

**CITY OF LEWISTON**

**CITY COUNCIL**

**JULY 21, 2020**

**REGULAR MEETING HELD VIA ZOOM AT 6:00 P.M.**

THE HONORABLE MARK A. CAYER, MAYOR, PRESIDING.

PRESENT: Mayor Cayer, Councilors Khalid, Pettengill, Rea, Lajoie, Jensen, Clement and Gelinias, City Administrator Denis D’Auteuil and City Clerk Kathleen Montejo.

**EXECUTIVE SESSION**

**VOTE (182-2020)**

Motion by Councilor Jensen, seconded by Councilor Lajoie:

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

Executive Session began at 6:02 pm and ended at 6:56 pm.

Regular Meeting began at 7:00pm.

THE HONORABLE MARK A. CAYER, MAYOR, PRESIDING.

PRESENT: Mayor Cayer, Councilors Khalid, Pettengill, Rea, Lajoie, Jensen, Clement and Gelinias, City Administrator Denis D’Auteuil and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

**UPDATE ON CITY ACTIONS REGARDING COVID-19 PANDEMIC SITUATION**

Deputy City Administrator Dale Doughty reported that the door monitors are providing free masks to customers who do not have one. He also noted the shelter at the Armory closed last week.

**INTRODUCTION OF 2020-2021 LEWISTON YOUTH  
ADVISORY COUNCIL MEMBERS**

Dottie Perham-Whittier introduced the members of LYAC, noting there are three new members and eleven returning members.

**VOTE (183-2020)**

Motion by Councilor Clement, seconded by Councilor Jensen:

To dispense with the reading of the minutes of the meetings of June 16 and July 7, 2020 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.

**CONFIRMATION OF MAYOR CAYER’S NOMINATION TO FILL THE CURRENT VACANCY IN THE WARD 2 POSITION ON THE SCHOOL COMMITTEE**

The Mayor introduced Mr. Physic and it was noted he has been a resident since 2004 and a youth mentor since 2010. Councilors noted they have received many positive comments about this nomination from local citizens.

**VOTE (184-2020)**

Motion by Councilor Clement, seconded by Councilor Lajoie:

To receive the Mayor’s nomination and to appoint Elgin C. Physic to fill the vacant Ward 2 position on the Lewiston School Committee, said appointment to be effective as of July 21, 2020. Passed - Vote 7-0

**ORDER, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE MSEA UNIT**

**VOTE (185-2020)**

Motion by Councilor Rea, seconded by Councilor Jensen:

To approve the Order, Authorizing the City Administrator to execute a Collective Bargaining Agreement with the MSEA Unit:

Whereas, the City has been in recent discussion with the MSEA Unit; and

Whereas, during those discussions, the suggestion was made that the City and unit discuss a new labor agreement to go into effect on July 1, 2020, with limited issues to be negotiated and addressed; and

Whereas, as a result, the City’s negotiators and union representatives have reached a tentative agreement on a three year contract covering the City’s FY21 through FY23.

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to execute a three year collective bargaining agreement with the MSEA reflecting the attached terms and conditions.

Passed - Vote 7-0

**ORDER, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE PROFESSIONAL TECHNICAL UNIT (AFSCME COUNCIL #93) LOCAL 3855-00**

**VOTE (186-2020)**

Motion by Councilor Rea, seconded by Councilor Jensen:

To approve the Order, Authorizing the City Administrator to Execute a Collective Bargaining Agreement with the Professional Technical Unit:

Whereas, the City has been in recent discussion with the Professional Technical Unit; and

Whereas, during those discussions, the suggestion was made that the City and unit discuss a new labor agreement to go into effect on July 1, 2020, with limited issues to be negotiated and addressed; and

Whereas, as a result, the City’s negotiators and union representatives have reached a tentative agreement on a three year contract covering the City’s FY21 through FY23.

**Now, therefore, be it ordered by the City Council of the City of Lewiston** that the City Administrator is hereby authorized to execute a three year collective bargaining agreement with the Professional Technical reflecting the attached terms and conditions.

Passed - Vote 7-0

**ORDER, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH THE PUBLIC WORKS UNIT (AFSCME COUNCIL #93) LOCAL 1458-000**

**VOTE (187-2020)**

Motion by Councilor Lajoie, seconded by Councilor Clement:

To approve the Order, Authorizing the City Administrator to execute a Collective Bargaining Agreement with the Public Works Unit:

Whereas, the City has been in recent discussion with the Public Works Unit; and

Whereas, during those discussions, the suggestion was made that the City and unit discuss a new labor agreement to go into effect on July 1, 2020, with limited issues to be negotiated and addressed; and

Whereas, as a result, the City’s negotiators and union representatives have reached a tentative agreement on a three year contract covering the City’s FY21 through FY23;

**Now, therefore, be it ordered by the City Council of the City of Lewiston** that the City Administrator is hereby authorized to execute a three year collective bargaining agreement with the Public Works Unit reflecting the attached terms and conditions.

Passed - Vote 7-0

**ORDER, APPLYING FOR, ACCEPTING, AND APPROPRIATING A COMMUNITY SOLUTIONS GRANT, CREATED BY MAINE HOUSING AND AUTHORIZING THE**

**CITY ADMINISTRATION TO EXECUTE THE REQUIRED GRANT AGREEMENTS**

**VOTE (188-2020)**

Motion by Councilor Gelinas, seconded by Councilor Jensen:

To approve the Order, applying for, accepting and appropriating a Community Solutions Grant from Maine Housing and authorizing the City Administrator to execute the required grant agreements:

Whereas, Maine Housing is offering grant funding that would assist with costs associated with the development of the Choice Neighborhood Implementation Grant Application; and

Whereas, the Lewiston Housing Authority has completed a grant application, to be submitted by the City, that if approved would provide up to \$75,000 in funds to be used in the development of the Implementation Grant; and

Whereas, the grant funds would be received by the City and passed through to Choice Neighborhood program partners for the payment of services such as design development, engineering, mapping, HUD budgeting, legal, and other costs needed to develop a competitive Choice Neighborhood Implementation Grant.

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to apply for, accept, and appropriate a Maine Housing Community Solutions Grant, and to execute on behalf of the City the documents required for the grant application and administration.

Passed - Vote 7-0

**ORDER, AUTHORIZING THE CITY ADMINISTRATOR TO SIGN A LETTER OF DONATION AND RELEASE OF AGENCY OBLIGATION FORM RELATED TO A SLOPE EASEMENT AT 195, 223, AND 229 RIVER ROAD**

**VOTE (189-2020)**

Motion by Councilor Clement, seconded by Councilor Jensen:

To approve the Order, Authorizing the City Administrator to sign a Letter of Donation and Release of Agency Obligation form related to a slope and fence construction easements at 195, 223 and 229 River Road:

Whereas, the City of Lewiston entered into an agreement with Maine DOT on June 23, 2017 for the design and construction of the “River Road Reconstruction” project (WIN: 22390.00) for the reconstruction of River road from Alfred A Plourde Parkway to Razel Way; and

Whereas, the project design is complete and this project is funded and scheduled for construction in the spring summer of 2021; and

Whereas, the project design, as completed by the City of Lewiston, will require a permanent

slope easement in order to reconstruct the slopes and fencing at 195,223 and 229 River Road (City Operations Center); and

Whereas, per the agreement, MDOT is responsible for obtaining all temporary and permanent rights necessary for the construction and future maintenance of the project; and

Whereas, more recent project agreements include a provision that requires Lewiston to “dedicate permanently to the Project for public use any municipal property needed for the Project;” and

Whereas, this language is now standard in project agreements but was not at the time of the 22390.00 agreement and was not included; and

Whereas, an area of 0.2 acres on the 195, 223 and 229 River Road parcels, as highlighted on the attached Right of Way map, is necessary for construction of the project and future maintenance by the City of Lewiston; and

Whereas, the City of Lewiston will waive any rights to compensation for this taking and/or temporary and permanent easements;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is authorized to sign a Letter of Donation and Release of Agency Obligation form related to a slope and fence construction easements at 195, 223 and 229 River Road.

Passed – Vote 7-0

**ORDER, AUTHORIZING APPLICATION AND ACCEPTANCE OF FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM**

**VOTE (190-2020)**

Motion by Councilor Jensen, seconded by Councilor Rea:

To approve the Order authorizing application and acceptance of funds from the US Department of Justice – Edward Byrne Justice Assistance Grant Program:

Whereas, the Lewiston and Auburn Police Departments are eligible to apply for a joint Byrne Memorial Justice Assistance Grant in the amount of \$41,061; and

Whereas, in order to apply for these funds, the City must accept the funds if they are awarded and provide opportunities for public feedback and the proposed uses of these funds; and

Whereas, the agencies involved will meet and discuss how to spend their portions of this grant as outlined in the attached material from the Chief of Police;

Now Therefore, Be It Ordered by the City Council of the City of Lewiston that staff is hereby authorized to apply for and accept funding through the Edward Byrne Memorial Justice

Assistance Grant program subsequent to the receipt, if any, of public feedback on the proposed uses of these funds.

Passed - Vote 7-0

**REPORTS AND UPDATES**

Councilor Rea reported that on July 15 the School Committee appointed high school principal Jake Langlois as the Interim Superintendent and Gus LeBlanc as the Interim high school principal. Karen Paquette was appointed the Assistant Superintendent. She also noted the School Budget was approved by the voters at the July 14 election. The next meeting is July 27 and they will be voting for a new chair of the Committee.

**OTHER BUSINESS**

Councilor Jensen asked for a future workshop on the topic of the timeframe for nominations to open School Committee positions. Councilor Clement asked for a future workshop on the issue of emergency medical services. The Mayor also inquired about the interest of the Council in exploring options to return to in-person meetings. It was noted due to the size of the Chambers, social distancing and accommodating members of the public is difficult.

**VOTE (191-2020)**

Motion by Councilor Clement, seconded by Councilor Jensen:

To adjourn at 8:11P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine