17, 2012 in the amount of \$1,011.11; and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8418 Page 102) and matured on December 13, 2013 in the amount of \$798.67; and

WHEREAS, a tax lien was filed on June 19, 2013 (Book 8700 Page 184) and matured on December 19, 2014 in the amount of \$792.06; and

WHEREAS, a tax lien was filed on June 18, 2014 (Book 8935 Page 104) and matured on December 18, 2015 in the amount of \$815.05; and

WHEREAS, a tax lien was filed on June 23, 2015 (Book 9165 Page 233) and matured on December 23, 2016 in the amount of \$823.44; and

WHEREAS, a tax lien was filed on June 16, 2016 (Book 9387 Page 152) and matured on December 16, 2017 in the amount of \$1099.04; and

WHEREAS, the owner is selling the property and payment will be received in full at closing;

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 265 Lincoln Street to the owner upon receipt of the full amount due the City.

Passed - Vote 7-0

ORDINANCE AMENDING CHAPTER 70, TRAFFIC AND VEHICLES, OF THE CODE OF ORDINANCES, BY ADDING A NEW SECTION 70-179, ON-STREET PARKING BY PERMIT ONLY

Mayor Bouchard opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. The Mayor then closed the hearing.

VOTE (332-2018)

Motion by Councilor Rea, seconded by Councilor Lysen:

That the proposed Ordinance amendment to add a new Section 70-179 to Chapter 70 of the Code of Ordinances, Traffic and Vehicles, On-Street parking by Permit Only, receive final passage by a roll call vote. Passed - Vote 7-0

AMENDMENTS TO THE MUNICIPAL PARKING FEES POLICY TO ESTABLISH FEES FOR ON-STREET PARKING BY PERMIT

VOTE (333-2018)

Motion by Councilor Rea, seconded by Councilor Lysen:

To approve the proposed amendment to the Parking Fees Policy, Policy Manual Number 42, as recommended by City Administration. Passed - Vote 7-0

AMENDMENTS TO THE PARK USE POLICY

VOTE (334-2018)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To approve the proposed amendments to the Park Use Policy, Policy Manual Number 77, as recommended by the City Administrator. Passed - Vote 7-0

AMENDMENTS TO THE FACILITY USE POLICY

VOTE (335-2018)

Motion by Councilor Rea, seconded by Councilor Lysen:

To approve the proposed amendments to the Facility Use Policy, Policy Manual Number 28, as recommended by the City Administrator. Passed - Vote 7-0

AMENDMENTS TO THE SPECIAL EVENTS POLICY

VOTE (336-2018)

Motion by Councilor Lajoie, seconded by Councilor Cloutier:

To amend Policy Manual Number 87, the Special Events Policy, as recommended by the City Administrator. Passed - Vote 7-0

**AMENDMENT TO THE TRAFFIC SCHEDULE REGARDING ON-STREET PARKING
BY PERMIT ONLY ZONES ON CANAL STREET**

VOTE (337-2018)

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To approve an amendment to the Traffic Schedule regarding On-Street Parking By Permit Only zone areas on Canal Street. Passed - Vote 7-0

**RESOLVE REPURPOSING \$90,000 FROM THE FY2019 WATER UTILITY BUDGET
INITIALLY ALLOCATED TO FUNDING TWO (2) 3/4 TOWN SERVICE TRUCKS TO
REPLACE THE WATER VALVE MAINTENANCE TRAILER**

VOTE (338-2018)

Motion by Councilor Rea, seconded by Councilor Cloutier:

To approve the Resolve repurposing \$90,000 from the FY2019 Water Utility Budget initially allocated to funding two (2) 3/4 Ton Service Trucks to Replacing the Water Valve Maintenance Trailer:

Whereas, two replacement ¾ ton service trucks are currently funded for \$90,000 in FY2019 Water Utility budget; and

Whereas, these two trucks cannot be purchased this budget year as the preferred manufacturer is not producing this model truck until fall of 2019; and

Whereas, the water valve maintenance trailer is scheduled to be replaced in the FY2020 LCIP for \$90,000; and

Whereas, the current valve maintenance trailer is not working and in need of major repair or replacement; and

Whereas, a replacement water valve maintenance trailer was bid and the low bid meeting specification is \$79k if purchased before December 31, 2018; and

Whereas, waiting to purchase the valve maintenance trailer until after December 31, 2018 will result in a \$10,000 price increase due to steel prices;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that

\$90,000 from FY2019 water utility budget initially allocated for two (2) 3/4 ton service trucks is hereby repurposed to replace the water valve maintenance trailer.

Passed - Vote 7-0

**RESOLVE EXTENDING THE TERM OF THE AD-HOC ADVISORY COMMITTEE
ON RENTAL REGISTRATION**

VOTE (339-2018)

Motion by Councilor Lajoie, seconded by Councilor Rea:

To approve the Resolve extending the term of the Ad-Hoc Advisory Committee on Rental Registration:

Whereas, the members of the Ad-Hoc Advisory Committee on Rental Registration have presented and interim report to the City Council; and

Whereas, the Committee has requested a two month extension to its term to allow for integrating those recommendations into a fully rounded program and to identify costs and implementation steps;

Now, Therefore, Be it resolved by the City Council of the City of Lewiston that the term of the Ad-Hoc Advisory Committee on Rental Registration is hereby extended to February 28, 2018.

Passed - Vote 7-0

**RESOLVE INDICATING OUR SUPPORT FOR VARIOUS ISSUES DURING THE
UPCOMING STATE LEGISLATIVE SESSIONS IN 2019 AND 2020**

Councilor Marcotte noted he is uncomfortable with the language in this Resolve stating this is the “official platform” for the City because he does not support some of the positions of the legislative issues that were presented during the previous workshop. He did note that he would be supportive of the Resolve if the term “platform” was changed to “guidelines”. Councilors agreed to incorporate this change into the Resolve.

VOTE (340-2018)

Motion by Councilor Lysen, seconded by Councilor Rea:

To approve the Resolve indicating our support for the various issues during the upcoming State Legislative Sessions in 2019 and 2020:

Whereas, the actions of state government have a significant impact on the City and its residents;
and

Whereas, the City’s elected officials generally meet with the Lewiston Legislative Delegation prior to each legislative session; and

Whereas, such a meeting was held on December 17, 2018; and

Whereas, numerous issues were discussed at that meeting; and

Whereas, adoption of formal legislative guidelines by the City Council will allow individual elected officials and members of City staff to speak for the City during these legislative sessions to ensure that our voices are heard in Augusta;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the attached legislative issues document is hereby adopted as the official guidelines of the City of Lewiston for the State Legislative Sessions during 2019 and 2020.

Passed - Vote 7-0

**RESOLVE ACCEPTING THE DECEMBER 2018 PUBLIC WORKS COMMITTEE
REPORT AND RECOMMENDATIONS**

VOTE (341-2018)

Motion by Councilor Lajoie, seconded by Councilor Marcotte:

To approve the Resolve accepting the December 2018 Public Works Committee Report and Recommendations:

Whereas, the Public Works Committee has met several times this fall; and

Whereas, the Committee reviewed and discussed issues including the Department organization, hiring of a new Public Works Director, Winter Operations, Equipment Maintenance, and Solid Waste Scale-House Automation; and

Whereas, the Committee completed a report including recommendations for the City Council to consider as part of the upcoming FY2020 budget;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the attached Public Works Committee Report is accepted and will be considered as part of the upcoming FY2020 budget deliberations.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported that the School Committee has not had a regular business meeting since the last City Council meeting but members did participate in the joint workshop last night with the state legislative delegation to discuss ideas for upcoming legislation.

OTHER BUSINESS

Councilor Cloutier reminded the Councilors to submit their evaluations of the City Administrator to her by Thursday. Councilor Marcotte asked the Finance Director about funding for the Airport and redirecting a capital expense regarding surplus and a tractor for snow removal. The Finance Director stated that the Auburn City Council voted to not fund their portion of the project so the Airport is returning the surplus to Lewiston and Auburn. The City Administrator noted this is the last meeting before the holidays and last meeting of the year. He thanked the Mayor and Council for their work and dedication this past year.

VOTE (342-2018)

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To adjourn at 8:07P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine