

# CITY OF LEWISTON

CITY COUNCIL

NOVEMBER 1, 2016

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

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Lysen, Lajoie, Golden, Bouchard, Cloutier, and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo. Excused Absence: Councilor Beam. Note – Under the City Charter, the Mayor may cast a vote in the absence of a City Councilor.

Pledge of Allegiance to the Flag.

Moment of Silence. The Mayor asked to have this Moment of Silence be dedicated to Gene Tardif who recently passed away unexpectedly. Gene was a long-time Lewiston resident, former school employee and involved with many volunteer groups within the community.

### PUBLIC COMMENT PERIOD

No members of the public offered comment at this time.

### PUBLIC HEARING ON APPLICATIONS FOR A NEW LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR BIG MIKE'S SMOKE HOUSE, 838 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 (285-2016)

Motion by Councilor Lachance, seconded by Councilor Lysen:

To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for Big Mike's Smoke House, 838 Lisbon Street. Passed - Vote 7-0

### PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE RAMADA, 490 PLEASANT 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 (286-2016)

Motion by Councilor Lajoie, seconded by Councilor Cloutier:

To grant a Special Amusement permit for live entertainment to Ramada, 490 Pleasant Street. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE FOR AMENDMENTS TO THE SOLID WASTE ORDINANCE REGARDING THE EPASS PROGRAM AND CLEAN-UP ASSISTANCE WEEK**

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 (287-2016)**

Motion by Councilor Lachance, seconded by Councilor Lysen:

That the proposed amendments to the City Code of Ordinances, Chapter 62 “Solid Waste”, Section 62-11 “Definitions”; Section 62-12 “Waste Disposal Permits”; Section 62-22 “Recycling Agreement”; Section 62-24 “ePass Program”; Section 62-31 “License or authorization required”; Section 62-32 “Duration of license; revocation” and Section 62-33 “Voluntary Relinquishment of license”, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regular City Council meeting. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE FOR LAND USE CODE AMENDMENTS REGARDING STORMWATER MANAGEMENT**

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 (288-2016)**

Motion by Councilor Lachance, seconded by Councilor Cloutier:

That the proposed amendments to Appendix A, Article XIII . “Development Review and Standards”, Section 4. “Approval Criteria” of the City Zoning and Land Use Code, concerning stormwater management, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regular City Council meeting for final passage. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE FOR REZONING THE EVEN-NUMBERED ADDRESSED PROPERTIES FROM 10 KING AVENUE TO 108 KING AVENUE FROM COMMUNITY BUSINESS (CB) DISTRICT TO THE NEIGHBORHOOD CONSERVATION “A” (NCA) 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. City Planner David Hediger provided background information regarding this agenda item.

**VOTE (289-2016)**

Motion by Councilor Lajoie, seconded by Councilor Golden:

That the proposed amendment to re-zone the even-numbered addressed properties from 10 King Avenue to 108 King Avenue from the Community Business (CB) District to the Neighborhood

Conservation “A” (NCA) District, 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 for final passage. Passed - Vote 7-0

**ORDER AUTHORIZING THE SALE OF TAX ACQUIRED PROPERTY  
422 PLEASANT STREET**

**VOTE (290-2016)**

Motion by Councilor Cloutier, seconded by Councilor Bouchard:

To approve the Order authorizing the sale of the tax acquired property at 422 Pleasant Street:

Whereas, the City Council authorized taking possession of tax acquired property at 422 Pleasant Street at its meeting of November 17, 2015; and

Whereas, no bids were received in response to a request for bids requiring a minimum bid of \$55,000; and

Whereas, subsequently, expressions of interest were received from a number of other potentially interested parties, and the property was rebid for sale; and

Whereas, five bids were received with a high bid of \$55,000 from Flipping Fun, LLC; and

Whereas, Flipping Fun intends to renovate the property and offer it for sale; and

Whereas, the proceeds from this sale shall be used (1) reimburse the General Fund in the amount of \$19,554.48 in real estate taxes and interest; (2) reimburse the City’s Utility Funds in the amount of \$1,813.99; (3) replenish acquisition and demolition funds with any remaining balance;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to sell the property located at 422 Pleasant Street to Flipping Fun, LLC for \$55,000 with the proceeds from the sale to be used to reimburse the General Fund for overdue property taxes and interest in the amount of \$19,554.48 and the City’s Utility Funds for overdue water, sewer, and stormwater charges in the amount of \$1,813.99, with the remaining balance to be used to replenish the City’s acquisition and demolition funds.

Passed – Vote 7-0

**RESOLVE AUTHORIZING STAFF ADDITIONS TO THE DEPARTMENT OF SOCIAL SERVICES AND TRANSFERRING THE REQUIRED FUNDING FROM ELSEWHERE IN THE CITY GENERAL FUND BUDGET**

**VOTE (291-2016)**

Motion by Councilor Lysen, seconded by Councilor Golden:

To approve the Resolve authorizing staff additions to the Department of Social Services and transferring the required funding from elsewhere in the City General Fund Budget:

Whereas, the Social Services Department is currently staffed by 5 full-time and 1 part-time employee; and

Whereas, the Department has seen a significant increase in applicants who are seeking asylum in the United States; and

Whereas, due to cultural and language barriers and the additional requirements placed on staff to adhere to the record keeping and monitoring requirements of the Maine Department of Health and Human Services related to asylum seekers, these clients demand significant additional staff time; and

Whereas, since asylum seekers must wait for a significant period of time

Whereas, this increase in workload has stressed the ability of the staff of the Department to meet client needs and the state’s record keeping and reporting requirements; and

Whereas, based on current trends, we anticipate that the number of asylum seekers applying for assistance will continue to rise for at least the remainder of this year, further increasing staff workload;

Now, therefore, be it resolved by the City Council of the City of Lewiston that an additional case worker is hereby authorized for the Department of Social Services and the current part-time receptionist position is increased to full-time. Funding for these positions shall be transferred to the appropriate Social Service and Employee Benefit accounts from the following General Fund accounts:

4931-417010	City Pension Plan	\$32,980
4921-417100	Maine Municipal Employers Health Trust	\$17,848
	TOTAL	\$50,828

Passed - Vote 4-3 (Councilors Lachance, Lajoie and Bouchard opposed)

**RESOLVE AUTHORIZING THE DONATION OF A 1988 EMERGENCY ONE PUMPER TO THE TOWN OF GREENE FIRE DEPARTMENT**

Fire Chief Paul LeClair noted they are repurposing this truck to a neighboring mutual aid town. They will repair it and use it as a training tool and as a back-up truck.

**VOTE (292-2016)**

Motion by Councilor Cloutier, seconded by Councilor Bouchard:

To approve the Resolve authorizing the donation of a 1988 Emergency One Pumper to the Town of Greene Fire Department:

Whereas, the Lewiston Fire Department decommissioned a 1988 Emergency One Pumper in

early 2016 after 28 years in service; and

Whereas, this unit was offered for sale with no proposals received; and

Whereas, our immediate mutual aid partners were surveyed and the Green Fire Department expressed an interest in its acquisition; and

Whereas, the estimated salvage value of this unit is \$800 to \$1,200; and

Whereas, the Fire Chief recommends that this unit be donated to the Greene Fire Department;

Now, therefore, be it resolved by the City Council of the City of Lewiston that donation of a 1988 Emergency One Pumper to the Town of Greene Fire Department is hereby approved.

Passed - Vote 7-0

**UPDATE FROM THE LEWISTON SCHOOL COMMITTEE REPRESENTATIVE**

Councilor Cloutier noted they are meeting again on Monday evening but the agenda has not been published as of yet.

**REPORTS AND UPDATES**

No reports or updates were presented at this time.

**OTHER BUSINESS**

No other business was presented at this time.

**VOTE (293-2016)**

Motion by Councilor Lachance, seconded by Councilor Lajoie:

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

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine