

CITY OF LEWISTON

CITY COUNCIL

MAY 21, 2019

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:30 P.M.

THE HONORABLE KRISTEN S. CLOUTIER, MAYOR, PRESIDING.

PRESENT: Mayor Cloutier, Councilors Lysen, Pettengill, Rea, Lajoie, Beam and Marcotte, City Administrator Edward Barrett and City Clerk Kathleen Montejo. Note: Under the City Charter, in the absence of a City Councilor, the Mayor may cast a vote.

EXECUTIVE SESSION

VOTE (97-2019)

Motion by Councilor Lysen, seconded by Councilor Rea:

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 6:30 pm and ended at 6:48pm.

Regular Meeting began at 7:00pm

Pledge of Allegiance to the Flag.

MAYORAL PROCLAMATION RECOGNIZING ARBOR WEEK

Mayor Cloutier read a Proclamation in recognition of national Arbor Week and noted that Lewiston is a "Tree City USA". There will be a tree planting in Pettengill Park tomorrow.

RECOGNITION OF TRASH AMNESTY/HEALTHY NEIGHBORHOODS EVENT

Mayor Cloutier issued thanks and recognition to the Healthy Neighborhoods organization which coordinated the recent Trash Amnesty event in the downtown which collected 31.5 tons of debris and trash from the apartment units and empty lots. It was noted that no city funds were used for disposal of the trash and that grant funds covered the expenses and there were numerous volunteers that made this project work.

LEWISTON FIREFIGHTERS ASSOCIATION SCHOLARSHIP PRESENTATION

Rick Callier, president of the Lewiston Firefighters Union, presented their annual scholarship to Emma Williams, a Lewiston High School senior.

LEWISTON YOUTH ADVISORY COUNCIL UPDATE

LYAC will be working on an anti-bullying campaign and poster contest. There are six members who are seniors who are graduating and six members returning next year.

VOTE (98-2019)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To dispense with the reading of the minutes of the meeting of May 7, 2019 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC COMMENT PERIOD

Craig Saddlemire, 75 Maple Street – Spoke regarding the great work of the Rental Registration Committee and said he is looking forward to the implementation of this new program which he fully supports.

APPOINTMENT TO THE LEWISTON AREA PUBLIC HEALTH COMMITTEE

VOTE (99-2019)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To appoint the following nominee to the Lewiston Area Public Hearing Committee: Henoc Wa Kubunda Ngoy. Passed - Vote 7-0

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 11 GOFFE STREET

VOTE (100-2019)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 11 Goffe Street:

Whereas, the owner, Joanha Thibodeau, failed to pay her bills on a timely basis for 11 Goffe Street (Tax Map 150, Lot 306, Parcel 00-002796); and

Whereas, a storm water lien was filed on April 5, 2016 (Book 9337 Page 192) and matured on October 5, 2017 in the amount of \$92.18; and

Whereas, a storm water lien was filed on September 22, 2016 (Book 9459 Page 47) and matured on March 22, 2018 in the amount of \$91.91; and

Whereas, a sewer lien was filed on March 14, 2017 (Book 9562 Page 38) and matured on September 14, 2018 in the amount of \$188.30; and

Whereas, a storm water lien was filed on March 14, 2017 (Book 9562 Page 77) and matured on September 14, 2018 in the amount of \$93.67; and

Whereas, a water lien was filed on March 14, 2017 (Book 9562 Page 51) and matured on September 14, 2018 in the amount of \$165.85; and

Whereas, a water lien was filed on October 6, 2017 (Book 9702 Page 246) and matured on April 6, 2019 in the amount of \$211.67; and

Whereas, a sewer lien was filed on October 6, 2017 (Book 9702 Page 275) and matured on April 6, 2019 in the amount of \$282.29; and

Whereas, payment has been 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 11 Goffe Street to the owner.

Passed - Vote 7-0

PUBLIC HEARING FOR APPROVAL OF OUTDOOR ENTERTAINMENT PERMIT FOR AN OUTDOOR THEATER PERFORMANCE TO BE HELD AT KENNEDY PARK

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

VOTE (101-2019)

Motion by Councilor Lysen, seconded by Councilor Beam:

To conduct a public hearing on an application for an outdoor entertainment event for the Maine Inside Performance & Dialogue event, 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, to the Maine Inside Out organization for a live outdoor theater performance to be held at Kennedy Park on June 12, 2019, 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

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR BEAR BONES, INC., 43 LISBON STREET

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

VOTE (102-2019)

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 SONDER & DRAM, INC., 12 ASH STREET

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

VOTE (103-2019)

Motion by Councilor Marcotte, seconded by Councilor Lysen:

To grant a Special Amusement Permit for live entertainment to Sonder & Dram, Inc., 12 Ash Street. Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE FOR LAND USE CODE AMENDMENTS REGARDING THE CREATION OF THE LISBON STREET COMMERCIAL HISTORIC DISTRICT

Mayor Cloutier opened the public hearing to receive citizen input and comment on this issue. No members of the public spoke for or against this issue. The Mayor then closed the hearing. David Hediger, Director of Code Enforcement and Planning, provided background information for this item.

VOTE (104-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

That the proposed amendments to Appendix A, Article XV “Significant Buildings and Districts”, Section 6. “Designated Historic Structures and Historic Districts”, Subsection b 2 “Lisbon Street Commercial Historic District”, of the City Zoning and Land Use Code, 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. Passed – Vote 7-0

PUBLIC HEARING AND ADOPTION OF THE FY2020 LEWISTON CAPITAL IMPROVEMENT PROGRAM BOND ISSUE ORDER

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

VOTE (105-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To adopt the FY2020 Lewiston Capital Improvement Program Bond Issue Order authorizing the issuance of \$16,703,000 in FY2020 Public Improvement Bonds and making an appropriation for certain capital projects:

ORDERED, That \$16,703,000 be appropriated for financing the following FY2020 projects in the Lewiston Capital Improvement Program:

Project	Amount
CITY:	
Construction of New Fuel Farm	400,000
Radio Replacement Project	1,598,000

Radio Project - Lewiston's Mobile & Portable Radios	439,000
Radio System Site Connectivity	22,500
Fire Alarm Box & Station Alerting	37,500
Riverfront Island Implementation	350,000
Sabattus St. Fire Substation	2,000,000
Birch, Caron, & Jefferson Streets Sidewalk Rehabilitation	350,000
Street Crosswalk Evaluation & Implementation Plan	200,000
Sidewalk Maintenance & Rehabilitation	361,000
Street Maintenance Program	2,879,000
MDOT 1 - Main Street - Longley Bridge to Pettingill Street	242,000
	8,879,000
SCHOOL DEPARTMENT:	
Lewiston Middle School Electrical Upgrade	456,000
Montello School Electrical Upgrade	330,000
System Wide Camera System Upgrade	238,000
Building Access Controls System Upgrade	100,000
	1,124,000
WATER FUND:	
Water Software Model & Master Plan Update	200,000
L.A. Water Treatment Program - Contingency Need	1,200,000
Distribution Main Replacement	2,000,000
	3,400,000
SEWER FUND:	
Sanitary Sewer Mains Rehabilitation	1,100,000
Collection System Inspection & Rehabilitation	480,000
Chadbourne Road Sewer Pump Station Replacement	200,000
	1,780,000
STORM WATER FUND:	
Hart Brook Water Quality Restoration	350,000
Storm Drain Inspection	370,000
Jepson Brook Channel Upgrades	800,000
	1,520,000

TOTAL

16,703,000

FURTHER ORDERED, That to meet this appropriation, \$16,703,000 shall be raised by Public Improvement Bond Issue(s);

FURTHER ORDERED, That the City Council instruct the Finance Director to advertise for bids for \$16,703,000 or increments thereof, Public Improvement Bonds; to award the loan; and to employ Locke Lord LLP to furnish the legal opinion for the same; provided that in the alternative, the Finance Director is authorized to award the loan to the Maine Municipal Bond Bank;

FURTHER ORDERED, That the bonds shall be signed by the City Treasurer and Mayor;

FURTHER ORDERED, That the date, maturities, denominations, interest rate or rates, place or places of payment, form or other details of the bonds and of the provisions for the sale thereof shall be determined by the Finance Director under the advice of UniBank Fiscal Advisory Services Inc.;

FURTHER ORDERED, That bonds issued hereunder may be subject to call for redemption on such terms as may be determined by the Finance Director; and

FURTHER ORDERED, On or before the call date, the Finance Director is authorized to refund/advance refund this bond series if a net present value benefit is derived.

Passed - Vote 7-0

RESOLVE, RENEWING AND EXTENDING THE MUTUAL COOPERATION AGREEMENT BETWEEN THE CITY OF LEWISTON AND THE CITY OF AUBURN TO FORM A CONSORTIUM UNDER THE FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

Lincoln Jeffers, Director of Economic and Community Development, provided background information on this item. Councilor Marcotte said he has concerns with programs that last for several generations which become dependent on tax money which can be in any form of state, federal, or local taxes – these programs are using other people’s money.

VOTE (106-2019)

Motion by Councilor Rea, seconded by Councilor Lysen:

To approve the Resolve, Renewing and Extending the Mutual Cooperation Agreement between the City of Lewiston and the City of Auburn to form a Consortium under the federal HOME Investment Partnership Program:

Whereas, The City of Lewiston is committed to providing high quality, affordable and mixed income housing throughout the City; and

Whereas, HOME Investment Partnerships Program funds from the U.S. Department of Housing and Urban Development are specifically targeted for the provision of quality affordable housing; and

Whereas, While desiring to access these funds, neither Lewiston nor Auburn qualify to receive their own allocation of these funds;

Now, Therefore, Be It Resolved by the Lewiston City Council that the City Administrator is hereby authorized to sign the Mutual Cooperation Agreement to renew a Consortium between the City of Lewiston and the City of Auburn in order to access funds under the HOME Investment Partnerships Program as administered by the U.S. Department of Housing and Urban Development.

Passed - Vote 6-1 (Councilor Marcotte opposed)

**RESOLVE, ESTABLISHING THE HONORARY POSITION OF YOUTH POET
LAUREATE FOR THE CITY OF LEWISTON**

VOTE (107-2019)

Motion by Councilor Rea, seconded by Councilor Lysen:

To approve the Resolve, Establishing the Honorary Position of Youth Poet Laureate for the City of Lewiston:

Whereas, Joao Victor, a student at Lewiston High School, recently won the State of Maine 2019 Poetry Out Loud Finals; and

Whereas, Joao then went on to compete in the national contest, where he was selected as one of the nine finalists; and

Whereas, Joao's success has brought attention to the creativity of the youth of the City of Lewiston and brought positive attention to our community and our school system; and

Whereas, the honorary position of Youth Poet Laureate is intended to provide on-going recognition to the creativity and accomplishments of youth in the City;

Now, therefore, be it resolved by the City Council of the City of Lewiston that there is hereby established the honorary position of Youth Poet Laureate for the City of Lewiston. The Mayor is hereby authorized to appoint a resident of Lewiston who is an elementary or secondary school student to this position. Such appointment must be made by the Mayor following each regular municipal election. The term of the appointment shall be coterminous with the term of the Mayor during which the appointment is made. The Youth Poet Laureate shall be invited to participate in various school and city ceremonial occasions throughout the student's term in office, including writing and reciting an original poem at the City's Inauguration Ceremony, such presentation to be made by the outgoing Youth Poet Laureate should a replacement not yet have been designated by the in-coming Mayor.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported that the School Committee had a review of the guidance services offered at the school and also reviewed the Lewiston High School expansion proposal.

OTHER BUSINESS

No other business was presented at this time.

EXECUTIVE SESSION

VOTE (108-2019)

Motion by Councilor Lysen, seconded by Councilor Rea:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue 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 7:45pm and ended at 8:12pm.

EXECUTIVE SESSION

VOTE (109-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

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 8:12pm and ended at 9:15pm.

VOTE (110-2019)

Motion by Councilor Beam, seconded by Councilor Marcotte:

To adjourn at 9:15 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine