

**CITY OF LEWISTON**

**CITY COUNCIL**

**JANUARY 18, 2022**

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

THE HONORABLE CARL L. SHELINE, MAYOR, PRESIDING.

PRESENT: Mayor Sheline, Councilors Scott, McCarthy, Harriman, LaChapelle, Pease, Clement and Gelinas, City Administrator Heather Hunter and City Clerk Kathleen Montejo.

Pledge of Allegiance to the Flag.

**VOTE (19-2022)**

Motion by Councilor Pease, seconded by Councilor Clement:

To dispense with the reading of the minutes of the meetings of December 21, 2021, January 3 and January 4, 2022 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.

**ORDER, AUTHORIZING EXECUTION OF MUNICIPAL QUITCLAIM DEEDS FOR REAL ESTATE LOCATED AT 81 COLLEGE STREET AND 1006 SABATTUS STREET**

**VOTE (20-2022)**

Motion by Councilor Clement, seconded by Councilor Pease:

To approve the Orders authorizing execution of municipal quitclaim deeds for real estate located at 81 College Street and 1006 Sabattus Street.

81 College Street Order:

Whereas, the former owner, Obaidullah Gul Mohammad, failed to pay his bills on a timely basis for 81 College Street (Tax Map 195, Lot 067, Parcel 00-004378); and

Whereas, a storm water lien was filed on February 19, 2020 (Book 10308 Page 160) and matured on August 19, 2021 in the amount of \$99.46; and

Whereas, a tax lien was filed on June 15, 2020 (Book 10393 Page 23) and matured on December 15, 2021 in the amount of \$4,233.60; 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 81 College Street to

the owner.

1006 Sabattus Street Order:

Whereas, the former owner, Nancy A Stanley Heirs, failed to pay their bills on a timely basis for 1006 Sabattus Street (Tax Map 90, Lot 149, Parcel 00-013075); and

Whereas, a storm water lien was filed on February 19, 2020 (Book 10308 Page 255) and matured on August 19, 2021 in the amount of \$98.51; and

Whereas, a water lien was filed on February 19, 2020 (Book 10307 Page 325) and matured on August 19, 2021 in the amount of \$165.47; and

Whereas, a sewer lien was filed on February 19, 2020 (Book 10308 Page 100) and matured on August 19, 2021 in the amount of \$166.37; and

Whereas, a tax lien was filed on June 15, 2020 (Book 10393 Page 114) and matured on December 15, 2021 in the amount of \$2,442.96; 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 1006 Sabattus Street to the owner.

Passed - Vote 7-0

**ADOPTION OF CITY COUNCIL MEETING SCHEDULE FOR THE MONTHS OF  
JULY AND AUGUST**

**VOTE (21-2022)**

Motion by Councilor Clement, seconded by Councilor Pease:

To suspend Section 1,(a) of the Rules Governing the City Council, and to only hold one regular meeting during the month of July, said meeting to be held on Tuesday, July 19<sup>th</sup> at 7:00pm and to hold only one regular meeting during the month of August, said meeting to be held on Tuesday, August 16<sup>th</sup> at 7:00pm. Passed - Vote 7-0

**PUBLIC HEARING ON A RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT  
PERMIT FOR LIVE ENTERTAINMENT FOR BAXTER BREW PUB, LLC,  
120 MILL STREET**

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

**VOTE (22-2022)**

Motion by Councilor Gelinas, seconded by Councilor LaChapelle:

To grant a Special Amusement Permit for Live Entertainment to Baxter Brew Pub, LLC, 120 Mill Street. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE REGARDING AN AMENDMENT TO THE CABLE TELEVISION ORDINANCE TO ELIMINATE THE CABLE TELEVISION ADVISORY BOARD**

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

**VOTE (23-2022)**

Motion by Councilor Clement, seconded by Councilor McCarthy:

That the proposed amendments to the City Code of Ordinances, Chapter 24 “Cable Television”, Sections 24-20, “Cable television advisory board”, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting. Passed - Vote 7-0

**ORDER, APPROVING A SEVEN YEAR AND SIX MONTH LEASE AGREEMENT AT THE LEWISTON ARMORY BETWEEN THE BOYS AND GIRLS CLUB OF SOUTHERN MAINE AND THE CITY OF LEWISTON**

**VOTE (24-2022)**

Motion by Councilor Harriman, seconded by Councilor Gelinias:

To approve the Order, Approving a seven year and six month Lease Agreement at the Lewiston Armory between the Boys and Girls Club of Southern Maine and the City of Lewiston:

Whereas, the Boys and Girls Club of Southern Maine seeks space to open a clubhouse in Lewiston; And

Whereas, the Lewiston Armory has vacant space fitting for teen and youth programming, and in need of repair; and

Whereas, the Boys and Girls Club will renovate the space, projected to cost \$50,000, which will serve as a credit towards their monthly rent; and

Whereas, the Boys and Girls Club offers programs that encourage positive programs for teens and youth include mentoring, education on healthy life choices, physical fitness, and more; and

Whereas, the License Agreement will begin January 19, 2022, and on July 18, 2029, with an additional ten year renewal.

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, to authorize the City Administrator to sign the License Agreement between the Boys and Girls Club of Southern Maine, and the City of Lewiston.

Passed – Vote 7-0

**ORDER, REPEAL OF ORDER PREVIOUSLY ADOPTED ENTITLED “DIRECTING THAT THE CREATION OF A CHARTER COMMISSION BE SUBMITTED TO THE VOTERS IN JUNE 2022”**

Mayor Sheline opened the floor for public input. Luke Jensen, 11 Sylvan Avenue, stated the voters did not expect this Council to make changes to the charter amendment process as approved by the past Council. The previous Council talked about larger changes to the Charter such as the creation of at-large council positions and they knew this would require the work of a charter commission and could not be proposed by the charter review committee. He noted it was originally proposed to be on the November 2021 ballot simultaneously with the charter amendments but it was decided to wait for the June election so additional information could be gathered and shared with the voters. Alicia Rea, Ward 3, thanked the Charter Review Committee for their work but noted it was during the pandemic and many voters could not follow the work of the committee given the many distractions of the pandemic as well as access to the meetings was difficult. She noted the committee did a great job seeking public input but it is difficult to reach everyone during the pandemic. Ms. Rea also noted a benefit of the charter commission would be that the voters would be selecting the commission members and she noted the mayor selected the members of the charter review committee which did not include any people of color, LGBT residents or members under the age of 40. She noted the future of the city is too important to take those voices away from this discussion of the future needs of the city. Caleb Roebuck, 49 Robinson Gardens, spoke against this item noting the importance of open and accountable government. He stated if the commission were formed, Lewiston government would have more accountability. Matt Roy, Ward 3, noted that at a minimum a commission should be established every thirty years to conduct a full review of the charter.

**VOTE (25-2022)**

Motion by Councilor Scott, seconded by Councilor Gelinias:

To postpone this matter to the February 1 City Council meeting. Did Not Pass - Vote 3-4 (Councilors Pease, Gelinias and Scott in favor)

**VOTE (26-2022)**

Motion by Councilor LaChapelle, seconded by Councilor McCarthy:

To approve the Order, Repeal of Order Previously Adopted Entitled “Directing that the Creation of a Charter Commission be Submitted to the Voters in June 2022”.

Whereas, on October 5, 2021, the City Council adopted an Order entitled Directing that the Creation of a Charter Commission be submitted to the voters in June 2022, and

Whereas, on November 2, 2021, the voters approved the nine proposed amendments to the City Charter, and

Whereas, the Charter Review Committee, established in March 2021 and required by the City Charter to conduct a complete review of the entire Charter every ten years, worked for many months reviewing the language of the current Charter, sought and received public input and studied various components of city government operation, and

Whereas, the Charter Review Committee presented their findings and recommendations to the City Council on August 17, 2021, to which the City Council approved sending nine out of ten recommended amendments to the voters in November 2021, and

Whereas, the Charter Review Committee did not have any pending recommendations for additional areas of study, further suggested changes to the Charter or matters of unfinished business, and

Whereas, the City Council appreciates the thorough work of the Charter Review Committee and the voters endorsed every amendment on the November 2021 ballot, and

Whereas, the City Council believes the Charter has received sufficient review and adequate changes as required during the ten year review,

Now, Therefore, Be It Resolved by the City Council that the City Council hereby repeals and rescinds the Order entitled “Directing that the Creation of a Charter Commission be Submitted to the Voters in June 2022”, as adopted by the City Council on October 5, 2021.

Passed - Vote 4-3 (Councilors Harriman, Gelinis and Scott opposed)

**PUBLIC HEARING AND FIRST PASSAGE TO AMEND THE ZONING AND LAND USE CODE AND MAP BY ELIMINATING THE OFFICE SERVICE (OS) DISTRICT AND TO REZONE THE AFFECTED PARCELS INTO LOW-DENSITY RESIDENTIAL (LDR), HIGHWAY BUSINESS (HB), INDUSTRIAL (I), OR RURAL AGRICULTURAL (RA) DISTRICTS AS RECOMMENDED BY THE STAFF AND PLANNING BOARD**

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

**VOTE (27-2022)**

Motion by Councilor Clement, seconded by Councilor Pease:

To approve First Passage to eliminate the Office Service (OS) zoning district and to and to rezone the affected parcels into Low-Density Residential (LDR), Highway Business (HB), or Industrial (I), Rural Agricultural (RA) Districts as depicted in the attached maps 4, 5 and 6 and Ordinance amendment and to continue the public hearing for Final Passage to the next regularly scheduled City Council meeting. Passed - Vote 7-0

**RESOLVE, CONFIRMING ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

**VOTE (28-2022)**

Motion by Councilor Clement, seconded by Councilor Pease:

To approve the Resolve, Confirming Adoption of the National Incident Management System (NIMS):

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes.

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, We the undersigned Councilors of the City of Lewiston by the virtue of the authority vested in me by the Constitution and Laws of the State of Maine, do hereby establish the National Incident Management System (NIMS) as the City standard for incident management.

Passed - Vote 7-0

**REPORTS AND UPDATES**

Councilor Scott reported the School Committee held their first meeting and discussed the request to the state for a waiver of the required number of school days, noting the state regularly grants waivers for northern Maine due to frequent storm days. She also spoke about their strategic planning retreat. Councilor Harriman shared he attended his first Housing Committee meeting and the committee determined their work goal for the year is to review their tasks as outlined in

the city ordinance. Councilor Clement reported on the recent Finance Committee meeting. Councilor Gelinas stated the Public Health Committee is continuing their work on mental health and homeless youth.

**OTHER BUSINESS**

No other business was presented at this time.

**VOTE (29-2022)**

Motion by Councilor Pease, seconded by Councilor Gelinas:

To adjourn at 8:29 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine