

CITY OF LEWISTON

CITY COUNCIL

OCTOBER 6, 2020

REGULAR MEETING HELD REMOTELY VIA ZOOM AT 7:00 P.M.

THE HONORABLE MARK A. CAYER, MAYOR, PRESIDING.

PRESENT: Mayor Cayer, Councilors Khalid, Pettengill, Rea, Lajoie, Jensen, Clement and Gelinas, City Administrator Denis D'Auteuil and City Clerk Kathleen Montejo.

SPIRIT OF AMERICAN AWARD PRESENTATION

The Mayor presented the Annual Spirit of America Award to the Lewiston/Auburn Veterans Council in recognition of their numerous community service projects performed each year. Organization president Jerry Dewitt accepted the award on behalf of the L/A Veterans Council members.

UPDATE ON CITY ACTIONS REGARDING COVID-19 PANDEMIC SITUATION

Deputy City Administrator Dale Doughty noted the process at City Hall is working well with the door monitors regulating the number of customers for each floor. He said additional guidelines have been received from the Governor's Office regarding public buildings and these will be reviewed and implemented as well.

VOTE (231-2020)

Motion by Councilor Gelinas, seconded by Councilor Clement:

To dispense with the reading of the minutes of the meetings of September 15 and 29, 2020 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0-1 (Councilor Rea abstained)

PUBLIC COMMENT PERIOD

Eddie Burgess noted he works with an organization that sponsors a Wellness Mobile and they have distributed over 500 bags of books and personal needs items to local youth and residents in need.

PUBLIC HEARING ON NEW APPLICATIONS FOR A LIQUOR LICENSE AND A SPECIAL AMUSEMENT PERMIT FOR LEWISTON URBAN CIVIC CENTER ENTERPRISES, LLC D/B/A FIRLAND MANAGEMENT COLISEE, LLC, 190 BIRCH STREET

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

VOTE (232-2020)

Motion by Councilor Jensen, seconded by Councilor Rea:

To authorize the City Clerk’s Office to approve new applications for a liquor license and a special amusement permit for Lewiston Urban Civic Center Enterprises, LLC d/b/a Firland Management Colisee, LLC, 190 Birch Street. Passed - Vote 7-0

PUBLIC HEARING ON NEW APPLICATIONS FOR A LIQUOR LICENSE AND A SPECIAL AMUSEMENT PERMIT FOR THE KING OF PINS BOWLING AND FAMILY ENTERTAINMENT CENTER, INC. D/B/A KING OF PINS, 24 MOLLISON WAY

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

VOTE (233-2020)

Motion by Councilor Lajoie, seconded by Councilor Jensen:

To authorize the City Clerk’s Office to approve new applications for a liquor license and a special amusement permit for King of Pins Bowling and Family Entertainment Center, Inc. d/b/a King of Pins, 24 Mollison Way. Passed - Vote 7-0

PUBLIC HEARING ON NEW APPLICATIONS FOR A LIQUOR LICENSE AND A SPECIAL AMUSEMENT PERMIT FOR THE CARRIAGE HOUSE PLUS, 1119 LISBON STREET

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

VOTE (234-2020)

Motion by Councilor Clement, seconded by Councilor Gelinas:

To authorize the City Clerk’s Office to approve new applications for a liquor license and a special amusement permit for The Carriage House Plus, 1119 Lisbon Street. Passed - Vote 7-0

PUBLIC HEARING ON APPLICATION FOR AN EXTENSION OF LIQUOR LICENSE ON PREMISE OF LE PASSE-TEMPS, INC., 45 CEDAR STREET

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

VOTE (235-2020)

Motion by Councilor Jensen, seconded by Councilor Lajoie:

To authorize the City Clerk’s Office to approve an Extension of Liquor License on Premise for Le Passe-Temps, Inc., 45 Cedar Street. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR FAST BREAKS, INC., 1465 LISBON STREET

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

VOTE (236-2020)

Motion by Councilor Gelinas, seconded by Councilor Clement:

To grant a Special Amusement Permit for Live Entertainment to Fast Breaks, Inc, 1465 Lisbon Street. Passed - Vote 7-0

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

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

VOTE (237-2020)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To grant a Special Amusement Permit for Live Entertainment to Lewiston Recreation Division, 65 Central Avenue. Passed – Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR AGORA GRAND EVENT CENTER, 220 BATES STREET

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

VOTE (238-2020)

Motion by Councilor Jensen, seconded by Councilor Lajoie:

To grant a Special Amusement Permit for Live Entertainment to Agora Grand Event Center, 220 Bates Street. Passed - Vote 7-0

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

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

VOTE (239-2020)

Motion by Councilor Gelinas, seconded by Councilor Khalid:

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 attached conditions. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE TO ADOPT ZONING AND LAND USE CODE MAP AND TEXT AMENDMENTS IN SUPPORT OF THE REVISED SITE PLAN REVIEW AND DESIGN GUIDELINES AND THE DESIGN LEWISTON PROJECT

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

VOTE (240-2020)

Motion by Councilor Lajoie, seconded by Councilor Jensen:

To approve Final Passage of the listed map and text amendments to the Zoning and Land Use Code and Map. Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE TO AMEND THE LAND USE CODE AND MAP TO REZONE PROPERTIES ALONG ASH STREET, BLAKE STREET, BARTLETT STREET, COLLEGE STREET, OAK STREET AND JACK COURT FROM DOWNTOWN RESIDENTIAL (DR) TO CENTREVILLE (CV)

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

VOTE (241-2020)

Motion by Councilor Rea, seconded by Councilor Jensen:

To approve First Passage of the proposed amendments to the Land Use Code and Map regarding the rezoning of properties along Ash Street, Blake Street, Bartlett Street, College Street, Oak Street and Jack Court from Downtown Residential (DR) to Centreville (CV) and to continue the public hearing for Final Passage for the next regularly scheduled City Council meeting. Passed - Vote 7-0

CONDEMNATION HEARING FOR THE BUILDING LOCATED AT 97 SABATTUS STREET

The Mayor and every Councilor verified that they do not know the owner of the property and therefore can act impartially in this hearing. No representatives of the owner were present. Carrie Folsom is an attorney representing the mortgage holder and attended the meeting. She noted the bank is accepting bids to bring the property up to non-hazard conditions. City Attorney Mike Carey noted his office made three different attempts between August 20 through September 29 to service the owner with the notice of this hearing and have been unable to do so.

VOTE (242-2020)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To continue the hearing to the November 17, 2020 City Council meeting to allow for additional time for the process of attempting to reach the property owner. Passed - Vote 4-3 (Councilors Lajoie, Jensen and Clement opposed)

RESOLVE, ADOPTING THE 2020 CITY OF LEWISTON ECONOMIC DEVELOPMENT PLAN

VOTE (243-2020)

Motion by Councilor Rea, seconded by Councilor Gelinias:

To adopt the Resolve, Adopting the 2020 City of Lewiston Economic Development Plan:

Whereas, the Mayor and City Council directed the Economic Development Department to draft and present a forward looking economic development plan for the City; and

Whereas, on August 11, 2020 Economic Development Staff presented to the City Council a draft 2020 City of Lewiston Economic Development Plan; and

Whereas, the plan identifies five strategies focused on a vibrant downtown; supporting existing businesses; attracting new businesses; workforce development; and community development; and

Whereas, the Economic Development Plan outlines actionable steps City departments and partners can take over the next five years to achieve a stronger local economy; and

Whereas, each strategy identifies representable metrics to measure progress on each strategy; and

Whereas, City staff shall report back the City Council biannually in March and September of each year on progress of the plan;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the 2020 City of Lewiston Economic Development Plan be adopted.

Passed - Vote 7-0

RESOLVE, ACCEPTING THE GRANT OF \$8,000 FOR THE PROJECT CANOPY COMMUNITY FORESTRY ASSISTANCE GRANT PROGRAM FROM THE MAINE FOREST SERVICE PURSUANT TO THE TERMS OF THE ATTACHED GRANT APPLICATION

VOTE (244-2020)

Motion by Councilor Clement, seconded by Councilor Jensen:

To approve the Resolve, Accepting the Grant of \$8,000 from the Project Canopy Community Forestry Assistance Grant Program from the Maine Forest Service, matching it with City nursery stock and in-kind services:

Whereas, the City has been notified that it has been awarded a Grant of \$8,000 that requires an in-kind match of \$8,000; and

Whereas, the City plans to principally use in-kind services and City tree stock as a match. If any

Now, therefore, be it Resolved that the Grant from the State’s Keep Maine Healthy 2020 Municipal COVID-19 Awareness Campaign Round II is hereby accepted in the amount of \$212,160 and is appropriated for the purposes set forth in the City’s grant application, a copy of which is attached hereto.

Passed - Vote 7-0

RECOMMENDATIONS FROM THE CITY CLERK/REGISTRAR OF VOTERS ON ACTIONS NECESSARY TO CONDUCT THE PRESIDENTIAL AND STATE ELECTION, TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

VOTE (245-2020)

Motion by Councilor Jensen, seconded by Councilor Lajoie:

To approve the Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the Presidential and State Election, to be held on Tuesday, November 3, 2020:

A. That the hours for acceptance of registrations in person only, prior to the November 3rd election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at on business days at 8:30am to 4:00pm, October 20 through November 2, 2020; and additional hours of 4:00pm – 7:00pm on Oct 14, 22 and 27, Oct. 24 from 9am – 12noon and Oct. 30 until 5pm..

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 8:00am, 2:00pm, 6:00pm and any and all remaining shall be processed at 8:00pm, if necessary.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported The Green Ladle Culinary Arts program recent received an award from the Maine Council on Aging in recognition of their support for feeding the elderly during the pandemic. She also noted the Androscoggin County Budget committee finalized the draft budget last Wednesday night and the budget public hearing is Oct. 21 at 6pm.

OTHER BUSINESS

The City Clerk provided an election update noting 6,500 absentee ballots were mailed out last Thursday and in person voting began at City Hall yesterday and averaged 200 voters a day yesterday and today. Councilor Rea noted there is a fine of \$250 for the destruction and removal of political signs. She also inquired about security at the polling locations due to reports around the country of potential voter intimidation at the polls. The City Clerk noted a private security company will be serving as door monitors to maintain the mandatory building occupancy rate of no more than 50 people per each voting room and a police officer will be in every parking lot for traffic control and crowd management for the outside waiting lines.

EXECUTIVE SESSION

VOTE (246-2020)

Motion by Councilor Khalid, seconded by Councilor Clement:

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 8:52 pm and ended at 9:28pm.

VOTE (247-2020)

Motion by Councilor Pettengill, seconded by Councilor Lajoie:

To adjourn at 9:28 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine