

CITY OF LEWISTON

CITY COUNCIL

MAY 4, 2021

REGULAR MEETING HELD REMOTELY VIA ZOOM AT 6:30 P.M.

THE HONORABLE MARK A. CAYER, MAYOR, PRESIDING.

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

EXECUTIVE SESSION

VOTE (86-2021)

Motion by Councilor Clement, seconded by Councilor Khalid:

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue 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 6:42pm and ended at 7:05pm.

Regular Meeting began at 7:05pm

UPDATE ON CITY ACTIONS REGARDING COVID-19 PANDEMIC SITUATION

Deputy City Administrator Dale Doughty reported the infection rate in Androscoggin County is still high and the vaccination ratio lags behind the state average. The CDC is planning one clinic in the downtown soon and another clinic on the outskirts of the city in a month. Councilor Rea encouraged residents to get the vaccination to keep the community safe and noted it helps education by keeping the schools open. Councilor Khalid encouraged more information on the City's Facebook page and to inform residents about the walk-in clinic options in the local area.

VOTE (87-2021)

Motion by Councilor Gelinas, seconded by Councilor Clement:

To dispense with the reading of the minutes of the meetings of April 20 and 27, 2021 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.

PUBLIC HEARING ON AN APPLICATION FOR AN EXTENSION OF LIQUOR LICENSE ON PREMISE FOR SONDER AND DRAM, INC., 12 ASH STREET

Mayor Cayer opened the public hearing to receive citizen input and comment. No members from

the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (88-2021)

Motion by Councilor Rea, seconded by Councilor Jensen:

To approve the request from Sonder and Dram, 12 Ash Street, to authorize the extension of their liquor license to include outside service at their location, contingent upon a positive recommendation from the Police Department, Fire Department and Code Enforcement Department. Passed - Vote 7-0

PUBIC HEARING ON AN APPLICATION FOR AN EXTENSION OF LIQUOR LICENSE ON PREMISE FOR STATION GRILL, INC., 103 LINCOLN STREET

Mayor Cayer opened the public hearing to receive citizen input and comment. No members from the public spoke for or against this issue. The Mayor then closed the hearing.

VOTE (89-2021)

Motion by Councilor Gelinas, seconded by Councilor Clement:

To authorize the City Clerk's Office to approve an Extension of Liquor License on Premise for Station Grill, Inc., 103 Lincoln Street. Passed - Vote 7-0

RESOLVE, TO INITIATE A ZONING MAP AMENDMENT (ZONE CHANGE) FOR THE PROPERTY LOCATED AT 3 MIDDLE STREET

VOTE (90-2021)

Motion by Councilor Clement, seconded by Councilor Lajoie:

To approve the Resolve to initiate the rezoning of 3 Middle Street from Urban Enterprise to Centreville:

Whereas, the owner of 3 Middle Street desires to construct 74 market-rate condominiums; and

Whereas, the current zoning of Urban Enterprise (UE) limits the density of this property to no more than 67 dwelling unit; and

Whereas, changing the zoning from Urban Enterprise to Centreville (EU) will allow the density of 74 dwelling units; and

Whereas, Article XVII of the Lewiston Zoning and Land Use Code allows the City Council to initiate a zone change and further instruct the Planning Board to make a recommendation back to the City Council;

Now, Therefore Be It Resolved, the City Council of Lewiston hereby supports the redevelopment of 3 Middle Street and initiates a zone change for this property from Urban Enterprise (UE) to Centreville (CV).

Passed - Vote 7-0

**RESOLVE, APPROVING AND ADOPTING THE FEDERAL FISCAL YEAR 2021
(CITY FF22) CDBG AND HOME BUDGETS AND ASSOCIATED ACTION PLANS**

Community and Economic Development Director Lincoln Jeffers presented the background on this item. Mr. Jamison from Tedford Housing spoke about their program at 114 Blake Street and their help with housing homeless residents and working to get them into long-term independent housing. He noted Tedford requested \$6580 to help support of cost of a case manager to assist residents with employment and housing resources but it was not funded. He stated there are 24 residents at their facility and they opened 10 years ago with 10 units and encouraged the Council to find funding options from other sources. They work with residents to help restore their lives and put homelessness behind them.

VOTE (91-2021)

Motion by Councilor Rea, seconded by Councilor Khalid:

To hold a public hearing and then to approve the Resolve, Approving and Adopting the Federal Fiscal Year 2021 (City FY22) CDBG and HOME budgets and associated Action Plans:

Whereas, in accordance with applicable sections of 24 CFR Parts 91 and 570 and the City's Citizen Participation Plan, the City has provided citizens with adequate notice and opportunity to review and comment on its annual Action Plan and HOME budgets; and

Whereas, the City Council has, on March 25, 2021 and on this date, conducted a public hearing and accepted public comments on the proposed Action Plan Budget; and

Whereas, Public Notice was posted on April 1st the City's web page, social media accounts and emailed to agencies that have historically applied for funding, providing a 30 day public comment period ending on May 1, 2021; and

Whereas, HUD requires that final local acceptance of the CDBG Action Plan budget take effect a minimum of 45 days prior to the end of Lewiston's fiscal year, which occurs on June 30, 2021;

Now, therefore, be it Resolved by the City Council of the City of Lewiston that the attached CDBG Action Plan Budget and HOME Action Plan Budget for the Federal Fiscal Year 2021 (City of Lewiston FY2022) are hereby adopted, and City staff is hereby authorized to submit the same and the Action Plans associated to the budgets to the U.S. Department of Housing and Urban Development.

Passed - Vote 7-0

**FINAL BUDGET PUBLIC HEARING FOR THE FISCAL YEAR 2022
MUNICIPAL BUDGET**

Mayor Cayer opened the public hearing to receive citizen input and communication regarding the proposed Fiscal Year 2022 Municipal Budget. Resident Tonya Bailey-Curry encouraged full

funding for the full-time position of a Diversity and Equity Specialist on city staff. No other residents offered comments at this time. The Mayor then closed the hearing.

RECEIVING THE FINANCE COMMITTEE RECOMMENDATION REGARDING THE PROPOSED FISCAL YEAR 2022 MUNICIPAL BUDGET

Councilor Clement, as chairperson of the Finance Committee, read the full recommendation from the Finance Committee. Councilor Khalid noted she voted against the recommendation because of the recommended cut to the Diversity and Equity position. Ayesha Hall, Lewiston resident, stated the new position is not a “wish list” item but imperative. Josh Nagine, Lewiston resident, stated it is an important position and asked if the city explored the idea of sharing the position with Auburn so each city paid half of the salary.

VOTE (92-2021)

Motion by Councilor Lajoie, seconded by Councilor Clement:

To receive and review the recommendation of the Finance Committee regarding the proposed Fiscal Year 2022 Municipal Budget. Passed – Vote 5-2 (Councilors Khalid and Rea opposed)

RESOLVE, AUTHORIZING THE USE OF \$4,467,934 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE FOR CAPITAL OUTLAY PURCHASES AND OTHER ONE-TIME EXPENSES

Finance Director Heather Hunter offered background information on this item. Councilor Rea suggested the Council consider funding half of the revaluation project costs instead of one-quarter.

VOTE (93-2021)

Motion by Councilor Jensen, seconded by Councilor Rea:

To approve the Resolve authorizing the use of \$4,467,934 from the General Fund Unassigned Fund Balance for Capital Outlay purchases and other one-time expenses:

Whereas, the City of Lewiston adopted Ordinance 11-05 pertaining to Unassigned Fund Balance and effective on August 18, 2011; and

Whereas, the ordinance establishes an Unassigned Fund Balance floor of 8% and a ceiling of 12% of GAAP revenues including transfers in; and

Whereas, as of June 30, 2020, the City’s General Fund Unassigned Fund Balance floor was \$11,410,126 and the ceiling was \$17,115,189, and the City’s actual General Fund Unassigned Fund Balance was \$20,513,061, or 14.38%; and

Now, therefore, be It Resolved by the City Council of the City of Lewiston that \$4,467,934 of unassigned fund balance is hereby appropriated to address the following capital needs.

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Line #	Org.	Object	Division	Description	Amount
1	4113	428800	Admin	Misc. Services	45,000
2	4161	426200	MIS	Maintenance & Licensing	14,000
3	4161	426200	MIS	Maintenance & Licensing	2,500
4	4161	426200	MIS	Maintenance & Licensing	3,500
5	4161	426200	MIS	Maintenance & Licensing	6,800
6	4161	426200	MIS	Maintenance & Licensing	8,000
7	4161	450500	MIS	Office Equipment	16,667
8	4161	450500	MIS	Office Equipment	49,000
9	4161	450500	MIS	Office Equipment	4,500
10	4161	450500	MIS	Office Equipment	35,000
11	4161	450500	MIS	Office Equipment	3,900
12	4161	450500	MIS	Office Equipment	1,920
13	4161	450500	MIS	Office Equipment	7,500
14	4161	450500	MIS	Office Equipment	24,000
15	4161	450500	MIS	Office Equipment	1,600
16	4161	450500	MIS	Office Equipment	3,400
17	4161	450500	MIS	Office Equipment	15,000
18	4191	427000	City Hall	Repairs to Equipment	16,000
19	4191	427500	City Hall	Repairs to Buildings	2,500
20	4191	458000	City Hall	Buildings & Structures	49,700
21	4192	427500	85 Park St.	Repairs to Buildings	8,200
22	4193	427500	Park St. P.G.	Repairs to Buildings	5,500
23	4193	458000	Park St. P.G.	Buildings & Structures	50,000
24	4194	458000	Centreville P. G.	Buildings & Structures	50,000

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25	4195	427500	Chestnut St. P.G.	Repairs to Buildings	6,500
26	4195	458000	Chestnut St. P.G.	Buildings & Structures	50,000
27	4196	458000	So. Gateway P.G.	Buildings & Structures	50,000
28	4197	458000	Lincoln St. P.G.	Buildings & Structures	50,000
29	4213	451000	Patrol	Vehicles	78,750
30	4213	451000	Patrol	Vehicles	31,250
31	4213	451000	Patrol	Vehicles	36,250
32	4213	451000	Patrol	Vehicles	48,250
33	4213	452500	Patrol	Public Safety Equipment	4,000
34	4213	452500	Patrol	Public Safety Equipment	2,001
35	4213	452500	Patrol	Public Safety Equipment	3,500
36	4217	427500	Police Station	Repairs to Buildings	7,000
37	4217	427500	Police Station	Repairs to Buildings	5,000
38	4221	451000	Fire Admin.	Vehicles	48,000
39	4222	452500	Fire	Public Safety Equipment	25,200
40	4229	453000	Fire	Household Equipment	3,900
41	4229	453000	Fire	Household Equipment	999
42	4229	453000	Fire	Household Equipment	4,200
43	4229	453000	Fire	Household Equipment	4,000
44	4229	453000	Fire	Household Equipment	1,000
45	4229	458000	Fire	Buildings & Structures	20,000
46	4229	458000	Fire	Buildings & Structures	4,500
47	4241	428800	Code/Planning	Misc. Services	12,500
48	4321	457000	Engineering	Other Betterments	7,000
49	4331	452500	Highway	Public Safety Equipment	1,864

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50	4331	452500	Highway	Public Safety Equipment	16,814
51	4331	457003	Highway	Guardrails	8,000
52	4338	427100	St. Lights	Repairs to Signals	24,000
53	4338	436000	St. Lights	Small Tools	3,500
54	4338	438500	St. Lights	Construction Materials	24,000
55	4338	457000	St. Lights	Other Betterments	31,500
56	4343	451000	Solid Waste	Vehicles	15,800
57	4343	457000	Solid Waste	Other Betterments	107,500
58	4351	427500	Open Spaces	Repairs to Building	8,000
59	4351	427500	Open Spaces	Repairs to Building	26,800
60	4351	427500	Open Spaces	Repairs to Building	5,000
61	4351	427500	Open Spaces	Repairs to Building	25,000
62	4351	427600	Open Spaces	Downtown Maintenance	4,550
63	4351	457000	Open Spaces	Other Betterments	7,200
64	4351	457000	Open Spaces	Other Betterments	11,765
65	4351	457000	Open Spaces	Other Betterments	4,500
66	4351	457000	Open Spaces	Other Betterments	5,000
67	4361	427500	Hydro & Canals	Repairs to Buildings	50,000
68	4381	451000	M. Garage	Vehicles	1,055,500
69	4381	452000	M. Garage	Equipment	12,000
70	4381	452000	M. Garage	Equipment	4,500
71	4381	452000	M. Garage	Equipment	1,600
72	4390	436000	Public Buildings	Small Tools	3,200
73	4391	427500	PW Buildings	Repair to Buildings	4,000
74	4391	427500	PW Buildings	Repairs to Building	4,078

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75	4391	427500	PW Buildings	Repairs to Building	8,600
76	4391	427500	PW Buildings	Repairs to Building	1,100
77	4519	427500	Armory	Repairs to Building	5,000
78	4551	450500	Library	Office Equipment	9,005
79	4559	427500	Library	Repairs to Building	24,721
80	4559	427500	Library	Repairs to Building	5,000
81	4751	449000	E.D.	Fixed Charges	200,000
82	4812	451000	Transit	Vehicles	50,000
83	4941	417400	WC	Workers Comp	160,500
84	4351	457000	Open Spaces	Other Betterments	10,180
85	4951	443000	Misc.	Donations	8,000
86	4171	428800	Assessing	Misc. Services	24,000
87	4171	428800	Assessing	Misc. Services	18,920
88	4241	428800	Code/Planning	Misc. Services	24,000
89	4751	449000	Econ. Devel.	Fixed Charges	225,000
90	4991	450500	Misc.	Office Equipment	<u>10,000</u>
					3,177,684
From FY22 LCIP:					
91	4171	428800	Assessing	Misc. Services	128,500
92	4241	428800	Code & Planning	Misc. Services	60,000
93	4361	458000	Hydro & Canals	Buildings & Structures	86,000
94	4751	458000	Economic Dev.	Buildings & Structures	432,000
95	4161	450500	MIS	Office Equipment	220,000
96	4222	452500	Fire	Public Safety Equipment	225,000
97	4391	450500	PW Buildings	Buildings & Structures	60,000

98	4811	449000	Airport	Fixed Charges	<u>78,750</u>
					<u>1,290,250</u>
				Grand Total	<u><u>4,467,934</u></u>

Passed - Vote 7-0

ORDER, AUTHORIZING THE CITY ADMINISTRATOR TO PROVIDE CITY SERVICES AND FUNDS FOR CITY NON-PROFIT ORGANIZATION ACTIVITIES IN ACCORDANCE WITH THE FY2022 CITY COUNCIL APPROVED LIST

VOTE (94-2021)

Motion by Councilor Gelinas, seconded by Councilor Rea:

To approve the Order authorizing the City Administrator to provide city services and funding for City Non-Profit Organization Activities in accordance with FY2022 City Council approved list:

Whereas, the City of Lewiston has a history of providing in-kind support services and limited cash contributions for a variety of activities that will enhance our City’s quality-of-life and provide certain non-profit organizations a source of revenue to support programming available to eligible Lewiston residents; and

Whereas, the organizations which will receive FY2022 City support have complied with the application requirements set forth in the “Charitable Organization Support Policy;” and

Whereas, requests for such City support have been reviewed by the City Council as a part of the FY2022 budget process;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to direct City departments to provide applicable City in-kind support services outlined in the attached “Lewiston Charitable Donations – Summary of Requests for FY2022” less the \$50 application fee and licenses and permits in accordance with the City’s Special Events Policy and to issue a cash payment to the Liberty Festival to support its July 4th fireworks display subject to the City Council’s final approval of the FY22 municipal budget; and

Be It Further Ordered that the City Policy restricting the loaning of tables and chairs be waived for the Great Falls Balloon Festival; and

Be It Further Ordered that a supplemental appropriation be made in FY21 to provide funding for the following organizations/initiatives in the amounts noted, and to be appropriated in account 4951-443000, funded with carryforward surplus funds.

Children’s Center	\$500
JumpstartME – Downtown Lewiston	\$10,000

Passed - Vote 7-0

RESOLVE, APPROVING THE FINAL BUDGET ADJUSTMENTS TO THE FISCAL YEAR 2022 MUNICIPAL BUDGET

VOTE (95-2021)

Motion by Councilor Rea, seconded by Councilor Khalid:

To approve the Resolve, Approving the Final Budget Adjustments to the Fiscal Year 2022 Municipal Budget:

Whereas, in accordance with the Charter, the City Administrator presented his proposed Fiscal Year 2022 budget to the City Council on March 16, 2021; and

Whereas, since then, the City Council has received information and met on numerous occasions to review the various departmental budgets and to discuss changes to the Administrator’s proposal; and

Whereas, throughout this process, the City Council has shown support for certain changes and adjustments affecting the general fund expenditure and revenue budgets; and

Whereas, the overall goals of this effort were to maintain essential public services while reducing the impact of the budget on the taxpayers of the City of Lewiston; and

Whereas, the following summary represents the results of this effort;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the following Final Budget Adjustments Summary for Fiscal Year 2022, is hereby approved:

Line #	Org.	Object	Dept.	Description	Amount
<i>Expenditures (negative amounts increase the budget):</i>					
1	4991	415000	Misc.	Other Fees	2,615
2	4421	411000	Social Services	Regular Wages	39,059
3	4921	417101	Insurance	Health	7,930
4	4921	417003	Retirement	FICA	2,988
5	4181	411000	HR	Regular Wages	(64,600)
6	4931	417001	Retirement	MEPERS	(6,654)
7	4931	417001	Retirement	FICA	(4,942)
8	4921	417100	Insurance	Health	(8,846)

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9	4921	417200	Insurance	Flex Spending	(267)
10	4921	417250	Insurance	HRA	(1,267)
11	4213	428800	Patrol	Misc. Services	(98,000)
12	4331	411000	Highway	Regular Wages	11,396
13	4931	417001	Retirement	MEPERS	1,174
14	4931	417001	Retirement	FICA	872
15	4921	417100	Insurance	Health	2,212
16	4213	411000	Patrol	Regular Wages	91,704
17	4931	417001	Retirement	MEPERS	10,354
18	4931	417001	Retirement	FICA	7,009
19	4921	417100	Insurance	Health	17,692
20	4921	417200	Insurance	Flex Spending	534
21	4921	417250	Insurance	HRA	2,534
22	4211	422000	Police Admin.	Telephone	720
23	4213	434500	Patrol	Department Apparel	5,000
24	4213	428900	Patrol	Training	6,000
25	4212	411000	CID	Regular Wages	(38,968)
26	4213	411000	Patrol	Regular Wages	35,807
27	4931	417001	Retirement	MEPERS	(350)
28	4212	411000	CID	Regular Wages	(40,697)
29	4213	411000	Patrol	Regular Wages	33,249
30	4931	417001	Retirement	MEPERS	(842)
31	4381	411000	Mun. Garage	Regular Wages	35,927
32	4931	417001	Retirement	MEPERS	3,700
33	4931	417001	Retirement	FICA	2,748

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34	4921	417100	Insurance	Health	6,635
35	4381	426300	Mun. Garage	Uniform Rental	515
36	4321	411000	Engineering	Engineering Tech. III	41,454
37	4931	417001	Retirement	MEPERS	4,270
38	4931	417001	Retirement	FICA	3,171
39	4921	417100	Insurance	Health	8,846
40	4921	417200	Insurance	Flex Spending	267
41	4921	417250	Insurance	HRA	1,267
42	4321	42200	Engineering	Telephone	360
43	4321	434500	Engineering	Department Apparel	200
44	4222	448800	Firefighting	Hydrant Rental	38,700
45	4141	428600	City Clerks	Microfilm	2,000
46	4151	428900	Finance	In-service Training	820
47	4152	428900	Purchasing	In-service Training	500
48	4153	428900	Auditing	In-service Training	1,000
49	4155	421500	Treasury	Postage	500
50	4155	423000	Treasury	Mileage	400
51	4155	428800	Treasury	Misc. Services	500
52	4159	427000	Central Serv.	Repairs to Equipment	500
53	4161	412000	MIS	Overtime	400
54	4161	426200	MIS	M&L	2,500
55	4161	426200	MIS	M&L	3,500
56	4161	426200	MIS	M&L	6,800
57	4161	426200	MIS	M&L	8,000
58	4171	428804	Assessing	Registry Services	400

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59	4171	428900	Assessing	In-service Training	1,000
60	4181	428900	HR	In-service Training	500
61	4191	422500	City Hall	Utilities	1,500
62	4191	427000	City Hall	Repairs to Equipment	1,000
63	4191	427500	City Hall	Repairs to Buildings	2,500
64	4192	422500	85 Park St	Utilities	1,500
65	4192	427500	85 Park St	Repairs to Buildings	8,200
66	4193	420500	P. Garage	Printing	300
67	4193	427000	P. Garage	Repairs to Equipment	560
68	4194	420500	P. Garage	Printing	300
69	4194	427000	P. Garage	Repairs to Equipment	500
70	4194	427000	P. Garage	Repairs to Equipment	560
71	4195	420500	P. Garage	Printing	300
72	4195	427000	P. Garage	Repairs to Equipment	560
73	4196	420500	P. Garage	Printing	300
74	4196	427000	P. Garage	Repairs to Equipment	560
75	4197	420500	P. Garage	Printing	300
76	4197	427000	P. Garage	Repairs to Equipment	490
77	4211	446000	Police Admin.	Insurance	750
78	4212	412000	CID	Overtime	1,000
79	4212	428800	CID	Misc. Services	500
80	4213	426500	Patrol	Repairs to Vehicles	1,000
81	4213	428900	Patrol	In-service Training	2,500
82	4216	420500	Staff Services	Printing	400
83	4217	422500	Police Stations	Utilities	800

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84	4217	426100	Police Stations	Outside Rental	500
85	4217	427500	Police Stations	Repairs to Buildings	5,000
86	4221	422000	Fire Admin.	Telephone	1,000
87	4222	425500	Firefighting	Medical Services	700
88	4222	426500	Firefighting	Repairs to Vehicles	1,000
89	4222	428900	Firefighting	In-service Training	6,000
90	4222	434500	Firefighting	Department Apparel	4,000
91	4222	435000	Firefighting	Med & Lab Supplies	600
92	4222	435800	Firefighting	Public Safety Supplies	5,000
93	4223	428900	Fire Comm.	In-service Training	1,000
94	4225	428900	Fire Inspection	In-service Training	1,000
95	4225	435800	Fire Inspection	Public Safety Supplies	550
96	4229	422500	Stations	Utilities	750
97	4229	427500	Stations	Repairs to Buildings	1,000
98	4241	423000	Code	In-service Training	5,000
99	4311	428900	PW Admin	In-service Training	750
100	4321	428900	Engineering	In-service Training	1,000
101	4321	428900	Engineering	In-service Training	1,500
102	4331	412000	Highway	Overtime	3,500
103	4331	427200	Highway	Repairs to Signs	8,000
104	4331	427210	Highway	Street Line Painting	16,000
105	4331	435800	Highway	Public Safety Supplies	500
106	4332	412000	Winter Ops	Overtime	15,000
107	4332	439800	Winter Ops	Other Supplies	17,500
108	4338	422500	St Lights	Utilities	1,000

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109	4338	439800	St Lights	Other Supplies	1,000
110	4343	428900	Solid Waste	In-service Training	1,400
111	4351	412000	Open Spaces	Overtime	800
112	4351	412500	Open Spaces	Temp Wages	20,000
113	4351	422500	Open Spaces	Utilities	2,000
114	4351	427500	Open Spaces	Repairs to Buildings	1,250
115	4351	427600	Open Spaces	Repairs to Grounds	2,000
116	4351	428836	Open Spaces	Downtown Maintenance	4,550
117	4351	436000	Open Spaces	Small Tools	1,500
118	4381	426101	Mun. Garage	Outside Service	1,500
119	4381	426500	Mun. Garage	Repairs to Vehicles	6,000
120	4381	427000	Mun. Garage	Repairs to Equipment	15,000
121	4381	428800	Mun. Garage	Misc. Services	5,000
122	4381	428900	Mun. Garage	In-service Training	1,000
123	4381	432500	Mun. Garage	Tires	5,000
124	4381	435500	Mun. Garage	Household Supplies	1,000
125	4381	439800	Mun. Garage	Other Supplies	775
126	4390	428900	Public Buildings	In-service Training	500
127	4390	436000	Public Buildings	Small Tools	1,000
128	4391	427500	PW Buildings	Repairs to Buildings	1,700
129	4425	429500	GA	Medical & Lab Supplies	4,000
130	4425	422500	GA	Utilities	8,000
131	4425	433500	GA	Food	19,207
132	4519	427000	Armory	Repairs to Equipment	5,000
133	4519	427500	Armory	Repairs to Buildings	5,000

134	4551	421500	Library Admin	Postage	500
135	4551	423000	Library Admin	Mileage	1,100
136	4551	427000	Library Admin	Repairs to Equipment	400
137	4553	430500	Collection Ser	Office Supplies	600
138	4559	425000	Lib Building	Cleaning Services	4,500
139	4711	449000	Debt	Principal	60,000
140	4721	449000	Debt	Interest	(20,000)
141	4921	417103	Misc.	Boston Mutual	1,000
142	4921	417250	Misc.	HRA	2,000
143	4931	416000	Misc.	Severance Pay	40,000
144	4941	417400	Misc.	Workers Comp	60,500
145	4991	415000	Misc.	Other Fees	3,700
146	4971	411000	Misc.	Regular Wages	<u>55,000</u>
Total Expenditure Adjustments					638,507

Revenues (negative amounts decrease the budget):

147	4141	321550	City Clerk	Other Registrations	5,000
148	4241	322100	Code	Building Inspector Fees	7,000
149	4425	334200	GA	GA Aid	(21,845)
150	4151	335200	Finance	State Revenue Sharing	<u>175,000</u>
Total Revenue Adjustments					165,155

Passed - Vote 5-2 (Councilors Lajoie and Clement opposed)

RESOLVE, MAKING AN APPROPRIATION FOR MUNICIPAL BUDGET YEAR 2022

VOTE (96-2021)

Motion by Councilor Rea, seconded by Councilor Khalid:

To approve the Resolve, Making an Appropriation for Municipal Budget Year 2022:

Be It Resolved by the City Council of the City of Lewiston that the sum of \$50,119,289 is hereby appropriated in the General Fund for the municipal year 2022 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that, in addition to such other revenues as are estimated to be available to meet the above appropriations including the Homestead and Business Equipment Tax Exemption reimbursement, the sum of \$34,043,738 be raised by assessment upon the estates of the inhabitants of the City of Lewiston and upon the estates of non-resident proprietors within said City for the present municipal year; and

Be It Further Resolved by the City Council of the City of Lewiston that the sum of \$13,063,311 be appropriated as non-tax revenues in the General Fund for the municipal year 2022 in accordance with the schedule of appropriations; and

Be It Further Resolved by the City Council of the City of Lewiston that the list of tax assessments upon the estates in Lewiston for all city taxes, together with all assessments and charges made under the provisions of the Maine Revised Statutes annotated, Title 30A, Section 3406 and 3442 to 3445 inclusive, and the City's due proportion of the County Tax in the amount of \$3,012,240 for the period of July 1, 2021 through June 30, 2022 shall be committed by the Assessor to the Finance Director, and one-half of said taxes shall be due and payable on the 15th day of September 2021 with the remaining one-half of said taxes due and payable on the 15th day of March 2022; and

Be It Further Resolved by the City Council of the City of Lewiston that interest at the maximum State approved rate of 6% per annum for fiscal year 2022 shall be collected on the first half of said taxes from September 16, 2021, if not voluntarily paid to the Finance Director on or before September 15, 2021 and on the second half of said taxes from March 16, 2022, if not voluntarily paid to the Finance Director on or before March 15, 2022; and

Be It Further Resolved by the City Council of the City of Lewiston that in each case, said interest shall be added to and become a part of said taxes; and

Be It Further Resolved by the City Council of the City of Lewiston that the Treasury Manager/Tax Collector is authorized to accept payments of uncommitted taxes and to pay to the taxpayer interest from the date of payment to the commitment date at a rate of 0% and that refunds for overpayments or abatements shall be paid to the taxpayer with interest from the date of payment to the date of abatement or refund, whichever is earlier, at an interest rate of 2.00%; and

Be It Further Resolved by the City Council of the City of Lewiston that the Treasury Manager/Tax Collector shall apply all payments to the oldest balance due to the City on that account regardless of any instructions the customer/taxpayer may give. If, however, a lien has matured, the Treasury Manager/Tax Collector may not accept payment on that account unless a workout agreement is in place or approval has been granted by the Finance Director to accept payment. If a customer/taxpayer has more than one account, any payment shall be applied to the oldest balance due; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally accepts and appropriates any cash contributions received during this budget year to the appropriate department and purpose for which such contribution has been made and where such contribution is equal to or less than \$10,000; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any grants from the State of Maine, the Government of the United States of America, or any other organization received during this budget year where such grant is equal to or less than \$25,000, such appropriation to become effective upon formal Council action to accept such grant; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any insurance proceeds received during this budget year to the appropriate department for the purpose of repairing or replacing the damaged property where such amount is equal to or less than \$50,000, such appropriation to become effective upon receipt of funds; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any Municipal Garage revenues in excess of the amount expended at the end of the fiscal year to be included in the General Fund Municipal Garage Vehicle Reserve Account; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates a 2.5% cost of living adjustment (COLA) for nonunion personnel effective on the payroll check dated July 7, 2021, and .5% COLA effective on the payroll check dated January 5, 2022 and directs the Finance Director to make the necessary adjustments to non-union salary schedules; and

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized from the library's permanent endowment fund in accordance with the recommendation of the Library Board of Trustees and to the extent that the City Administrator determines that such an appropriation is in accordance with existing City and Library policies; and

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized to transfer the amount of \$6.62 or the current State reimbursement rate per snowmobile registration to the Hillside Snowmobile Club. Payment will be made annually to the Hillside Snowmobile Club by June 30, 2022; and

Be It Further Resolved by the City Council of the City of Lewiston that an appropriation is authorized to transfer the amount of 20% of net timber harvesting revenue, if any, to the Community Forestry Fund in accordance with City Ordinance 78-45; and

Be It Further Resolved by the City Council of the City of Lewiston to appropriate the sum of \$22,810,285 on behalf of the Lewiston School Department and the amount be raised by assessment upon the estates of the inhabitants of the City of Lewiston and upon the estates of non-resident proprietors within said City for the present municipal year; and

Be It Further Resolved by the City Council of the City of Lewiston that the City Council deems it

necessary to adopt a budget that exceeds the percent increase of the Gross National Product-Implicit Price Deflator and hereby waives the provisions of Section 6.07(h) of the City Charter.

Passed - Vote 5-2 (Councilors Pettengill and Clement opposed)

RESOLVE, APPROVING THE FY22 BUDGET FOR THE LEWISTON SCHOOL DEPARTMENT

The Superintendent presented a recap of the budget highlights noting 40 cents of the increase represents the debt service for the high school expansion that the voters approved a few years ago and 61 cents represents the salary increases due to the new state law that the minimum teacher salary is \$37,500 and also reflects additions to the social and emotional support offerings for kids who are struggling during the pandemic, increased technology needs in the pandemic and increased demands for the language learning lessons. He noted the School Board was unanimous in their vote to approve the school budget and any reductions could impact the stability of the schools.

Councilor Rea stated this budget represents months of review by the School Committee, the Committee values the people who work there and it is the people who make the school a great school community. They are hopeful with state assistance the schools can be back open fully in the fall. Councilor Clement stated he is not supporting the budget, citing an example that the school system decided to fully fund all staff including coaches at 100% even though their sports were not offered due to the pandemic and they could have used some of those funds to help offset the budget increases. Councilor Jensen also said he would not be supporting the budget and reminded the School Committee that money does not grow on trees and the Committee should be more vocal with the state and federal officials to seek more financial assistance and removing some funding restrictions and requirements. He felt the Council has been respectful of the School Committee but the School Committee has not offered the same level of respect to the Council. He noted the school staff works hard at all levels.

Councilor Khalid asked Councilors to reconsider their position on voting down the budget, noting the cuts are a disservice to students and COVID has set students back by a number of years. Councilor Pettengill said he agrees with Councilor Jensen and noted the School Committee increased their budget last year but the zero-tax increase from the school side was due to the COVID grant funds. Councilor Rea noted the relief funds had strict spending rules and were one-time costs such as technology upgrades. She said the School Committee is passionate about getting to the right place and a major need is assisting English language learners. She also noted Lewiston is one of the few school districts that is seeing an increase in student population.

Councilor Clement noted one School Committee member called the city budget “clown math”, he noted some School Committee comments have been offensive to Council, and he reminded the Council that the COVID grant relief funds are taxpayer generated funds. He said he is not “anti-education”, he is “anti-putting people out of homes”.

The Mayor then opened the floor for public comment: Ward 3 School Board member Kiernan Majerus-Collins encouraged the Council to fund education and not to defund schools and fire teachers. He noted the School Committee voted 9-0 to pass the budget. He told the Council if

they vote against the budget they are prioritizing the phony tax rate over students and told them to fully fund the reevaluation to bring the tax rate to \$24 mils. He said that last reval was 7 years before he was born and using outdated values is budgeting with “clown math”. He said the Council has an obligation to support teachers, students and families. No other members of the public spoke.

Councilor Pettengill said he has heard from home owners and renters and they feel the budget is too high, it is bloated and politized. He said many families have concerns that school will not resume full time this fall. Councilor Clement suggested a Charter change to make the School Committee responsible for any tax rate increases and not the Council. Councilor Jensen said the budget as proposed is an unsustainable budget. Councilor Rea said she heard from a lot of citizens who ae in favor of passing this budget. Councilor Lajoie said he is passionate about his responsibilities to the citizens of Lewiston. The Mayor said he is impressed with the work of the school staff.

VOTE (97-2021)

Motion by Councilor Rea, seconded by Councilor Khalid:

To adopt the Resolve approving the FY22 budget for the Lewiston School Department:

Whereas, pursuant to the City Charter, the Lewiston School Committee prepared and approved a FY22 budget for the Lewiston School Department and has submitted that budget to the City Council; and

Whereas, subsequent to the receipt of this budget, the School Committee and the City Council have met to discuss and review it; and

Whereas, as proposed, the School budget meets the local share property tax commitment required by state law; and

Whereas, the City Council must approve the total amount of the School Budget before it can be presented to the voters in a school budget ratification election scheduled for May 11, 2021;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the Fiscal Year 22 budget approved by the Lewiston School Committee as outlined and detailed on the attached Lewiston School Department Budget Articles is hereby adopted, subject to approval of the voters of the City of Lewiston at a budget validation referendum.

Did Not Pass - Vote 2-5 (Councilors Khalid and Rea in favor, other opposed)

**RESOLVE, MAKING AN APPROPRIATION FOR THE SPECIAL REVENUE FUNDS
FOR MUNICIPAL YEAR 2022**

VOTE (98-2021)

Motion by Councilor Clement, seconded by Councilor Jensen:

To approve the Resolve making an appropriation for the Special Revenue Funds for Municipal Budget Year 2022:

Be It Resolved by the City Council of the City of Lewiston that the appropriation for municipal year 2022 for the following Special Revenue Funds is hereby authorized and approved: the Recreation Activity Fund in the amount of \$158,357 with approval to pursue offering new programs that are financially viable, the Police Drug Forfeiture Fund in the amount of \$141,710; and the Tax Increment Financing Fund in the amount of \$2,131,536; and

Be It Further Resolved by the City Council of the City of Lewiston that the Council hereby formally appropriates any grants from the State of Maine, the Government of the United States of America, or any other organization received during this budget year where such grant is equal to or less than \$25,000, such appropriation to become effective upon formal Council action to accept such grant.

Passed - Vote 7-0

RESOLVE, AUTHORIZING THE USE OF \$1,500 FROM THE FARRAR FUND FOR COSTS OF BASIC NECESSARY SERVICES FOR NEEDY INDIVIDUALS

VOTE (99-2021)

Motion by Councilor Clement, seconded by Councilor Jensen:

To approve the Resolve, authorizing the use of \$1,500 from the Farrar Fund for costs of basic necessary services for needy individuals:

Whereas, the City of Lewiston was left an endowment to provide for medical and dental expenses for needy individuals; and

Whereas, in 2008, the City Council authorized the use of these funds, as determined by the Social Services Director, to provide basic, necessary services to those individuals whose income is no greater than 185% of the federal poverty level; and

Whereas, fund principal in the amount of \$18,551 is to be maintained in perpetuity; and

Whereas, due to the rate of return on investments, it is anticipated that the demand for service will exceed the adopted procedure of only utilizing the prior year's investment earnings; and

Whereas, the appropriation of \$1,500 is recommended with additional funding for this amount over and above the interest earned in the prior year coming from interest earnings accumulated and retained over time;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that the Social Services Director is authorized to spend up to \$1,500 from the Farrar Fund, the same authorized amount in FY21.

Passed - Vote 7-0

**ORDER, AUTHORIZING EXECUTION OF MUNICIPAL QUITCLAIM DEEDS FOR
REAL ESTATE LOCATED AT 36 BOSTON AVENUE, 46 AUTUMN LANE AND
17 OAK STREET**

VOTE (100-2021)

Motion by Councilor Clement, seconded by Councilor Pettengill:

To approve the Orders authorizing execution of municipal quitclaim deeds for real estate located at 36 Boston Avenue, 46 Autumn Lane and 178 Oak Street:

36 Boston Avenue:

Whereas, the owner, Lauraine Doyon, failed to pay her bills on a timely basis for 36 Boston Avenue (Tax Map 175, Lot 086, Parcel 00-012580); and

Whereas, a water lien was filed on September 28, 2017 (Book 9702 Page 244) and matured on March 28, 2019 in the amount of \$139.09; and

Whereas, a sewer lien was filed on September 28, 2017 (Book 9702 Page 273) and matured on March 28, 2019 in the amount of \$247.80; and

Whereas, payment will be received at closing;

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 36 Boston Avenue to the owner.

46 Autumn Lane:

Whereas, the owner, Anthony Gagne., failed to pay his bills on a timely basis for 46 Autumn Lane (Tax Map 38, Lot 03, Parcel 90-013764); and

Whereas, a tax lien was filed on June 23, 2015 (Book 9164 Page 299) and matured on December 23, 2016 in the amount of \$450.62; and

Whereas, a tax lien was filed on June 15, 2016 (Book 9386 Page 219) and matured on December 15, 2017 in the amount of \$865.62; and

Whereas, a tax lien was filed on June 14, 2017 (Book 9616 Page 45) and matured on December 14, 2018 in the amount of \$873.50; and

Whereas, a tax lien was filed on June 21, 2018 (Book 9865 Page 165) and matured on December 21, 2019 in the amount of \$885.97; and

Whereas, a tax lien was filed on June 19, 2019 (Book 10107 Page 319) and matured on December 19, 2020 in the amount of \$908.78; and

Whereas, a storm water lien was filed on December 22, 2015 (Book 9282 Page 91) and matured on June 22, 2017 in the amount of \$92.18; and

Whereas, a storm water lien was filed on March 25, 2016 (Book 9337 Page 177) and matured on September 25, 2017 in the amount of \$92.52; and

Whereas, a storm water lien was filed on September 16, 2016 (Book 9458 Page 277) and matured on March 16, 2018 in the amount of \$92.25; and

Whereas, a storm water lien was filed on March 14, 2017 (Book 9562 Page 183) and matured on September 14, 2018 in the amount of \$91.98; and

Whereas, a storm water lien was filed on September 28, 2017 (Book 9703 Page 5) and matured on March 28, 2019 in the amount of \$92.18; and

Whereas, a storm water lien was filed on March 12, 2018 (Book 9803 Page 91) and matured on September 12, 2019 in the amount of \$92.30; and

Whereas, a storm water lien was filed on August 30, 2018 (Book 9922 Page 24) and matured on March 1, 2020 in the amount of \$97.94; and

Whereas, a storm water lien was filed on March 22, 2019 (Book 10050 Page 331) and matured on September 22, 2020 in the amount of \$98.00; and

Whereas, a storm water lien was filed on August 22, 2019 (Book 10161 Page 336) and matured on February 22, 2021 in the amount of \$97.88; and

Whereas, payment of \$4,831.72 has been received;

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 46 Autumn Lane to the owner.

178 Oak Street:

Whereas, the owner, SK Housing LLC., failed to pay their bills on a timely basis for 178 Oak Street (Tax Map 194, Lot 460, Parcel 00-002707); and

Whereas, a tax lien was filed on June 18, 2019 (Book 10107 Page 56) and matured on December 18, 2020 in the amount of \$659.77; and

Whereas, payment has been received;

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 178 Oak Street to the owner.

Passed - Vote 7-0

REPORTS AND UPDATES

Councilor Rea reported the School Committee has a meeting tomorrow night to review the budget and they are planning for in person classes this fall.

OTHER BUSINESS

Councilor Khalid encouraged Councilors to monitor and testify on LD 1541 which would make recycling more effective and the public hearing is Monday. Councilor Gelinas thanked the volunteers for painting the art work on the fire hydrants this weekend. Councilor Clement asked to have an item to consider ending the city's State of Emergency on the next agenda. Councilor Rea encouraged the Council to learn more about the issues of trash in neighborhoods and to do a ride along with Code Enforcement to learn the issues they are dealing with around the city.

VOTE (101-2021)

Motion by Councilor Rea, seconded by Councilor Clement:

To adjourn at 10:05 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine