

CITY OF LEWISTON

CITY COUNCIL

JULY 14, 2015

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 5:30 P.M.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Dubois, D'Auteuil, Libby, Bouchard, Cayer and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.
Absent/Excused: Councilor Cloutier.

Note – Under the City Charter, the Mayor may vote in the absence of a City Councilor.

EXECUTIVE SESSION

VOTE (176-2015)

Motion by Councilor Bouchard, seconded by Councilor Lachance:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (A) to discuss a personnel matter. Passed - Vote 7-0

Executive Session began at 5:30pm and ended at 5:37pm.

VOTE (177-2015)

Motion by Councilor Dubois, seconded by Councilor Libby:

To enter into an Executive Session, pursuant to MRSA Title 1, Section 405 (6) (c) to discuss Real Estate Negotiations, 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 5:37pm and ended at 5:47pm.

VOTE (178-2015)

Motion by Councilor Dubois, seconded by Councilor Libby:

To enter into an Executive Session, pursuant to MRSA Title 1, Section 405 (6) (c) to discuss Real Estate Negotiations, of which the premature disclosure of the information about prejudice the competitive bargaining position of the City. Passed - Vote 7-0

Executive Session began at 5:47 pm and ended at 6:35pm.

VOTE (179-2015)

Motion by Councilor Dubois, seconded by Councilor Bouchard:

To enter into an Executive Session, pursuant to MRSA Title 1, Section 405 (6) (c) to discuss Real Estate Negotiations, of which the premature disclosure of the information about prejudice

the competitive bargaining position of the City. Passed - Vote 7-0

Executive Session began at 6:35 pm and ended at 7:13pm.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Dubois, D’Auteuil, Libby, Christ, Cloutier, Cayer and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.
Moment of Silence.

APPOINTMENTS TO THE LEWISTON YOUTH ADVISORY COUNCIL

The following members of LYAC for the 2015-16 year were introduced: Nicole Morin, Iman Abdalla, Amran Osman, Divine Selengbe, Sarah Kennedy, Deni Federico, Eric Hall, Jazlyn Dumas, Khafiya Dualeh and Courtney Caouette.

PUBLIC COMMENT PERIOD

Ronnie Paradis of 82 Prospect Avenue said that she is concerned for the seniors in town who are struggling financially and people who are still working who are struggling. She encouraged the Council to watch the line on spending because there are a lot of seniors in town who want to remain in their homes but are struggling due to the costs of food and medication.

AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

VOTE (180-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

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 \$896.75, less administrative fees, or any portion thereof, in the case of State of Maine vs. Naheen Spencer CR-15-187; the transfer of \$827.87, less administrative fees, or any portion thereof, in the case of State of Maine vs. Christopher Denegall, CR-15-186; the transfer of an amount to be determined, less administrative fees, or any portion thereof, in the case of US Department of Justice Drug Enforcement Administration vs. CE-12-0042, 15-DEA-611762; the transfer of an amount to be determined, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. 245D-BS-4370128, 15-FBI-002789; the transfer of an amount to be determined, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. 245D-BS-4370128, 15-FBI-002755; the transfer of an amount to be determined, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. 245D-BS-4370128, 15-FBI-001232 and the transfer of an amount to be determined, less administrative fees, or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. CE-12-0022, 15-DEA-609535. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the ‘City of Lewiston

Drug Enforcement Program'. Passed - Vote 7-0

ORDER AUTHORIZING EXECUTION OF THREE MUNICIPAL QUITCLAIM DEEDS

VOTE (181-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

To approve the Orders authorizing execution of municipal quitclaim deeds for real estate liens and/or utility liens at 34 Pleasant Street, 87 Heather Drive and 1237 Sabattus Street:

34 Pleasant Street Quitclaim Deed:

Whereas, the owner Leo Grivois failed to pay his real estate tax bills on a timely basis at 34 Pleasant Street (Tax Map 176, Lot 236, Parcel 00-004477); and

Whereas, a tax lien was filed on June 17, 2011 (Book 8181 Page 17), and matured on December 17, 2012, in the amount of \$1,324.57; and

Whereas, a tax lien was filed on June 13, 2012 (Book 8417 Page 181), and matured on December 13, 2013, in the amount of \$1,322.18; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8699 Page 265), and matured on December 19, 2014, in the amount of \$1,311.24; and

Whereas, payment was received in full on June 25, 2015; and

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, to issue a quitclaim for 34 Pleasant Street to release the City's interest in the property to the new owner.

87 Heather Drive Quitclaim Deed:

Whereas, the owner Terry and Robert A. Watier failed to pay their real estate tax bills on a timely basis at 87 Heather Drive (Tax Map 169, Lot 49, Parcel 90-012568); and

Whereas, a tax lien was filed on June 17, 2011 (Book 8181 Page 11), and matured on December 17, 2012, in the amount of \$431.49; and

Whereas, a tax lien was filed on June 13, 2012 (Book 8418 Page 116), and matured on December 13, 2013, in the amount of \$424.06; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8700 Page 206), and matured on December 19, 2014, in the amount of \$333.78; and

Whereas, payment was received in full on June 25, 2015; and

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, to issue a quitclaim for 87 Heather Drive to release the City's interest in the property to the new owner.

1237 Sabattus Street Quitclaim Deed:

Whereas, the owner Gregory Paradis failed to pay his utility bills on a timely basis at 1237 Sabattus Street (Tax Map 37, Lot 33, Parcel 00-008545); and

Whereas, a water lien was filed on August 29, 2013 (Book 8760 Page 162), and matured on February 28, 2015, in the amount of \$175.07; and

Whereas, a sewer lien was filed on August 29, 2013 (Book 8760 Page 272), and matured on February 28, 2015, in the amount of \$158.12; and

Whereas, a stormwater lien was filed on December 6, 2013 (Book 8830 Page 156), and matured on June 7, 2015, in the amount of \$104.27; and

Whereas, payment was received in full on June 15, 2015;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, to issue a quitclaim deed for 1237 Sabattus Street to release the City's interest in the property back to the owner.

Passed - Vote 7-0

RESOLVE ACCEPTING DONATIONS FOR THE PURPOSE OF SPONSORING PERFORMING ARTS PROGRAMS FOR CHILDREN WITHIN THE LEWISTON AND AUBURN AREA

VOTE (182-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

To adopt the Resolve accepting donations for the purpose of sponsoring performing arts programs for children in the Lewiston and Auburn area:

Whereas, the Lewiston Recreation Division and the Auburn Recreation Department combine efforts to bring the Wednesdays In The Park program to both Communities; and

Whereas, Wednesdays In The Park celebrates its thirty-sixth season of performing arts this year; and

Whereas, for four weeks during the summer months, various performers will entertain hundreds of children at different sites throughout Lewiston and Auburn; and

Whereas, local businesses and organizations donate funds to support the entire operating budget for the Wednesdays In The Park program;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the City Administrator is authorized to accept the donations and promotions from the following local businesses and organizations that will allow the Wednesdays In The Park Program to operate.

2015 WEDNESDAYS IN THE PARK SPONSORS

Auburn Exchange Club \$250
Evergreen Custom Printing Inc. Printing of Posters
Great Falls Security Systems \$50
Lewiston Housing Authority \$25
Past Time Club \$200
Roopers \$100

Total \$625

Be it Further Resolved that the City Council expresses its thanks and appreciation to local businesses and organizations that have contributed funding and promotion to make this program possible.

Passed - Vote 7-0

**AMENDMENTS TO THE CITY BUSINESS LICENSE APPLICATION POLICY
WHICH INVOLVE AMENDING THE APPLICATION DEADLINE FROM
48 HOURS TO 7 DAYS**

VOTE (183-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

To approve the proposed amendments to the City Business License Applications Policy, Policy Manual Number 7, as recommended by City Administration and the City Clerk.

Passed - Vote 7-0

**PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL
AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE ACME SOCIAL
CLUB, INC., 255 PARK STREET**

Mayor Macdonald 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 (184-2015)

Motion by Councilor Libby, seconded by Councilor Bouchard:

To grant a Special Amusement permit for live entertainment to the Acme Social Club, Inc., 255 Park Street. Passed - Vote 7-0

**PUBLIC HEARING ON THE RENEWAL OF A SPECIAL AMUSEMENT PERMIT FOR
LIVE ENTERTAINMENT FOR THE ANDROSCOGGIN BANK COLISEE,
190 BIRCH STREET**

Mayor Macdonald 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 (185-2015)

Motion by Councilor Lachance, seconded by Councilor Libby:

To grant a Special Amusement permit for live entertainment to the Androscoggin Bank Colisee, 190 Birch Street. Passed – Vote 7-0

PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ENTERTAINMENT PERMIT FOR THE ANNUAL GREAT FALLS BALLOON FESTIVAL

Mayor Macdonald 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 (186-2015)

Motion by Councilor Libby, seconded by Councilor Bouchard:

To conduct a public hearing on an application for an outdoor entertainment event for the Great Falls Balloon Festival, 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 Great Falls Balloon Festival Committee for outdoor music concerts for the annual Festival to be held at Simard-Payne Memorial Park on August 21-23, 2015, contingent upon positive recommendations from the Recreation Department, 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 AND FINAL PASSAGE FOR LAND USE CODE AMENDMENTS TO THE DIVISION OF LOTS, THAT CONTAIN MORE THAN ONE PRINCIPAL STRUCTURE, TO INDIVIDUAL HOUSE LOTS

Mayor Macdonald 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 (187-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

That the proposed amendments to Appendix A, Article V. “Administration and Enforcement” and Article VI “Nonconformance” of the City Zoning and Land Use Code, concerning the division of lots that contain more than one principal structure to individual house lots, receive final passage by a roll call vote. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR LAND USE CODE AMENDMENTS REGARDING DORMITORIES AS A PERMITTED USE IN THE HIGHWAY BUSINESS DISTRICT

Mayor Macdonald 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 (188-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

That the proposed amendment to Appendix Z, Article II. “Definitions” and Article XI “District Regulations” of the City Zoning and Land Use Code, concerning dormitories affiliated with an educational institution or a sports organization, receive final passage by a roll call vote.

Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE FOR LAND USE CODE AMENDMENTS REGARDING CHILD CARE FACILITY STANDARDS AND PARKING

Mayor Macdonald 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 (189-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

That the proposed amendments to Appendix A, Article XII “Performance Standards”, Section 20 “Child care facility standards” of the City Zoning and Land Use Code, receive first passage by a roll call vote and the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting. Passed - Vote 7-0

CONDEMNATION HEARING FOR THE BUILDING LOCATED AT 229 LINCOLN STREET

Councilor Cayer abstained from this issue citing a conflict of interest noting he knows the owner of the property. No other members of the Council personally know the property owner and therefore do not have a conflict of interest for this hearing. Mayor Macdonald opened the hearing to receive citizen input and comment. No members of the public spoke for or against this issue. No one was present who owned the property or represented the property owners. The Mayor then closed the hearing. Gil Arsenault, Director of Planning and Code Enforcement, and Tom Maynard, Code Enforcement Officer, provided their professional background credentials regarding their working knowledge of building codes and building safety. Mr. Arsenault and Mr. Maynard then reviewed the City’s efforts to communicate with the building owners and to work with them to resolve the numerous outstanding safety violations. They then outlined the condition of the building noting it is unsafe for habitation and is a danger to the neighborhood. They also showed photographs documenting the code violations and safety concerns.

VOTE (190-2015)

Motion by Councilor Libby, seconded by Councilor D’Auteuil:

With regard to the property at 229 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City’s costs through a special tax or collective action. Passed - Vote 6-0-1 (Councilor Cayer abstained)

**CONSENT ORDER FOR THE CONDEMNATION OF THE BUILDING LOCATED AT
242 LINCOLN STREET**

VOTE (191-2015)

Motion by Councilor Cayer, seconded by Councilor Bouchard:

With regard to the property at 242 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action. Passed - Vote 7-0

**CONSENT ORDER FOR THE CONDEMNATION OF THE BUILDING LOCATED AT
244 LINCOLN STREET**

VOTE (192-2015)

Motion by Councilor Cayer, seconded by Councilor Libby:

With regard to the property at 244 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action. Passed - Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A
MUNICIPAL RELEASE DEED TO RELEASE AND QUIT CLAIMS TO THE
CENTRAL MAINE POWER COMPANY REGARDING AN ABANDONED
WATERLINE EASEMENT NEAR GULLY BROOK**

VOTE (193-2015)

Motion by Councilor Lachance, seconded by Councilor Libby:

To approve the Order authorizing the City Administrator to execute a Municipal Release Deed to release and quit claims to the Central Maine Power Company regarding an abandoned waterline easement near Gully Brook:

Whereas, the City of Lewiston originally acquired easement rights from Central Maine Power Company and the Union Water Power Company in 1973; and

Whereas, said easement was acquired for an 8inch diameter cast iron water pipe for the City of Lewiston Water Division from Lincoln Street cross country to Lisbon Street through the Central Maine Power Company lot; and

Whereas, said easement is 15 feet in width; and

Whereas, said 8 inch diameter cast iron, cross country water pipe is no longer needed and had been abandoned for many years; and

Whereas, said easement to the City of Lewiston is no longer used or useful to the City of Lewiston in connection with the water utility operations.

Whereas, Central Maine Power Company has planned improvements on their lot and plan on using the area covered by said easement as part of their upgrades to the Lewiston Lower Substation.

Now, therefore, be it Ordered By the City Council of the City of Lewiston authorizing the City Administrator to execute a Municipal Release Deed to release and quit claims to the Central Maine Power Company regarding an abandoned waterline easement near Gully Brook.

Passed - Vote 7-0

ORDER APPROVING THE CITY'S PURCHASE OF 2 AND 26 OXFORD STREET, LEWISTON AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND OTHER DOCUMENTATION NECESSARY TO EFFECT THE TRANSACTION

The City Administrator noted this item was originally prepared for tonight's meeting with the expectation that the Planning Board would vote last evening to make a recommendation on this matter to either purchase or not purchase these properties. The Planning Board has decided to not make a decision one way or the other on this issue, thereby essentially stalling the matter because the Council cannot act without a recommendation from the Planning Board to either purchase or not purchase these properties. As a result, the City Administrator has proposed a substitute Resolve calling for the Planning Board to make a recommendation on this matter. The substitute Resolve is listed below.

VOTE (194-2015)

Motion by Councilor D'Auteuil, seconded by Councilor Libby:

To adopt the Resolve requesting a recommendation from the Planning Board regarding the acquisition of 2 and 26 Oxford Street:

Whereas, the owner of 2 and 26 Oxford Street has agreed to sell both parcels to the city for the combined price of \$315,000; and

Whereas, sufficient funding for the acquisition is available through the transfer of funds to the Acquisition/Demolition account including \$147,485 that the city received in roof insurance for Bates Mill #5; \$50,000 received in option payments made by the group promoting a casino at Bates Mill #5; and \$125,260 in accumulated investment earnings from Bates Mill operating subsidies and projects; and

Whereas, these two properties are adjacent to Simard Payne Park, overlook Cross Canal #1 on the north side, and overlook the Lower Canal on the west side, and

Whereas, these properties are identified in the Riverfront Island Master Plan as a prime site for a mixed use development project; and

Whereas, acquisition of these properties, when combined with other properties located in this block that are already owned by the City, will provide an opportunity for significant redevelopment of this area in accordance with the recommendations of the Riverfront Island Master Plan; and

Whereas, implementation of the Riverfront Island Master Plan is a key element in the future development of the City and will dramatically enhance the City's future prosperity and desirability as a community in which to live and work; and

Whereas, parking is a critical and necessary component that will be required to see redevelopment of the Bates Mill complex, PAMCO Mill and other mills in the Riverfront Island area; and

Whereas, until market demand warrants construction of a mixed use project on the site, 2 and 26 Oxford Street can be developed as surface parking at a significantly lower cost than decked parking, supporting expansion of the tax base; and

Whereas, in accordance with Appendix A of Article VII of the Zoning and Land Use Code, the Planning Board is authorized to review and make a recommendation to the City Council regarding the acquisition of property and with regard to capital expenditures costing more than \$100,000 that are not included in the annual capital program; and

Whereas, the City Council can request that the Planning Board provide it with a recommendation within 30 days pursuant to Appendix A, Article VII, Section 3 (e) of the Code of Ordinances;

Now, therefore, be it resolved by the City Council of the City of Lewiston that Within 30 days, the Planning Board is hereby requested to provide the City Council with a recommendation regarding the proposed purchase of 2 and 26 Oxford Street as required by Appendix A, Article VII, Sections 4 (f) and (h) of the Code of Ordinances.

Passed - Vote 7-0

ORDER APPROVING THE EXTENSION OF THE PURCHASE AND SALE AGREEMENT FOR 139 AND 155 BARTLETT STREET AND 116 AND 122 PIERCE STREET

VOTE (195-2015)

Motion by Councilor Libby, seconded by Councilor Cayer:

To adopt the Order approving the extension of the Purchase and Sale Agreement for 139 and 155 Bartlett Street and 116 and 122 Pierce Street:

Whereas, St. Laurent Housing Associates was the owner of a 29 unit affordable housing project known as Pierce Place which was located on Pierce and Bartlett Streets; and

Whereas, Pierce Place was consumed by an arson fire in May 2013; and

Whereas, St. Laurent Housing Associates (dba Pierce Place Associates L.P.) is endeavoring to rebuild the project and because of changes in zoning requirements needed twice as much land as they already owned in order to meet per unit lot size standards; and

Whereas, the City owns 139 and 155 Bartlett Street and 116 and 122 Pierce Street which abut the Pierce Place project site; and

Whereas, the City issued and actively solicited responses to a competitive Request for Proposals to purchase the city owned with a combined minimum bid price requirement of \$37,500; and

Whereas, Pierce Place Housing Associates was the only respondent to the Request for Proposals, bidding a total of \$61,000 for the City owned parcels; and

Whereas, the City Council approved the sale of the properties to St. Laurent Housing Associates at their January 6, 2015 meeting and subsequently entered into a Purchase and Sale Agreement with Pierce Place Associates L.P. (St. Laurent's assignee) for acquisition of the properties; and

Whereas, Pierce Place Associates has moved forward with all due haste to perform as required under the terms of that agreement, having secured Planning Board approval for reconstruction of Pierce Place, completing title research and other due diligence; and

Whereas, to secure financing the federal government must approve a required environmental review of the property which has been submitted by MaineHousing but which the federal government has not yet taken action on which has put the project approximately two months behind schedule; and

Whereas, accordingly, Pierce Place Associates has requested that the closing date on the Purchase and Sale Agreement be extended from August 31, 2015 to October 30, 2015,

Now, therefore, be it ordered by the City Council of the City of Lewiston that the requested extension of the closing date be granted, and that the City Administrator be authorized to execute an amendment to the Purchase and Sale Agreement effectuating that change.

Passed - Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO PROCEED WITH A
CONTRACT TO PROVIDE A PUBLIC EDUCATION AND COMMUNITY
ENGAGEMENT PROCESS REGARDING A PAY-AS-YOU-THROW (PAYT) SOLID
WASTE PROGRAM WITH THE POTENTIAL TO IMPLEMENT SUCH A PROGRAM
WHEN/IF FURTHER AUTHORIZATION IS PROVIDED**

Public Works Director Dave Jones and John Campbell of Waste Zero made a presentation to the Council regarding the public education program. Larry Gilbert of 39 Cote Street stated he has concerns with bags in the downtown and the seagulls are getting into the bags and strewing trash all over the streets and sidewalks.

VOTE (196-2015)

Motion by Councilor Lachance, seconded by Councilor Dubois:

To postpone this matter to the August 11 City Council meeting. Did Not Pass - Vote 3-4
(Councilors Dubois, Cayer and Lachance in favor; rest opposed)

VOTE (197-2015)

Motion by Councilor Libby, seconded by Councilor Bouchard:

To approve the Order authorizing the City Administrator to proceed with a Contract to provide a Public Education and Community Engagement process regarding a Pay-As-You-Throw (PAYT) Solid Waste Program with the potential to implement such a program when/if further authorization is provided:

Whereas, the City Council was briefed on Pay-As-You-Throw programs in January with an update in May resulting in issuing a Request for Proposal (RFP) for assistance and possible implementation of a PAYT program; and

Whereas, the City Council wished to ensure a rigorous public education and community engagement process was used before a decision was made on whether or not to implement the PAYT program; and

Whereas, the City received two responses to the RFP, with only one responding to the requirements for the Public Education and Community Engagement process identified as important by the Council; and

Whereas, the respondent addressing the Public Education and Community Engagement aspects of the RFP offered a specific program for the period up until the City Council made the decision to proceed or not proceed and quoted a \$30,000 fee for this element of the effort; and

Whereas, the respondent offered that if the City decided to proceed with implementation of the PAYT program, this \$30,000 fee would be reimbursed to the City during the first five (5) year term of the contract; and

Whereas, \$30,000 in funding is available as a result of project savings on a previously approved project for Gendron Business Park infrastructure improvements;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to proceed with

- Transfer of \$30,000 from the FY2012 Gendron Business Park Project to fund the public education and community engagement elements of the PAYT project; and
- Award of the PAYT contract to provide the public education and community engagement process and potential program implementation and management services.

Passed - Vote 5-2 (Councilors Dubois and Lachance opposed)

**REQUEST FROM THE MAINE CYCLING CLUB FOR A WAIVER OF FEES
REGARDING THE USE OF THE DUFRENSE PARK FOR THE ORGANIZATION'S
AUGUST 23 BIKE RACE**

VOTE (198-2015)

Motion by Councilor Libby, seconded by Councilor D'Auteuil:

To approve the request submitted by the Maine Cycling Club organization for a waiver of fees in the amount of \$265 for the use of Dufrense Park for the organization's August 23 bike race event. Passed - Vote 7-0

REPORTS AND UPDATES

The City Administrator provided an update on the issue of General Assistance financing of asylum seekers.

OTHER BUSINESS

Appointment to the Lewiston Housing Authority Board of Commissioners:

VOTE (199-2015)

Motion by Councilor Cayer, seconded by Councilor Bouchard:

To confirm the Mayor's nomination and to appoint the following resident as a member of the Board of Commissioners of the Lewiston Housing Authority:

Mangok Mayen of 77 Rideout Avenue (term to expire October 7, 2018) Passed - Vote 7-0

Councilor Dubois stated she attended the Planning Board meeting last night and suggested the Board and Council hold more joint sessions to review upcoming projects. Charles Soule of 135 Bartlett Street announced his plans to run for Mayor in the fall.

EXECUTIVE SESSION

VOTE (200-2015)

Motion by Councilor Lachance, seconded by Councilor Dubois:

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 9:04pm and ended at 9:28pm.

VOTE (201-2015)

Motion by Councilor Bouchard, seconded by Councilor Libby:

To adjourn at 9:29P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine