

# CITY OF LEWISTON

CITY COUNCIL

DECEMBER 6, 2016

## REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:30 P.M.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

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

ABSENT/EXCUSED: Councilor Lysen. Note – Under the City Charter, the Mayor is permitted to cast a vote in the absence of a City Councilor.

### EXECUTIVE SESSION

#### VOTE (304-2016)

Motion by Councilor Lajoie, seconded by Councilor Lachance:

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 6:33pm and ended at 6:58pm.

The Regular City Council meeting began at 7:00pm.

Pledge of Allegiance to the Flag.

Moment of Silence.

### PUBLIC COMMENT PERIOD

Chantel Pettengill of 200 Montello Street spoke in support of the Lewiston firefighters. She noted she recently had an incident at her home and the firefighters who responded were professional, kind and of great assistance to both her and her two young children who were very nervous and scared. She thanked them for their dedication to the city and the citizens.

### AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS

#### VOTE (305-2016)

Motion by Councilor Cloutier, seconded by Councilor Lachance:

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822 (4)(A), the City Council hereby acknowledged and approves of the transfer of \$5,600.00, or any portion thereof, in the case of the State of Maine. vs. Mark Hancock, CR-16-2648 Court Records, being funds forfeited pursuant to the court process. It is further acknowledged that these funds shall be credited to the “City of Lewiston Drug Enforcement Program” account.

Passed - Vote 7-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL DEED FOR REAL ESTATE  
LOCATED AT 30 BLAKE STREET**

**VOTE (306-2016)**

Motion by Councilor Cloutier, seconded by Councilor Lachance:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 30 Blake Street:

Whereas, the owner, Edmund Pendexter, failed to pay his utility bills on a timely basis for 30 Blake Street (Tax Map 195, Lot 26, Parcel 00-006759); and

Whereas, a stormwater lien was filed on December 6, 2013 (Book 8860 Page 279) and matured on June 7, 2015 in the amount of \$124.22; and

Whereas, a stormwater lien was filed on June 19, 2014 (Book 8936 Page 240) and matured on December 19, 2015 in the amount of \$104.46; and

Whereas, payment has now 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 30 Blake Street to the owner.

Passed - Vote 7-0

**RESOLVE AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE THE  
INSTALLATION OF AN F-86 SABRE JET PEDESTAL DISPLAY FOR VETERANS  
MEMORIAL PARK**

**VOTE (307-2016)**

Motion by Councilor Cloutier, seconded by Councilor Lachance:

To approve the Resolve authorizing the City Administrator to approve the installation of an F-86 Sabre Jet Pedestal Display for Veterans Memorial Park:

Whereas, the L & A Veterans Council, Inc. has been working closely with the National Museum of the United States Air Force's Static Display Program at Wright-Patterson AFB, Ohio to procure an F-86 Sabre jet to be placed on permanent display in the Veterans Park; and

Whereas, the L & A Veterans Council, Inc. has committed to raising all funds associated with the procurement, delivery, installation, and pedestal display construction of the F-86; and

Whereas, the Deputy City Administrator and Public Works staff have reviewed the installation plan and have determined that the selected location of the display is feasible and appropriate within Veterans Park; and

Whereas, the City Council was briefed on the plan at its October 25, 2016 Workshop and the request that the City subsidize a concrete walkway and direct and indirect lighting for the pedestal display in the FY2018 budget with future plans to have similar walkway and lighting features introduced into other areas of Veterans Park through a phased-in construction over multiple budget cycles;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the City Council authorize the City Administrator to approve the installation of an F-86 Sabre jet and pedestal display and to authorize Mayor Robert MacDonald to sign a letter of support for the L & A Veterans Council project that will be sent to the National Museum of the United States Air Force Static Display Program on behalf of the City Council.

Passed - Vote 7-0

**AMENDMENT TO THE TRAFFIC SCHEDULE REGARDING A CHANGE OF PARKING REGULATIONS FOR A PORTION OF GREEN STREET**

**VOTE (308-2016)**

Motion by Councilor Cloutier, seconded by Councilor Lachance:

To approve the proposed amendment to the Traffic Schedule regarding the creation of a two hour parking time regulation until 7:00pm for a portion of Green Street. Passed - Vote 7-0

**PUBLIC HEARING AND APPROVAL OF RESOLVE TO AUTHORIZE THE STAFF TO SUBMIT A BROWNFIELD CLEAN UP GRANT FOR BATES WEAVE SHED AND TO ACCEPT GRANT FUNDS IF THE GRANT IS AWARDED**

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. Economic Development Director Lincoln Jeffers provided a brief background on this issue for the Council.

**VOTE (309-2016)**

Motion by Councilor Lajoie, seconded by Councilor Golden:

To approve the Resolve to authorize the staff to submit a Brownfield Clean Up Grant for Bates Weave Shed and to accept the federal grant funds if the grant is awarded:

Whereas, the Bates Weave Shed (also known as Bates Mill #5) is owned by the City of Lewiston; and

Whereas, it was used for industrial purposes beginning in 1914; and

Whereas, several environmental assessments that have been conducted since the City took ownership of the Bates Mill Complex indicate the building has a legacy of environmental issues from these prior industrial uses; and

Whereas, Bates Mill LLC has an option to purchase the Bates Weave Shed and Tom Platz, the Principal of Bates Mill LLC has been working for approximately the last two years to secure tenants for the space, is engaged in creating architectural and civil designs for the building, has traffic study underway, is working through the process to have the building be eligible for state and federal historic tax credits, and is actively negotiating leases for the building; and

Whereas, for the redevelopment of Bates Weave Shed to be able to secure financing the building must have the environmental legacy issues properly mitigated; and

Whereas, the federal Environmental Protection Agency has issued a Notice of Funds Available for Brownfield Clean Up and a request for grant proposals; and

Whereas, successfully securing a Brownfield Clean Up Grant will result in lower costs to the City in partnering in the redevelopment of the building; and

Whereas, if the grant is approved a 20% match is required, which the city can meet by allocating Community Development Grant Funding or other sources approved by the City Council, including in kind donations;

Now, therefore, be it resolved by the City Council of the City of Lewiston that City staff are authorized to apply for an EPA Brownfield Grant in an amount of up to \$200,000; and furthermore, if the grant is approved, the City Council approves receipt of the funds and authorizes city staff to execute the attendant paperwork associated with the approval.

Passed - Vote 7-0

**RESOLVE APPROVING AND ADOPTING “CULTURAL PLAN LA”**

Economic Development Director Lincoln Jeffers provided a brief background on this issue.

**VOTE (310-2016)**

Motion by Councilor Golden, seconded by Councilor Bouchard:

To approve the Resolve approving and adopting “Cultural Plan LA”:

Whereas, over the last 12 months, LA Arts has engaged citizens stakeholders in helping to craft a cultural plan for Lewiston and Auburn; and

Whereas, a Cultural Plan stakeholder group, which included staff of both Lewiston and Auburn as well as participants from Bates College, LAEGC, AVCOG, and most of the arts and cultural institutions in the area, was involved in plan development; and

Whereas, more than 600 multi-page surveys were received as part of the planning process, including responses from the general public and from almost 30 business representatives and more than 90 local artists and artisans; and

Whereas, Lewiston and Auburn each provided \$5,000 in matching funds in support of a \$10,000

planning grant LA Arts received entitled “Creative Communities = Economic Development”;  
and

Whereas, arts and culture are recognized as essential components in the revitalization of urban areas; and

Whereas, *Cultural Plan LA* articulates current perceptions of the arts and culture in LA, the community’s vision of how they should grow and evolve, and an action plan for bringing that vision to fruition;

Now, therefore, be it resolved by the City Council of the City of Lewiston that *Cultural Plan LA* is hereby approved and adopted as one strategy to assist in the revitalization and economic development for the community.

Passed – Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO SUBMIT AND ACCEPT A GRANT FROM THE MAINE HISTORIC PRESERVATION COMMISSION TO UNDERTAKE THE NECESSARY RESEARCH TO COMPLETE DOCUMENTATION NECESSARY TO LIST THE LE MESSENGER BUILDING AT 233 LISBON STREET ON THE NATIONAL REGISTER OF HISTORIC PLACES**

**VOTE (311-2016)**

Motion by Councilor Lajoie, seconded by Councilor Cloutier:

To approve the Order authorizing the City Administrator to submit and accept a grant from the Maine Historic Preservation Commission to undertake the necessary research to complete documentation necessary to list the Le Messenger Building at 223 Lisbon Street on the National Register of Historic Places:

Whereas, the owner of the building at 223 Lisbon Street is seeking to have that property listed on the National Register of Historic Places; and

Whereas, to apply for such a listing, the applicant must complete and submit the necessary research required for such listing; and

Whereas, the Maine Historic Preservation Commission provides a grant program to fund a portion of these costs; and

Whereas, such grants will cover 60% of the cost but much be matched with 40% non-federal share; and

Whereas, the building’s owner will cover the non-federal share; and

Whereas, applications for grant funding must be submitted by a local government; and

Whereas, the City will be responsible for ensuring that the project is carried out according to

federal and state requirements; and

Whereas, listing on the national register will provide the building owner with access to federal and state historic tax credits;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is Hereby Authorized to Submit and Accept a Grant from the Maine Historic Preservation Commission To Undertake the Necessary Research to Complete Documentation Necessary to List the Le Messenger Building at 223 Lisbon Street on the National Register of Historic Places.

Passed - Vote 7-0

**UPDATE FROM THE LEWISTON SCHOOL COMMITTEE REPRESENTATIVE**

Councilor Cloutier noted the school has added a Life Skills class and one new teacher. They are also working on Policy Updates and rental agreements. Their next meeting is December 12 at 6pm at Geiger Elementary School.

**REPORTS AND UPDATES**

The City Administrator noted he is working on a list of potential issues to present to the Lewiston Legislative Delegation on December 13. The legislative cloture date for this session is December 16.

**OTHER BUSINESS**

The Mayor noted in the new year some goals to work on will be Lisbon Street development, the need to develop workforce (affordable) housing and the removal of blighted buildings.

**EXECUTIVE SESSION**

**VOTE (312-2016)**

Motion by Councilor Lajoie, seconded by Councilor Golden:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss Acquisition 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 7:21pm and ended at 7:38pm.

**VOTE (313-2016)**

Motion by Councilor Cloutier, seconded by Councilor Lachance:

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 7:38pm and ended at 7:52pm.

**VOTE (314-2016)**

Motion by Councilor Golden, 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 7:52pm and ended at 8:12pm.

**VOTE (315-2016)**

Motion by Councilor Cloutier, seconded by Councilor Lachance:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss Acquisition 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 8:12pm and ended at 8:39pm.

**VOTE (316-2016)**

Motion by Councilor Lachance, seconded by Councilor Cloutier:

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

Executive Session began at 8:39pm and ended at 9:23pm.

**VOTE (317-2016)**

Motion by Councilor Bouchard, seconded by Councilor Lajoie:

To adjourn at 9:23P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine