

CITY OF LEWISTON

CITY COUNCIL

JANUARY 7, 2020

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

THE HONORABLE MARK A. CAYER, MAYOR, PRESIDING.

PRESENT: Mayor Cayer, Councilors Khalid, Pettengill, Rea, Lajoie, Jensen, Clement and Gelinias, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

VOTE (1-2020)

Motion by Councilor Lajoie, seconded by Councilor Rea:

To dispense with the reading of the minutes of the meeting of December 17, 2019 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.

ADOPTION OF THE RULES TO GOVERN THE CITY COUNCIL FOR THE ENSUING COUNCIL YEAR

VOTE (2-2020)

Motion by Councilor Rea, seconded by Councilor Lajoie:

To adopt the Rules to Govern the City Council for the period of January 7, 2020 to January 4, 2022 as presented. Passed - Vote 7-0

PUBLIC HEARING ON AN APPLICATION FOR A NEW LIQUOR LICENSE AND SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR BAXTER BREW PUB, LLC, 120 MILL STREET

Mayor Cayer 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 (3-2020)

Motion by Councilor Pettengill, seconded by Councilor Jensen:

To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for Baxter Brew Pub, LLC, 120 Mill Street. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE FRATERNAL ORDER OF EAGLES, 1327 SABATTUS STREET

Mayor Cayer 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 (4-2020)

Motion by Councilor Lajoie, seconded by Councilor Jensen:

To grant a Special Amusement Permit for live entertainment to Fraternal Order of Eagles, 1327 Sabattus Street. Passed - Vote 7-0

PUBLIC HEARING ON THE RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR LA PUBLIC THEATER, INC., 31 MAPLE STREET

Mayor Cayer 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 (5-2020)

Motion by Councilor Gelinas, seconded by Councilor Rea:

To grant a Special Amusement Permit for live entertainment to LA Public Theatre, Inc., 31 Maple Street. Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE FOR ORDINANCE, AMENDING CHAPTER 10, ARTICLE VI, SECTION 18-96 (F) TO THE CODE OF ORDINANCES – REGISTRATION PROCESS REQUIREMENT FOR MULTI-FAMILY BUILDINGS

Mayor Cayer 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 (6-2020)

Motion by Councilor Clement, seconded by Councilor Lajoie:

To approve first passage of an Ordinance, Amending Chapter 18, Article VI, Section 18-96 (f) to the Code of Ordinances – Registration Process Requirement for Multi-Family Buildings and to continue the Public Hearing to the next regularly scheduled meeting. Passed - Vote 7-0

PUBLIC HEARING AND FIRST PASSAGE FOR ORDINANCE, ADOPTING A NEW CHAPTER 71, TO THE CODE OF ORDINANCES REGULATING ABOVE GROUND POWER, FIBER AND TELECOMMUNICATIONS INSTALLATIONS, INCLUDING UTILITY POLES IN THE PUBLIC RIGHT OF WAY

Mayor Cayer 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 (7-2020)

Motion by Councilor Lajoie, seconded by Councilor Jensen:

To approve first reading of an Ordinance, Adopting a New Chapter 71 to the Code of Ordinances Regulating Above Ground Power, Fiber, and Telecommunications Installations, including Utility Poles in the Public Right of Way and continuing the Public Hearing to the next regular City Council meeting. Passed – Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE FOR ORDINANCE, AMENDING
APPENDIX A OF THE ZONING AND LAND USE CODE RELATING TO SOLAR
ENERGY SYSTEMS**

Mayor Cayer 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 (8-2020)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To approve first reading of an Ordinance, Amending Appendix A of the Zoning and Land Use Code relating to Solar Energy Systems and to continue the public hearing to the next regularly scheduled Council meeting. Passed - Vote 7-0

**ORDER, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE
NECESSARY DOCUMENTS TO SELL THE PROPERTY AT 5 PETER BOULEVARD
TO EUGENE AND LYDIA GILBERT**

VOTE (9-2020)

Motion by Councilor Rea, seconded by Councilor Khalid:

To approve the Order, Authorizing the City Administrator to execute the necessary documents to sell the property at 5 Peter Boulevard to Eugene and Lydia Gilbert:

Whereas, the City took possession of the property at 5 Peter Boulevard as a result of foreclosure of a tax lien; and

Whereas, the single-family home located on this property had been abandoned and vacant for some time and the mortgage holder did not pursue foreclosure; and

Whereas, due to vacancy and neglect, the structure deteriorated to the point that it was condemned by the Council and subsequently demolished; and

Whereas, a recommendation for disposal of the property was requested from the Planning Board, which recommended that it be offered for bid with a minimum bid price of \$13,178.64, the amount owed the city in taxes, utilities, and demolition costs; and

Whereas, when initially put out to bid, no offers were received; and

Whereas, after expressions of interest from potential buyers, the property was bid for a second time and two bids were received; and

Whereas, the high bid of \$16,000 was received from Eugene and Lydia Gilbert, the owners of an adjacent property who wish to build a smaller, retirement home on the parcel;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to execute a quit claim deed and any other required documents to sell the property at 5 Peter Boulevard to Eugene and Lydia Gilbert for \$16,000 plus closing costs for the purpose of building a single family residence.

Passed - Vote 7-0

ORDER, AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 378 PINEWOODS DRIVE

VOTE (10-2020)

Motion by Councilor Rea, seconded by Councilor Pettengill:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 378 Pinewoods Drive:

Whereas, the owner, Dora Clark, a/k/a Marie Saucier, failed to pay her bills on a timely basis for 378 Pinewoods Drive (Tax Map 49, Lot 13, Parcel 00-012882); and

Whereas, a tax lien was filed on June 17, 2011 (Book 8180 Page 227) and matured on December 17, 2012 in the amount of \$2,926.64; and

Whereas, a tax lien was filed on June 13, 2012 (Book 8418 Page 061) and matured on December 13, 2013 in the amount of \$2,969.01; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8700 Page 133) and matured on December 19, 2014 in the amount of \$2,972.41; and

Whereas, a tax lien was filed on June 23, 2015 (Book 9165 Page 260) and matured on December 23, 2016 in the amount of \$2,701.83; and

Whereas, payment was received in full totaling \$11,569.89;

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 378 Pinewoods Drive to the owner.

Passed - Vote 7-0

AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL APPLICATIONS TO OPERATE BEANO, BINGO OR

OTHER GAMES OF CHANGE, ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (11-2020)

Motion by Councilor Jensen, seconded by Councilor Lajoie:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance on behalf of the Municipal Officers, during the period January 7, 2020 through January 4, 2022.

Passed - Vote 7-0

AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL PERMITS FOR CIRCUSES AND CARNIVALS, ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (12-2020)

Motion by Councilor Gelinias, seconded by Councilor Pettengill:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all permits for a circus or carnival on behalf of the Municipal Officers, during the period January 7, 2020 through January 4, 2022. Passed - Vote 7-0

AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL LIQUOR LICENSES, ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (13-2020)

Motion by Councilor Jensen, seconded by Councilor Rea:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers, during the period January 7, 2020 through January 4, 2022. Passed - Vote 7-0

AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL APPLICATIONS FOR UTILITY POLE PERMITS, ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (14-2020)

Motion by Councilor Khalid, seconded by Councilor Lajoie:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications for utility pole permits on behalf of the Municipal Officers, during the period January 7, 2020 through January 4, 2022. Passed - Vote 7-0

AUTHORIZATION FOR THE CITY CLERK AND/OR DEPUTY CITY CLERK TO APPROVE AND SIGN ALL LICENSES FOR CLOSE OUT SALE PERMITS, ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (15-2020)

Motion by Councilor Jensen, seconded by Councilor Pettengill:

ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits on behalf of the Municipal Officers, during the period January 7, 2020 through January 4, 2022. Passed - Vote 7-0

AUTHORIZATION FOR THE FINANCE DIRECTOR, TAX COLLECTOR AND DEPUTY TREASURER TO ACT ON BEHALF OF THE MUNICIPAL OFFICERS REGARDING DEEDS, LIENS AND MUNICIPAL INVESTMENTS

VOTE (16-2020)

Motion by Councilor Gelinas, seconded by Councilor Jensen:

ORDERED, That the City Council hereby authorizes the Finance Director, Tax Collector or Deputy Treasurer to withhold monies payable by the City of Lewiston to cover taxes due pursuant to MRSA Title 30-A, section 905; to sign on behalf of the City, the necessary deeds and liens and tax settlements; and to invest funds in accordance with Maine Revised Statutes Annotated, Title 30-A, Section 5706, during the period January 7, 2020 through January 4, 2022. Passed - Vote 7-0

AUTHORIZATION FOR THE CITY ADMINISTRATOR AND/OR DEPUTY CITY ADMINISTRATOR TO APPROVE OR DENY ALL REQUESTS TO HANG BANNERS, POST COMMUNITY EVENT SIGNS ON MUNICIPAL PROPERTY, AND PLACE TEMPORARY SIGNS, FLAGS AND DECORATIONS IN THE PUBLIC RIGHT OF WAY, ON BEHALF OF THE MUNICIPAL OFFICERS

VOTE (17-2020)

Motion by Councilor Rea, seconded by Councilor Lajoie:

ORDERED, That the City Council hereby authorizes the City Administrator or Deputy City Administrator to review and approve or deny all requests to hang banners, post community event signs on city property, and place temporary signs, flags and decorations in the public right of way, on behalf of the Municipal Officers, during the period of January 7, 2020 through January 4, 2022. Passed - Vote 7-0

AUTHORIZATION FOR THE DEPUTY CITY ADMINISTRATOR AND/OR FINANCE DIRECTOR TO HAVE SIGNATORY AUTHORITY FOR THE CITY ADMINISTRATOR WHEN THE ADMINISTRATOR IS UNAVAILABLE

VOTE (18-2020)

Motion by Councilor Rea, seconded by Councilor Pettengill:

ORDERED, That the City Council hereby authorizes the Deputy City Administrator, or in the absence of the Deputy City Administrator, the Finance Director, to have signatory authority for the City Administrator, when the Administrator is unavailable, during the period of January 7, 2020 through January 4, 2022. Passed - Vote 7-0

**APPOINTMENT OF CITY COUNCIL REPRESENTATIVES TO THE VARIOUS
BOARDS AND COMMITTEES**

VOTE (19-2020)

Motion by Councilor Jensen, seconded by Councilor Rea:

To approve the following appointments of the City Council representatives to the various boards and committees:

911 Committee	Councilor Lajoie
Airport Board of Directors	Councilor Jensen
Androscoggin County Budget Committee	Councilor Pettengill and Councilor Rea
Androscoggin Valley Council of Governments General Assembly	Councilor Clement and Councilor Gelinias
Cable TV Advisory Committee	Councilor Lajoie
Community Development Block Grant Committee	Councilor Khalid
Complete Streets Committee	Councilor Pettengill
Housing Committee	Councilor Khalid
L/A Transit Committee	Councilor Pettengill
Lake Auburn Watershed Protection Commission	Councilor Rea
Lewiston Area Public Health Committee	Councilor Gelinias
Loan Qualification Committee	Councilor Clement
Library Board of Trustees	Mayor (by position)
Maine Municipal Association Legislative Policy Committee	Councilor Rea, City Administrator
Recycling and Waste Reduction	Councilor Jensen
South Park Industrial Park Board of Directors	Council President, Mayor (by position)
Youth Advisory Council	Councilor Pettengill and Councilor Jensen

Passed - Vote 7-0

Council President Lajoie announced that he has appointed Councilors Clement and Khalid to serve on the Finance Committee.

APPOINTMENT OF CITIZENS TO VARIOUS CITY BOARDS AND COMMITTEES

Mayor Cayer announced that he has appointed the following residents to the following board and committee positions:

Board of Appeals: 1 full member position – 5 year term
Daniel Dube, 40 Cassell St, Ward 7

Complete Streets Committee: 1 full member, 3 year term
Craig Saddlemire, 75 Maple St

Finance Committee: 1 full member position – 3 year term
Renee Bernier, 1220 Sabattus St

Historical Preservation Review Board: 2 full member positions- 3 year terms
David Chittim, 28 No Name Pond Rd
Doug Hodgkin, 9 Sutton Place

Historical Preservation Review Board: 1 full member position – 1 year term
Paul Robinson, 200 Gayton Rd

Historical Preservation Review Board: 1 associate member position – 1 year term
Sandra Marquis, 78 Essex St

Planning Board: 1 full member position – five year term
Linda Scott, 45 Pettengill St

Planning Board: 1 associate member position – 4 year term
Timothy Joseph Gallant, 533 Webster St

VOTE (20-2020)

Motion by Councilor Rea, seconded by Councilor Jensen:

To receive and approve Mayor Cayer’s nominations of the following citizens to serve on the Library Board of Trustees and to appoint the following citizens accordingly:

3 full member positions – 3 year terms
Elizabeth Clifford, 14 Ware St
Daniel Jenkins, 49 Robinson Gardens
Darby Ray, 15 Bearce Ave

1 full member position – 2 year term
Barbara Benjamin-McManus, 16 Laase Ave

1 full member position – 1 year term
Abdifatah Afrah, 46 Tall Pines Dr

Passed - Vote 7-0

VOTE (21-2020)

Motion by Councilor Rea, seconded by Councilor Lajoie:

To receive and approve the Lewiston Area Public Health Committee’s nominations for the following citizens to serve on their committee and to appoint the following citizens accordingly:

4 full member positions – Area Resident positions - 3 year terms

- N. Paul Gauvreau, 56 Tampa St
- Lynsay Henry, 7 Pond Ridge Dr
- Philip Rioux, 398 Randal Rd
- William Wallace, 108 Jackson Hill Rd, Minot

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported the new School Committee members were sworn into office last evening along with the City Council. The School Committee is going to be holding an all day planning retreat on an upcoming Saturday to set their goals for the next two years. She noted she was re-elected to serve as the school’s representative to the Regional Service Center made up of 4 local school units.

OTHER BUSINESS

The City Administrator noted the City Council planning retreat is scheduled for Saturday, February 29.

VOTE (22-2020)

Motion by Councilor Clement, seconded by Councilor Lajoie:

To adjourn at 7:35 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine