

CITY OF LEWISTON

CITY COUNCIL

AUGUST 9, 2016

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:00 P.M.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Lysen, Lajoie, Golden, Bouchard, Cloutier, Beam and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

A workshop session was held from 6pm – 6:20pm on the topic of the potential use of CDBG Funds to assist the YWCA with Roof Repairs.

EXECUTIVE SESSION

VOTE (208-2016)

Motion by Councilor Lysen, seconded by Councilor Cloutier:

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

Executive Session began at 6:23pm and ended at 6:37pm.

VOTE (209-2016)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

To enter into an Executive Session, pursuant to MRSA Title 1, Section 405 (6) (C), to discuss Disposition 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 6:37pm and ended at 6:58pm.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Lysen, Lajoie, Golden, Bouchard, Cloutier, Beam and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (210-2016)

Motion by Councilor Bouchard, seconded by Councilor Lysen:

To dispense with the reading of the minutes of the meetings of June 21 and July 19, 2016 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC COMMENT PERIOD

Luke Jensen, 45 Sylvan Avenue, suggested that the City Council accept the County settlement offer on the pending lawsuit. He noted the County has spent \$150,000 fighting the suit over a value of benefits of approximately \$100,000. He said the settlement offered was fair and should be accepted. Charles Soule of 135 Bartlett Street said he wants the Council to hire the next Police Chief from outside of the Department and he wants them to hire a female. He wants the Department to be an open police department and hiring from the outside would accomplish this.

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

VOTE (211-2016)

Motion by Councilor Cloutier, seconded by Councilor Lachance:

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

Whereas, the owner, Paul Rubin, failed to pay his tax bill on a timely basis for 11 Goulet Street (Tax Map 147, Lot 166, Parcel 00-013371); and

Whereas, a tax lien was filed on June 13, 2012 (Book 8418 Page 49) and matured on December 19, 2013 in the amount of \$1,527.80; and

Whereas, payment was 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 Goulet Street to the new owner.

Passed - Vote 7-0

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 29 ORCHARD CIRCLE

VOTE (212-2016)

Motion by Councilor Cloutier, seconded by Councilor Lachance:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 29 Orchard Circle:

Whereas, the owners, Edwin and Martha Cintron, failed to pay their stormwater bills on a timely basis for 29 Orchard Circle (Tax Map 90, Lot 42, Parcel 00-10835); and

Whereas, a stormwater lien was filed on June 19, 2014 (Book 8936 Page 266) and matured on December 19, 2015 in the amount of \$101.00; and

Whereas, a stormwater lien was filed on December 22, 2015 (Book 9282 Page 166) and will mature on June 22, 2017 in the amount of \$92.18; and

Whereas, a stormwater lien was filed on March 25, 2016 (Book 9337 Page 119) and will mature on September 25, 2017 in the amount of \$92.52; and

Whereas, payment was 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 29 Orchard Circle to the owners.

Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR CARRIAGE HOUSE PLUS, 1119 LISBON 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 (213-2016)

Motion by Councilor Golden, seconded by Councilor Cloutier:

To grant a Special Amusement permit for live entertainment to Carriage House Plus, 1119 Lisbon Street. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR SPARETIME RECREATION, 24 MOLLISON WAY

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 (214-2016)

Motion by Councilor Lachance, seconded by Councilor Lysen:

To grant a Special Amusement permit for live entertainment to Sparetime Recreation, 24 Mollison Way. Passed - Vote 7-0

CONDEMNATION HEARING FOR THE BUILDING LOCATED AT 24 LEMONT AVENUE

No City Councilors stated they personally know the property owner and therefore do not have a conflict of interest to act on this matter. An attorney representing the mortgage holder stated that some work has recently been done at the property and it is now listed with a realtor. She also noted there is a potential buyer lined up for this property. She requested additional time to

determine if the purchase will be approved. The Council decided to continue the hearing until the September 6 City Council meeting.

VOTE (215-2016)

Motion by Councilor Lachance, seconded by Councilor Bouchard:

To continue the hearing to the September 6 City Council meeting. Passed - Vote 7-0

**CONDEMNATION HEARING FOR THE BUILDING LOCATED AT
148 BARTLETT STREET**

No representatives of the property owner were present. No City Councilors stated they personally know the property owner and therefore do not have a conflict of interest to act on this matter.

VOTE (216-2016)

Motion by Councilor Cloutier, seconded by Councilor Lachance:

With regard to the property at 148 Bartlett 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

**STREET ACCEPTANCE FOR CORTLAND WAY AND A PORTION OF
VISTA BELLA DRIVE**

VOTE (217-2016)

Motion by Councilor Lysen, seconded by Councilor Bouchard:

ORDERED, That Cortland Way and a portion of Vista Bella Drive, with the boundaries and measurements of the same, as laid out and reported by the legal description, be hereby accepted, allowed and established as a public street or public way for the use of the City of Lewiston. Passed - Vote 7-0

**BALLOTS FOR ELECTION OF THE ANDROSCOGGIN COUNTY
BUDGET COMMITTEE MEMBERS**

VOTE (218-2016)

Motion by Councilor Cloutier, seconded by Councilor Bouchard:

That the City Council cast a vote for Michael Lachance and Tina Hutchinson on the District 1 County Budget Committee Ballot. Passed - Vote 7-0

VOTE (219-2016)

Motion by Councilor Cloutier, seconded by Councilor Lysen:

That the City Council cast a vote for Shane Bouchard and Joseph Grube on the District 2 County Budget Committee Ballot. Passed - Vote 7-0

VOTE (220-2016)

Motion by Councilor Cloutier, seconded by Councilor Lajoie:

That the City Council cast a vote for Joline Beam and Wade Caplinger on the District 3 County Budget Committee Ballot. Passed - Vote 7-0

**ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 6 TO
THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF LEWISTON AND
EDWARD A. BARRETT**

Councilor Lachance said he would consider this increase next year but feels the current compensation is right in line with other towns at present. Councilor Lajoie spoke in favor of the increase noting compared to the private sector, this salary is well below a similar position in a company with the same number of employees and same operating budget.

VOTE (221-2016)

Motion by Councilor Golden, seconded by Councilor Lysen:

To approve the Order authorizing the Mayor to execute Amendment Number Six to the employment agreement between the City of Lewiston and Edward A. Barrett:

Whereas, the City entered into an agreement with Edward A. Barrett on December 1, 2009 under which he assumed the position of City Administrator; and

Whereas, the Council wishes to adjust the Administrator's salary by 2.0% effective as of payroll checks dated July 6, 2016, the same increase provided to other non-represented employees of the City;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that the Mayor is authorized to execute a sixth amendment to the employment agreement with Edward A. Barrett, a copy of which is attached hereto.

Passed - Vote 6-1 (Councilor Lachance opposed)

UPDATE FROM THE LEWISTON SCHOOL COMMITTEE REPRESENTATIVE

Councilor Cloutier noted their next meeting is Monday, August 22.

REPORTS AND UPDATES

No reports or updates were presented at this time.

OTHER BUSINESS

No other business was presented at this time.

EXECUTIVE SESSION

VOTE (222-2016)

Motion by Councilor Lysen, seconded by Councilor Lachance:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (D) to discuss Labor Negotiations regarding the Lewiston Professional Technical Unit, Local 3855 and the International Association of Firefighters, Local 785. Passed - Vote 7-0

Executive Session began at 8:50pm and ended at 9:10pm.

VOTE (223-2016)

Motion by Councilor Lajoie, seconded by Councilor Beam:

To adjourn at 9:11P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine