

CITY OF LEWISTON

CITY COUNCIL

FEBRUARY 19, 2019

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

THE HONORABLE SHANE D. BOUCHARD, MAYOR, PRESIDING.

PRESENT: Mayor Bouchard, Councilors Pettengill, Rea, Lajoie, Cloutier, Beam and Marcotte, City Administrator Edward Barrett and City Clerk Kathleen Montejo. Absent/Excused: Councilor Lysen. Note: Per the City Charter, the Mayor is entitled to cast a vote in the absence of a City Councilor.

Pledge of Allegiance to the Flag.

RECOGNITION OF LEWISTON HIGH SCHOOL STUDENTS REGARDING A SCHOLASTIC ARTS AWARDS COMPETITION

The Mayor noted eight students have been honored for their art work recently. One student received a Congressional District Award and their art will be on display for one year in Washington, DC. It was noted what an honor and great recognition this is for Lewiston.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

The LYAC members held their Restaurant Sampling and Tasting event on February 7 to showcase the variety of foods available in Lewiston. Twelve restaurants participated in the event. At their meeting on February 26, they will be working to address city beautification efforts.

VOTE (29-2019)

Motion by Councilor Marcotte, seconded by Councilor Cloutier:

To dispense with the reading of the minutes of the meeting of February 5, 2019 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC COMMENT PERIOD

Charles Soule of 135 Bartlett Street said he demanded the Police Department improve and increase their policing of the intercity noting there is regular prostitution and drug dealing within this neighborhood. He said he has provided numerous addresses over the years to the Police Department for them to check for illegal activity. He also noted the School Committee needs to change requirements if 50% of the students are failing as was noted in a recent newspaper article.

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 84 SUMMIT AVENUE

VOTE (30-2019)

Motion by Councilor Cloutier, seconded by Councilor Lajoie:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 84 Summit Avenue:

Whereas, the owner, John B. Cloutier Jr., failed to pay his bill on a timely basis for 84 Summit Avenue (Tax Map 177, Lot 182, Parcel 00-012933); and

Whereas, a tax lien was filed on June 13, 2017 (Book 9387 Page 6) and matured on December 13, 2018 in the amount of \$2,280.27; 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 84 Summit Avenue to the owner.

Passed - Vote 7-0

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 267 ½ LINCOLN STREET REAR

VOTE (31-2019)

Motion by Councilor Cloutier, seconded by Councilor Lajoie:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 267 ½ Lincoln Street Rear:

Whereas, the owners, Real Fournier Heirs, failed to pay their bills on a timely basis for 267 ½ Lincoln Street Rear (Tax Map 209, Lot 003, Parcel 00-003686 and 00-003687); and

Whereas, a tax lien was filed on June 19, 2013 (Book 8699 Pages 233 and 234) and matured on December 19, 2014 in the amounts of \$60.41 and \$62.38; and

Whereas, a tax lien was filed on June 18, 2014 (Book 8934 Pages 120 and 121) and matured on December 18, 2015 in the amounts of \$83.12 and \$82.22; and

Whereas, a tax lien was filed on June 23, 2015 (Book 9164 Pages 288 and 289) and matured on December 23, 2016 in the amounts of \$86.51 and \$90.64; and

Whereas, a tax lien was filed on June 16, 2016 (Book 9386 Pages 206 and 207) and matured on December 16, 2017 in the amounts of \$88.01 and \$86.51; and

Whereas, a storm water lien was filed on December 6, 2013 (Book 8830 Page 215) and matured on June 6, 2015 in the amount of \$110.28; and

Whereas, a storm water lien was filed on December 22, 2015 (Book 9282 Page 107) and matured on June 22, 2017 in the amount of \$93.76; and

Whereas, 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 267 ½ Lincoln Street Rear to the owner subject to receipt of full payment for all amounts due at closing.

Passed - Vote 7-0

**AMENDMENTS TO THE CITY POLICY MANUAL REGARDING THE
COMMERCIAL LOAN PROGRAMS POLICY**

VOTE (32-2019)

Motion by Councilor Lajoie, seconded by Councilor Rea:

To repeal the existing Commercial Loan Programs Policy, Policy Manual Number 27, in its entirety, and replace it in full with the new Commercial Loan Programs Policy, as recommended by the City Administrator and the Director of Economic & Community Development Department. Passed - Vote 7-0

RESOLVE REPEALING CITY MASTER POLICIES 32, LEWISTON SHINING STARS PROGRAM, 50, THE ALFRED A. PLOURDE MEMORIAL SCHOLARSHIP, AND 84, ADOPT-A-TRASH CAN

VOTE (33-2019)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To approve the Resolve Repealing City Master Policies 32, Lewiston Shining Stars Program, 50 the Alfred A. Plourde Memorial Scholarship, and 84, Adopt-A-Trash Can:

Whereas, over the years, the City has adopted a variety of policies based upon program initiatives at the time; and

Whereas, given changes in direction and the sun-setting of funding, program initiatives become obsolete and inactive; and

Whereas, the City's Lewiston Shining Star, Adopt-a-Trash-Can, and the Alfred A. Plourde Memorial Scholarship programs are no longer active;

Now, Therefore, Be It Resolved by the City Council of the City of Lewiston, that City Master Policies 32 -- Lewiston Shining Stars Program, 50 -- the Alfred A. Plourde Memorial Scholarship, and 84 -- Adopt-a-Trash Can, are hereby repealed.

Passed - Vote 7-0

RECEIPT OF RECOMMENDATIONS FROM THE FINANCE COMMITTEE AND THE PLANNING BOARD ON THE FY2020 LEWISTON CAPITAL IMPROVEMENT PLAN BUDGET

The City Council received the recommendations from the Finance Committee and the Planning Board regarding the FY 20 Lewiston Capital Improvement Plan. Finance Committee Chairman Denis Theriault read the full recommendation from the Finance Committee. Councilor Rea who serves as the City Council’s representative to the School Committee noted that Committee was surprised at the recommendations from the Finance Committee to cut and eliminate a few school related projects. It was noted for the future a workshop session should be scheduled with the School Committee, Finance Committee and Planning Board for the School to explain and review their projects, since many are very expensive requests and recommendations. Councilor Marcotte said the Finance Committee was concerned with the debt level the City currently has and would incur if many of these requested projects moved forward.

RESOLVE ADOPTING THE FISCAL YEAR 2020 LEWISTON CAPITAL IMPROVEMENT PLAN

Paul Robinson of 200 Gayton Road and member of the Planning Board said he is in support of the Truck Wash project as well as the new radio system for the 911 program. Luke Jenson of 89 Shawmut Street said he is a member of the School Committee but is speaking as a resident and encouraged the Council to support all of the school related projects. Francis Gagnon, 18 College Street also spoke in favor of funding all of the school projects.

VOTE (34-2019)

Motion by Councilor Cloutier, seconded by Councilor Rea:

That pursuant to Article VI, Section 6.07(d) of the City Charter, the City Council hereby approves the Resolve adopting the FY 2020 City of Lewiston Five-Year Capital Improvement Program, as prepared by the City Administrator:

Whereas, the City Charter requires that a capital improvement program be prepared annually for review by the Planning Board, Finance Committee, and City Council and be adopted by the City Council at least four months prior to the end of the current fiscal year; and

Whereas, the intent of such a program is to outline a five year plan to address the community’s infrastructure and other capital improvement needs and, more specifically, to outline those projects anticipated for the coming year in advance of consideration of the annual budget; and

Whereas, adopting this plan will provide guidance to the Council and staff but does not constitute formal authorization to proceed with the projects included, the funding for which must be separately authorized by the City Council;

Now, therefore, be It Resolved by the City Council of the City of Lewiston, that the FY2020 City of Lewiston Five-Year Capital Improvement Program is hereby adopted.

Passed - Vote 7-0

RESOLVE ESTABLISHING AN AD-HOC ADVISORY COMMITTEE FOR THE UPDATE OF DESIGN REGULATIONS

VOTE (35-2019)

Motion by Councilor Rea, seconded by Councilor Cloutier:

To adopt the Resolve establishing an Ad-Hoc Advisory Committee for the update of Design Regulations:

Whereas, the City has discussed updating its design regulations for some time, doing so is recommended in the City’s comprehensive plan, and this would implement the goal of promoting quality development; and

Whereas, recently, the Staff presented a proposal to do so to the City’s Planning Board and Historic Preservation Review Board, both of which indicated their support; and

Whereas, the proposal was subsequently presented to the City Council at a workshop where the Council also expressed support for the elements of the proposal; and

Whereas, funding for comprehensive plan implementation is available and can be used to hire a land use design consultant to update the city’s design regulations; and

Whereas, the Council is now interested in establishing a group made up of various interested parties that will lend relevant experience and expertise to assist in this effort;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that there is hereby established an Ad-Hoc Advisory Committee to assist in the Update of Lewiston’s Design Regulations.

1. Purpose.

The purpose of this committee shall be to update design regulations relating to the Historic Preservation Design Manual and any design related regulations found in the city’s Zoning Ordinance including, but not limited to, the Site Plan and Design Guidelines. The Committee is hereby charged with recommending updated design regulations that will address typical architectural and site design elements in a manner relevant to Lewiston, be easy to understand, implement, be graphically oriented, and strike a balance between quality and cost effective development.

2. Duties. The committee shall

- a. Work with the selected design consultant to evaluate current regulations,
- b. Discuss and define the goals of design regulation updates,

- c. Develop alternatives to the current design regulations for site plan review, form based code or character districts, design standards, performance standards or guidelines, and graphics,
 - d. Recommend updated design regulations that should be adopted by the City Council, and
 - e. If recommended, determine how such design updates should be implemented.
3. Composition and Appointment. The Committee shall be composed of eight regular members to be appointed by the Mayor as follows:
- a. The Director of Planning and Code Enforcement;
 - b. The Deputy Director and City Planner of Planning and Code Enforcement;
 - c. An employee from the City’s Economic Development Division;
 - d. A City Council member;
 - e. A member of the Planning Board;
 - f. A member of the Historic Preservation Review Board;
 - g. A representative of the Development Community;
 - h. A representative of the Downtown Business Community;
 - i. A resident of Downtown and
 - j. An at large resident of Lewiston

The Mayor shall designate one member of the Committee to serve as Committee Chair.

- 4. Vacancies. Should a vacancy occur on the Committee, the vacancy shall be filled by the Mayor in accordance with the requirements of section 3 above.
- 5. Term. The Committee shall submit its final report and recommendations no later than January 31, 2020, at which time it will cease to exist unless its tenure is extended by action of the City Council.
- 6. Staff Support. The City Administrator and/or his designee shall be responsible for supporting the work of the committee and handling the Committee’s logistics.
- 7. Quorum. A majority of the members of the committee shall constitute a quorum.

Passed - Vote 7-0

**ORDER AUTHORIZING THE LIBRARY DIRECTOR TO EXECUTE A
MEMORANDUM OF PARTICIPATION WITH THE MINERVA PUBLIC
LIBRARY CONSORTIUM**

It was noted the Order should be amended to authorize the City Administrator to sign the Agreement since the Library Director is out on maternity leave. With no objections, this change was incorporated into the motion and Order. Mr. Soule inquired about the cost to participate and it was noted it is less than \$500.

VOTE (36-2019)

Motion by Councilor Rea, seconded by Councilor Lajoie:

To approve the Order, authorizing the City Administrator to execute a Memorandum of Participation with the Minerva Public Library Consortium:

Whereas, the Lewiston Public Library has been a member of the Minerva consortium since 2002; and

Whereas, Minerva is the largest library consortium in Maine with over 60 participating libraries; and

Whereas, among the benefits of membership are: access to a high-quality integrated library system; software supporting major library operations including circulation, overdues, cataloging, serials management, and statistical reporting; and technical support, including maintenance, backup, and all upgrades for the system; and

Whereas, Minerva allows Lewiston Public Library Patrons access to over 6 million items throughout its member libraries; and

Whereas, participation in this consortium is essential to provide library patrons with the full range of services and materials they desire;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to execute a memorandum of participation with the Minerva Public Library Consortium in a form substantially as attached hereto.

Passed - Vote 7-0

**RESOLVE EXTENDING THE TERMS OF THE AD-HOC ADVISORY COMMITTEE
ON RENTAL REGISTRATIONS**

VOTE (37-2019)

Motion by Councilor Cloutier, seconded by Councilor Beam:

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 previously 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; and

Whereas, while the Committee has continued to make progress toward completing and presenting a final report, it is possible that it may need a short term extension to allow for full consideration of its final report and recommendation;

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 March 30, 2018.

Passed - Vote 6-1 (Councilor Pettengill opposed)

REPORTS AND UPDATES

Councilor Rea reported the School Committee has hired a new Superintendent who will start on July 1, 2019. She also noted they are reviewing the high school grading policy and their next meeting is February 25. Councilor Lajoie stated the 911 Committee will be reviewing bids for new radio equipment on February 28.

OTHER BUSINESS

No other business was presented at this time.

VOTE (38-2019)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To adjourn at 8:17P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine