

# CITY OF LEWISTON

CITY COUNCIL

MARCH 19, 2019

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

THE HONORABLE KRISTEN S. CLOUTIER, MAYOR, PRESIDING.

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

Due to Councilor Beam's absence, the roll call votes for this meeting began with the Councilor from Ward 7 rather than the Councilor from Ward 6 as indicated on the agenda.

Agenda item number 4, Amendments to the Athletic Field Use Policy, was removed from the agenda to allow additional staff time to review the recommended amendments.

Pledge of Allegiance to the Flag.

### UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Emma stated they met with City Planner Doug Greene to address their ideas to beautify Lewiston and address the issue of trash in the downtown. They are also working on a bullying awareness and prevention campaign called "Humankind = Kind Humans". They are planning to talk with younger students about the issue of bullying.

### VOTE (48-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To dispense with the reading of the minutes of the meeting of March 5 and 12, 2019 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0

### PUBLIC COMMENT PERIOD

Heather Everly read a statement she received from a former student at Oak Hill High School which stated Shane Bouchard was a coach at the school and behaved inappropriately toward the student. Charles Soule, 135 Bartlett Street, stated attacks on another person should not be permitted especially if that person is not here to defend themselves; he asked the Mayor to gavel out future comments of a similar nature. Melissa Dunn of 254 Blake Street said she works with Lewiston United for Peace & Hope and cited the recent release of racial jokes from Shane Bouchard; she encouraged the Council to not just state the city needs to move forward but to confront the issue of race and class within the city. Sass Linagin of Winthrop requested the Council publically admonish the actions of the former Mayor. Another speaker from Leeds stated she is with an organization called Central Maine Showing Up for Racial Justice and they work to end white supremacy.

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

Mayor Cloutier 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 (49-2019)**

Motion by Councilor Rea, seconded by Councilor Lajoie:

To grant a Special Amusement permit for live entertainment to the Carlton Club, 25 Sabattus Street. Passed - Vote 6-0

**PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR DAVINCI'S EATERY, 150 MILL STREET**

Mayor Cloutier 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 (50-2019)**

Motion by Councilor Lysen, seconded by Councilor Rea:

To grant a Special Amusement permit for live entertainment to Davinci's Eatery, 150 Mill Street, Passed - Vote 6-0

**PUBLIC HEARING AND FIRST PASSAGE TO CONTRACTUALLY REZONE THE PROPERTY AT 111 BLAKE STREET AND 82 PINE STREET FROM THE DOWNTOWN RESIDENTIAL (DR) DISTRICT TO THE CENTREVILLE (CV) DISTRICT**

Mayor Cloutier opened the public hearing to receive citizen input and comment. Paul Gavereau, 56 Campus Avenue, stated he is working with Community Concepts on the development of this project and it is to assist low income residents to acquire affordable housing. Tom Platz and Gabby Russell serve as the architects of the project and noted there will be 33 residential units in the building. Catherine Elliott from Avesta said the developers will be seeking a TIF at a later date. The City Administrator noted this project requires a site plan review by the Planning Board and a Development Agreement on the project and a TIF. The rezoning is the first of many steps for the project. Shanna Cox of 119 Ash Street said the Lewiston schools are the only ones that are still growing with students and kids need safe, affordable housing. Gracie Eames, 361 College Street said residents want a walkable community where they can bike to places and mentioned the Healthy Neighborhoods, Choice Neighborhoods program, nothing these units will be lead-free and well-maintained. Klara Tammeny from Wisdom's Women spoke in favor of the project. Linda Hawkins of Maple Street said that Avesta helped her with housing vouchers and encouraged the Council to think of the lives that this project will impact. Jane Ward of 1905 Lisbon Street said she has been living for three years in transitional housing because she cannot afford rent in area apartments. Kirsten Walter of St. Mary's Nutrition Center said good quality

housing is a public health issue and you cannot move forward to address other issues without addressing housing. Amy Smith of Portland owns 13 units on Howard Street and spoke in favor of the project. Craig Saddlemire of 75 Maple Street also spoke in favor. Aden Abu said he works for Community Concepts in their Choice Neighborhoods program and he works with Lewiston families who cannot find housing and have dealt with lead poisoning. Ashley Madena, 252 Blake Street said many downtown rentals have lead paint, mold and bugs and she welcomes new clean housing. Pauline Gudas, 6 Raymond Avenue said the Planning Board approved this rezoning by a 5-2 vote and this project will offer many handicapped accessible units and will be the best re-use of this property which is currently vacant. Linda Scott of 45 Pettengill Street encouraged the Council to hold the landlords within the City accountable to have well-maintained buildings. Safia Khalid, Main Street, said many new Mainers are living in properties with lead-based paint. The Mayor then closed the hearing.

Councilor Lysen stated this rezoning is the beginning of the project and there is not enough affordable housing in town. He noted this is an excellent development team – CCI, Avesta and Platz all have good reputations and this is a great investment in the community; this project will have high quality management. Councilor Pettengill stated he does not support this project and feels a higher priority is to repair the existing housing stock and he is against spot zoning. He noted the building design is beautiful but it does not fit the old neighborhood style of other properties in the area. Councilor Marcotte also stated he is against spot zoning. He also stated there could be over 30 new school aged children living in these new units and the cost of the education would outweigh any tax revenue generated by the project. He also noted this property is currently zoned for 11 units and this rezoning will allow for 35 units. He stated he is concerned with senior citizens unable to pay taxes and this would be a taxpayer subsidized development project. Councilor Lajoie asked about the taxes that will be generated from this project. Councilor Rea noted this project represents safe and affordable housing.

**VOTE (51-2019)**

Motion by Councilor Lysen, seconded by Councilor Rea:

To approve First Passage of the amendment to the Zoning and Land Use Code and Map to contractually rezone the property at 111 Blake Street and 82 Pine Street from the Downtown Residential (DR) District to the Centreville (CV) District, subject to a contractual agreement and to continue the public hearing for Final Passage to the next regularly scheduled City Council meeting. Passed - Vote 4-2 (Councilors Marcotte and Pettengill voted against)

**AMENDMENTS TO THE SOLID WASTE POLICY REGARDING FEE SCHEDULE CHANGES**

**VOTE (52-2019)**

Motion by Councilor Rea, seconded by Councilor Lysen:

To approve the proposed amendments to Policy Manual #52, the Solid Waste Policy, as recommended by the Director of Public Works. Passed - Vote 6-0

**APPOINTMENT OF A CITY COUNCIL REPRESENTATIVE TO THE MAINE MUNICIPAL ASSOCIATION’S LEGISLATIVE POLICY COMMITTEE**

**VOTE (53-2019)**

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To appoint Councilor Rea to serve as the Council’s representative to the Maine Municipal Association Legislative Policy Committee. Passed – Vote 6-0

**AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE OF FUNDS**

**VOTE (54-2019)**

Motion by Councilor Marcotte, seconded by Councilor Rea:

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 \$613.00, or any portion thereof, in the case of the State of Maine vs. Fuad Abdi, CR-18-4316 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 6-0

**REPORTS AND UPDATES**

Councilor Rea reported the School Committee has been holding a series of budget workshops to review the upcoming proposed budget. The LCIP items for the school budget capital projects are also being reviewed. They are also working on Policy Revisions for homework and other polices.

**OTHER BUSINESS**

The City Administrator presented an item for consideration under Other Business regarding a loan for the Transit Committee for the bus system.

**VOTE (55-2019)**

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To Suspend the Rules and to add an item to the agenda regarding the loan request from LATC.  
Passed - Vote 6-0

**VOTE (56-2019)**

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the Resolve authorizing no interest loans to the Lewiston-Auburn Transit Committee in amounts not to exceed \$225,000 to assist the Committee in meeting its working capital needs:

Whereas, the L-A Transit Committee is a joint agency between the Cities of Lewiston and Auburn;  
and

Whereas, its cash flow to pay operating costs, including the transportation contractor, is heavily reliant on timely Federal fund reimbursements which, when delayed, results in contracts going unpaid; and

Whereas, prior to requesting cash advances from each municipalities' operating subsidy, the Committee will exhaust all cash on hand; and

Whereas, once cash reserves are completely liquidated and as needed, working capital short term loans may be requested from the Finance Director and granted subject to the approval of the City Administrator;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston, that the City Administrator is authorized to provide the Lewiston-Auburn Transit Committee no interest loans from the City's General Fund in amounts not to exceed \$225,000 and with a maturity of the shorter of 120 days or the time of receipt of Federal reimbursements, subject to the City's loans being matched by a similar amount from the City of Auburn.

Passed - Vote 6-0

**VOTE (57-2019)**

Motion by Councilor Lysen, seconded by Councilor Rea:

To adjourn at 9:25 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine