

# CITY OF LEWISTON

**CITY COUNCIL**

**JANUARY 23, 2018**

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

THE HONORABLE SHANE D. BOUCHARD, MAYOR, PRESIDING.

PRESENT: Mayor Bouchard, Councilors Lysen, Pettengill, Rea, Lajoie, Cloutier, and Beam, Deputy City Administrator Denis D’Auteuil and City Clerk Kathleen Montejo.

ABSENT/EXCUSED: Councilor Marcotte and City Administrator Edward Barrett. Note – Under the City Charter, in the absence of a City Councilor, the Mayor may cast a vote in their place.

### **EXECUTIVE SESSION**

#### **VOTE (22-2018)**

Motion by Councilor Lysen, seconded by Councilor Rea:

To enter into an Executive Session pursuant to MRSA Title 1, Section 405 (6) (E) to discuss a legal matter with the City Attorney. Passed - Vote 7-0

Executive Session began at 6:01pm and ended at 6:23pm.

REGULAR MEETING BEGAN AT 7:00PM

Pledge of Allegiance to the Flag.

### **LEWISTON YOUTH ADVISORY COUNCIL UPDATE**

Emma Williams, chair of the LYAC, said their event called Success Stories from Lewiston, which highlighted residents from Lewiston who have achieved success in their various fields, was a great event. Their next meeting is January 25.

### **RECOGNITION OF THE MAINE GLADIATORS HOCKEY TEAM**

Mayor Bouchard recognized the team of four players, ages between 9-10 years old, who are from Lewiston and Auburn, and who recently won the New England Championship for their league.

#### **VOTE (23-2018)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To dispense with the reading of the minutes of the meeting of January 9, 2018 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

### **PUBLIC COMMENT PERIOD**

No members of the public offered comment at this time.

**RESOLVE, ACCEPTING THE CITY OF LEWISTON'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2017**

**VOTE (24-2018)**

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To approve the Resolve, Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year ended June 30, 2017:

Be It Resolved by the City Council of the City of Lewiston that the City of Lewiston's Comprehensive Annual Financial Report, including its General Purpose Financial Statements for the year ended June 30, 2017 as prepared by the City Finance Director and the Independent Auditor's Report thereon prepared by RHR Smith & Company, is hereby accepted in its entirety.

Passed - Vote 7-0

**ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 3 MILL STREET REAR AND 3 MOODY STREET**

**VOTE (25-2018)**

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To approve the Orders authorizing execution of a municipal quitclaim deed for real estate located at 3 Mill Street Rear and 3 Moody Street:

Whereas, the owner, Martin Finley Sr., failed to pay his special tax bill on a timely basis for 3 Mill Street Rear (Tax Map 207, Lot 10, Parcel 00-009241); and

Whereas, a special tax lien was filed on June 16, 2010 (Book 7952 Page 194) and matured on December 16, 2011 in the amount of \$82,735.98; 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 3 Mill Street Rear (Cowen Mill) to the owner.

Whereas, the owner, Tamara L. Hull, failed to pay her bills on a timely basis for 3 Moody Street (Tax Map 175, Lot 72, Parcel 00-002360); and

Whereas, a stormwater lien was filed on April 5, 2016 (Book 9337 Page 126) and matured on September 25, 2017 in the amount of \$92.18; 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 3 Moody Street to the owner.

Passed - Vote 7-0

**APPOINTMENT TO THE LEWISTON AREA PUBLIC HEALTH COMMITTEE**

**VOTE (26-2018)**

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To appoint William J. Wallace, Jr., 108 Jackson Hill Road, Minot, to serve as an "Area Resident" representative to the Lewiston Area Public Health Committee. Passed - Vote 7-0

**APPOINTMENTS TO THE LEWISTON AUBURN TRANSIT COMMITTEE**

**VOTE (27-2018)**

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To appoint Deputy City Administrator Denis D'Auteuil to serve as a member of the Lewiston Auburn Transit Committee for a three year term, said term to expire June 30, 2020 and said appointment to be retroactive to June 30, 2017; and to appoint Lucy Bisson as a member of the Lewiston Auburn Transit Committee for a three year term, said term to expire June 30, 2019 and said appointment to be retroactive to June 30, 2016. Passed - Vote 7-0

**AUTHORIZATION TO ACCEPT TRANSFER OF FORFEITURE FUNDS**

**VOTE (28-2018)**

Motion by Councilor Cloutier, seconded by Councilor Lysen:

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 \$500.00, or any portion thereof, in the case of the State of Maine vs. Damien Brown, CR-17-3230 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

**AMENDMENT TO THE TRAFFIC SCHEDULE TO CREATE A FIFTEEN MINUTE  
PARKING DESIGNATION ON A PORTION OF PINE STREET AND  
JEFFERSON STREET**

**VOTE (29-2018)**

Motion by Councilor Cloutier, seconded by Councilor Lysen:

To approve the amendments to the Traffic Schedule regarding the creation of seven fifteen (15) minute parking spaces on Pine Street and Jefferson, as proposed on the vote sheet. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE ON AMENDMENTS TO THE BUSINESS LICENSING ORDINANCE TO ELIMINATE THE TAXI & TATTOO ARTIST APPEALS COMMITTEE**

Mayor Bouchard 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 (30-2018)**

Motion by Councilor Lysen, seconded by Councilor Rea:

That the proposed amendments to the City Code of Ordinances, Chapter 22 “Businesses”, Article II, “Tattooing”, Section 22-364 “Right to Appeal”, and Chapter 82 “Vehicles for Hire”, Article II “Taxicab”, Section 82-54 “Right to Appeal” receive first passage by a roll call vote and that the public hearing on said ordinance amendments be continued to the next regularly scheduled City Council meeting. Passed - Vote 7-0

**AMENDMENTS TO THE CITY POLICY MANUAL FOR CITY BUSINESS LICENSE APPLICATIONS REGARDING LODGING PLACE**

**VOTE (31-2018)**

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the proposed amendments to the City Policy Manual Number 7 – City Business License Application Fees, Penalties and Inspection & Approval Schedule – regarding the fees for Lodging Place. Passed - Vote 7-0

**RESOLVE, AUTHORIZING THE ISSUANCE OF A QUIT CLAIM DEED FOR THE PROPERTY LOCATED AT 8 SOUTH TEMPLE STREET**

**VOTE (32-2018)**

Motion by Councilor Cloutier, seconded by Councilor Beam:

To approve the Resolve, authorizing the issuance of a Quit Claim Deed for the property located at 8 South Temple Street:

Whereas, the City acquired an interest in the property at 8 South Temple Street as a result of matured tax liens; and

Whereas, early in calendar year 2017, the City Council authorized the sale of the property located at 8 South Temple Street to the owner of the adjacent property at 6 South Temple Street in return for a payment of \$1,173.51 in back taxes; and

Whereas, as the City Attorney prepared for the transfer of this property, he determined that the property in question was initially designated as an extension of Cram Avenue in the approved 1919 subdivision plan for Sabattus Road Gardens; and

Whereas, that section of Cram Avenue was never constructed; and

Whereas, the practice in such older subdivisions was to provide the City with an easement for street construction and not to provide the City with actual title to the property; and

Whereas, it is likely, therefore, that the City does not own this property; and

Whereas, the adjacent property owner believed for many years that this parcel was a part of the parcel at 8 South Temple and has maintained and used it as if it were under the same ownership; and

Whereas, since the City has levied taxes against the property for a number of years and that various tax liens have matured has the practical effect of clouding actual title to the property;

Now, therefore, be it resolved by the City Council of the City of Lewiston that

A quitclaim of any City of Lewiston interest in the property at 8 South Temple Street is hereby authorized to be issued to Carlene R. Boucher, the owner of the adjacent property at 6 South Temple Street.

Passed - Vote 7-0

**RESOLVE, ACCEPTING THE FINAL REPORT OF THE IMMIGRANT AND REFUGEE INTEGRATION AND POLICY DEVELOPMENT WORKING GROUP**

Councilor Lysen thanked the Committee for their hard work on this Report and thanked Councilor Cloutier for spearheading this effort.

**VOTE (33-2018)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To approve the Resolve, accepting the Final Report of the Immigrant & Refugee Integration and Policy Development Working Group:

Whereas, Mayor Robert Macdonald established the Immigrant and Refugee Integration and Policy Development Working Group in the summer of 2016 and appointed a widely representative membership; and

Whereas, the Group was charged with identifying and inventorying: available immigrant and refugee services; the needs of the immigrant and refugee community that are not being met; possible funding streams from Federal and State agencies that could meet unmet needs; local resources available to encourage employment/entrepreneurship within the immigrant and refugee community; and making recommendations to the City Council; and

Whereas, the Committee completed and submitted its final report in December 2017; and

Whereas, a workshop was held with the City Council on January 16, 2018 to review the report, which was well received;

Now, therefore, be it resolved by the City Council of the City of Lewiston that the Final Report of the Immigrant and Refugee Integration and Policy Development Working Group is hereby accepted with thanks and appreciation to the stakeholders who participated in this effort.

Passed - Vote 7-0

**RESOLVE, CALLING UPON THE MAINE STATE LEGISLATURE TO ADOPT LD  
1492, AN ACT TO ATTRACT, EDUCATE AND RETAIN NEW MAINERS TO  
STRENGTHEN THE WORKFORCE**

State Representative Golden outlined the details in LD 1492 for the Council, but noted there are differences due to two pending amendments. He noted that Portland has a Welcome Center that is funded by the state and this bill, if passed, would allow for funding for Lewiston. He stated a Welcome Center would not be a separate building or office, but rather one position associated with the School's Adult Education program, to provide orientation information to new Mainers.

Matthew Roy stated he is opposed to this bill because it is a duplication of existing state funded services, noting the state Career Center at Mollison Way offers these services already. Craig Saddlemire, 75 Maple Street, thanked the people who worked on the Immigrant Report and stated he supports LD 1492. A speaker who identified themselves as an Asylum Seeker, residing at 73 Webb Street, stated the transportation is very important and there is no bus transportation in Lewiston after 6pm, making it difficult for people to work evenings. Daphne Comeau of Greene stated that Lewiston has a strong history of an immigrant workshop and that immigrants should become teachers. Karen Lane, 8 Wilson Street, said that many of the immigrants were born here and their parents are setting the example of relocating to Maine. Kiernan Majerus-Collins noted he moved here four years ago and supports this LD. A resident who stated she was a member of the Working Group said this area is a safe haven and she arrived in the US as an unaccompanied minor and now has five children and one was just accepted into an Ivy League college. Mohamed, 30 Weaver Street, said that public education is very important and that there is a learning gap because the kids are learning faster than the parents due to access to education, so this needs to be increased for the adults. A resident of 75 Maple Street said she arrived here from Quebec and noted that language education is very important. Loring Danforth, College Street, said he is a volunteer English teacher and works with a lot of immigrants. He encouraged the Council to vote for this Resolution to encourage the Legislature to approve LD 1492. Joyce Gibson, 583 Main Street, said this bill is just the beginning and more work is needed. Linda Scott, 45 Pettengill Street, said the kids are learning English faster than the parents and that the schools communication with the parents is sometimes limited due to their limited understanding of the language. Better access to more language training would help.

The Director of Lewiston Adult Education spoke in support of this Resolve. Kristen Bagligary of 2 Swale Lane stated that asylum seekers are residents and need opportunities like everyone else. Erica Woods is an ELL teacher in the Lewiston School System and feels that a Welcome Center would benefit the families she works with. Kara McNamara, 7 Germain Street, said she works with 1500 patients at a local hospital and 70% are immigrants with limited English skills, and the funding in this bill would help provide those skills, she noted limited language creates a gap in knowledge and understanding. Patti Gagne of 16 Bobby Street said the Career Center is open and operating now, so we do not need to have a new service, just to have people participate in the current programs.

Councilors noted that since there have been amendments proposed to the LD language, and they do not have the amendments, they would be postponing action on this Resolve until the next meeting.

**VOTE (34-2018)**

Motion by Councilor Lajoie, seconded by Councilor Pettengill:

To postpone this item to the February 6, 2018 City Council meeting. Passed - Vote 6-1  
(Councilor Rea opposed)

**ANNUAL APPOINTMENTS TO VARIOUS CITY BOARDS AND COMMITTEES**

**VOTE (35-2018)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

To confirm the Mayor's nominations and to reappoint Sylvie St. Amand and Richard Wagner to the Cable TV Advisory Committee, each for a two year term, effective January 2018.  
Passed - Vote 7-0

At this time, the Mayor also announced his appointments to the Community Development Block Grant (CDBG) Committee and these are: Sara Goodrich, Jason Lavoie, David Nielsen and Hawo Abdille.

**REPORTS AND UPDATES**

Councilor Rea reported that Francis Gagnon has been elected as the Chairperson of the School Committee.

**OTHER BUSINESS**

No other business was presented at this time.

**EXECUTIVE SESSION**

**VOTE (36-2018)**

Motion by Councilor Lysen, seconded by Councilor Cloutier:

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 8:57pm and ended at 9:18pm.

**VOTE (37-2018)**

Motion by Councilor Lysen, seconded by Councilor Beam:

To adjourn at 9:19 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine