

CITY OF LEWISTON

CITY COUNCIL

NOVEMBER 15, 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, LaChapelle, Pease, and Gelinis, City Administrator Heather Hunter and City Clerk Kathleen Montejo. Absent/Excused: Councilors Harriman and Clement. Note: Under the City Charter, the Mayor may cast a vote in the absence of a Councilor.

Pledge of Allegiance to the Flag.

LEWISTON LEADS PRESENTATION

The Mayor recognized Susan Bergeron, owner of Webb’s Market on Pine Street, for her work dedicated to making a difference in the neighborhood and co-hosting the summer Neighborhood Block Party.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Ava Golder reported the LYAC members would be hosting a public forum on youth mental health next month.

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 35 WEBBER AVENUE AND 1006 SABATTUS STREET

VOTE (397-2022)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To approve the Orders, Authorizing execution of municipal quitclaim deeds for real estate located at 35 Webber Avenue and 1006 Sabattus Street:

35 Webber Avenue:

Whereas, the former owner, Julia C. Sprague, formerly known as Julia C. Hall, failed to pay her bills on a timely basis for 35 Webber Avenue (Tax Map 178, Lot 22, Parcel 00-005930); and

Whereas, a storm water lien was filed on April 5, 2016 (Book 9337 Page 87) and matured on October 5, 2017 in the amount of \$92.18; and

Whereas, a storm water lien was filed on September 22, 2016 (Book 9459 Page 52) and matured on March 22, 2018 in the amount of \$92.25; and

Whereas, a storm water lien was filed on March 15, 2017 (Book 9562 Page 81) and matured on September 15, 2018 in the amount of \$91.64; and

Whereas, a storm water lien was filed on October 6, 2017 (Book 9703 Page 21) and matured on April 6, 2019 in the amount of \$92.18; and

Whereas, a storm water lien was filed on March 19, 2018 (Book 9803 Page 123) and matured on September 19, 2019 in the amount of \$92.30; and

Whereas, a storm water lien was filed on August 30, 2018 (Book 9922 Page 46) and matured on February 28, 2020 in the amount of \$98.38; 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 35 Webber Avenue to the owner.

1006 Sabattus St:

Whereas, the former owner, heirs of Nancy A. Stanley, failed to pay their bills on a timely basis for 1006 Sabattus Street (Tax Map 90, Lot 149, Parcel 00-013075); 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 6-0

AMENDMENT TO THE TRAFFIC SCHEDULE TO ADD FIVE (2 HR) PARKING SPACES ON RIVER ST. IN FRONT OF LIONEL POTVIN PARK

VOTE (398-2022)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To approve amendment to the Traffic Schedule to add five two (2) hr parking spaces in front of Lionel Potvin Park, beginning at a point on River St., 57’ from the corner of River St. and Cedar St. and extending 120’ south along the odd side of the street. Passed - Vote 6-0

AMENDMENT TO THE TRAFFIC SCHEDULE TO ADD FOUR (2 HR) PARKING SPACES ON THE ODD SIDE OF BEECH ST. BETWEEN LINCOLN ST. AND LINCOLN ST. ALLEY

VOTE (399-2022)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To approve an amendment to the Traffic Schedule to add four two (2) hr parking spaces on the odd side of Beech St. between Lincoln St. and Lincoln St Alley a distance of 100’.

Passed - Vote 6-0

AMENDMENT TO THE TRAFFIC SCHEDULE TO PROHIBIT PARKING ON THE ODD SIDE OF THOMPSON ST.

VOTE (400-2022)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To approve amendment to Traffic Schedule to prohibit parking on the odd side of Thompson St.
Passed - Vote 6-0

PUBLIC HEARING FOR APPROVAL OF AN OUTDOOR ENTERTAINMENT PERMIT FOR THE HOLIDAY AT THE PLAZA

Mayor Sheline 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 (401-2022)

Motion by Councilor Gelinas, seconded by Councilor Pease:

To conduct a public hearing on an application from The Holiday at the Plaza for outdoor musical concerts and performances to be held at Dufresne Park on December 3, and to authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the organizing committee for the outdoor music concerts, contingent upon positive recommendations from the Police Department, Fire Department, Code/Land Use Officer and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances. Passed – Vote 6-0

PUBLIC HEARING AND APPROVAL OF PROPOSED WEDGEWOOD DEVELOPMENT AFFORDABLE HOUSING TAX INCREMENT FINANCING DISTRICT AND DEVELOPMENT PROGRAM

Mayor Sheline 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 (402-2022)

Motion by Councilor McCarthy, seconded by Councilor Gelinas:

To hold a public hearing and approve the establishment of the Wedgewood Development Affordable Housing Tax Increment Financing District and Development Program; and to authorize

the City Administrator to execute the agreement on behalf of the City substantially in the form presented; and to have staff complete and submit the application to the MaineHousing establishing the Wedgewood Development Affordable Housing Tax Increment Financing District and Development Program:

Whereas, on May 26, 2021, Lewiston Housing, in partnership with the City of Lewiston, received a Choice Neighborhood Implementation Grant from the Department of Housing and Urban Development; and

Whereas, Lewiston Housing has partnered with Avesta Housing to develop the first phase of housing redevelopment, called the Wedgewood Development; and

Whereas, the Developer has requested that a Tax Increment Financing District and Development Program be created to return a portion of the new tax revenue generated by the redevelopment of the building to assist with operating expenses and debt service due to extraordinary site costs; and

Whereas, in order to receive the required statutory approval and to give legislative force that request requires a public hearing must be held to solicit public comment regarding the establishment of Wedgewood Development Affordable Housing Tax Increment Financing District and Development Program which citizens are given the opportunity to comment on whether the district and development program will contribute to the betterment of the city, expansion of its commercial offerings, or expansion of Lewiston’s tax base; and to provide an opportunity for any claim by a party that the district or program will be detrimental to that party’s property interests and for which substantial evidence of that detriment is produced. If such claim is made the City Council shall determine whether any claimed adverse impact is outweighed by the benefit of the redevelopment of the building, increased diversity of housing stock, expansion of the tax base or other benefits of the development program; and

Whereas, the required 10 day public notice for the November 15th City Council public hearing was published in the Sun Journal on November 4, 2022; and

Whereas, maps of the proposed district are attached and will be presented at the public meeting; and

Whereas, the TIF Program will return 50% of the new taxes generated within the district for a term of 16 years to the developer, with the other 50% of new taxes generated being paid into Lewiston’s General Fund. A proforma attached and presented estimate that at today’s mil rate and projected new Assessed Valuation, the developer will be reimbursed \$79,996 annually of new taxes paid on the building, totaling \$1,279,938; and City will receive \$92,837 annually, totaling \$1,525,911 over the TIF term from the Development Program to be deposited in the City’s General Fund; and

Whereas, creation of the Wedgewood Development Affordable Housing Tax Increment Financing District and Development Program is estimated to result in the City receiving \$32,610 annually in Tax Sheltering benefits by reducing the amount of County taxes that the City would have paid, and preserving the level of State Aid for Education and Revenue Sharing the City would have lost if Wedgewood Development is constructed without an approved TIF District or Program in place; and

Whereas, attached are maps showing the location of the district, and a proforma illustrating the distribution of funds to the developer as well as, the Tax Sheltering benefits of the proposed TIF District and Program;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the Wedgewood Development Affordable Housing Tax Increment Financing District and Development Program is hereby approved in a form substantially similar to the attached, City staff is directed to finish the application reflecting comments received at the public hearing, and the City Administrator is hereby authorized to submit the complete application and supporting documentation to MaineHousing.

Passed - Vote 6-0

ORDER, AUTHORIZING THE PRELIMINARY AWARD OF \$450,000 OF HOME FUNDS TO THE WEDGEWOOD CHOICE AFFORDABLE HOUSING PROJECT

VOTE (403-2022)

Motion by Councilor Pease, seconded by Councilor McCarthy:

To approve the Order, Authorizing the preliminary award of \$450,000 of HOME funds to the Wedgewood Choice Affordable Housing Project:

Whereas, in 2021 the City of Lewiston and Lewiston Housing Authority were awarded a \$30 million Choice Neighborhood Implementation Grant; and

Whereas, the purpose of that funding is to help transform an area of the City that has long suffered from high poverty, poor quality housing, limited opportunities, and low education levels by investing in housing, people, and the neighborhood; and

Whereas, the grant will leverage and additional \$60-\$70 million investment in the neighborhood; and

Whereas, Avesta Housing and the Lewiston Housing Authority have assembled the real estate and have Planning Board approval for the development of 82 units of mixed income housing in 9 buildings in a project known as the Wedgewood Choice Affordable Housing Project; and

Whereas, the project has experienced a 39% increase in construction costs since first proposed; and

Whereas, Avesta is seeking financing to develop the project and has requested \$450,000 of HOME funding to help make the project economically viable; and

Whereas, the City has reviewed the project's construction budgets and operating proforma, market study, developer's experience and financial capacity, has completed an environmental review of the project which was determined to have a Finding of No Significant Impact; and

Whereas, the requested HOME Assistance was found to be warranted,

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, that \$450,000 of HOME funds preliminarily be awarded to the project, but not fully committed until all HOME requirements are met, no choice limiting actions are taken, and a written HOME Agreement for the project is approved and executed by the City of Lewiston and Avesta Housing as the developer of the Wedgewood project.

Passed - Vote 6-0

ORDER, APPROVING THE RESTATED DECLARATION OF COVENANTS FOR THE PROPERTIES LOCATED AT 91 PINE STREET, 111 BARTLETT STREET, AND 114 BARTLETT STREET AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE THE FINAL FORM OF THE DECLARATION OF COVENANTS

VOTE (404-2022)

Motion by Councilor Pease, seconded by Councilor Gelinias:

To approve the Order, Approving the Restated Declaration of Covenants for the properties located at 91 Pine Street, 111 Bartlett Street, and 114 Bartlett Street, in substantially the form presented to the City Council, and authorize the City Administrator to execute the final form of the Declaration of Covenants:

Whereas, on October 21, 2020, as part of the intended application of the Choice Neighborhood Implementation Grant, the Lewiston City Council approved the conveyance of these three properties to the Lewiston Auburn Area Housing Development Corp., subject to a Declaration of Covenants, recorded in the Androscoggin County Registry of Deeds in Book 10554, Page 162; and

Whereas, as part of administration of said Grant, these three properties will be conveyed to Choice Wedgewood LP; and

Whereas, the intent was to allow for up to 30% of the units to be market rate, however a typo was made in the original Declaration of Covenants and the apportionment was noted at 20%; and

Whereas, Choice Wedgewood LP has requested that the City consent to a restatement of the Declaration of Covenants correcting the error;

Now, therefore, be it ordered by the City Council of the City of Lewiston to approve the restated Declaration of Covenants, Conditions and Restrictions which restricts 91 Pine Street, 111 Bartlett Street, and 114 Bartlett Street, in substantially the form presented to the City Council and authorize the City Administrator to execute the final form of the Declaration of Covenants, Conditions and Restrictions.

Passed - Vote 6-0

RESOLVE, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC ART COMMITTEE'S RECOMMENDATION FOR THE CHOICE NEIGHBORHOOD PUBLIC ART MURAL PROPOSAL "WELCOME TO OUR WORLD" BY NATHAN

**BROWN, IN PARTNERSHIP WITH THE PUBLIC THEATRE AT 31 MAPLE STREET,
LEWISTON BE AWARDED TO THE PUBLIC THEATRE TO EXECUTE THE
CONTRACT WITH THE ARTIST UPON SATISFACTION OF ALL FEDERAL
REQUIREMENTS**

VOTE (405-2022)

Motion by Councilor McCarthy, seconded by Councilor LaChapelle:

To approve the Resolve, Authorizing the acceptance the Public Art Committee’s recommendation for the Choice Neighborhood Public Art Mural proposal “Welcome to our World” by Nathan Brown, in partnership with the Public Theatre at 31 Maple Street, Lewiston, be awarded to The Public Theatre to execute the contract with the artist upon satisfaction of all federal requirements:

Whereas, the City of Lewiston received in 2018, a Choice Neighborhood Planning and Action Grant from the Department of Housing and Urban Development, with funds earmarked for public art to be installed within the Choice Neighborhood; and

Whereas, the Public Art Working Group was authorized by City Council on July 13, 2021, to design and execute an RFP process compliant the with City of Lewiston’s Purchasing Policy; and

Whereas, the Public Art Working Group executed a RFP for a public mural proposals in the Choice Neighborhood in September 2022 and received one proposal; and

Whereas, the Public Theater at 31 Maple St. in Lewiston, in partnership with Nathan Brown, submitted a proposal for the mural “Welcome to our World”; and

Whereas, financing for these acquisitions is federally funded and the City acknowledges this Resolve is to move the process forward and does not constitute a commitment of funds or site approval; and

Whereas, such commitment of funds or approval may only occur upon the satisfactory completions of environmental review and receipt by the City of a release of funds from the U.S. Department of Housing and Urban Development under 24 CFR Part §58; and

Whereas, the provision of any federal funds to the project is conditioned on the City’s determination to proceed with, modify or cancel the project based on the results of a subsequent environmental review;

Now, therefore, be it resolved by the City Council of the City of Lewiston to accept the Public Art Committee’s recommendation for the Choice Neighborhood Public Art Mural proposal “Welcome to our World” by Nathan Brown, in partnership with the Public Theatre at 31 Maple Street, Lewiston, be awarded to The Public Theatre to execute the contract with the artist upon satisfaction of all federal requirements.

Passed - Vote 6-0

ORDER, TO APPROVE AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT FOR THE MAINE ASSOCIATION OF POLICE PATROL FOR FY25-FY27 AND ADJUST THE CURRENT PAY SCALE OF THE POLICE PATROL UNIT AS PROPOSED

VOTE (406-2022)

Motion by Councilor McCarthy, seconded by Councilor LaChapelle:

To approve the Order, To Approve and Authorize the City Administrator to Execute the Collective Bargaining Agreement for the Maine Association of Police Patrol for FY25-FY27 and adjust the current pay scale of the Police Patrol unit as proposed:

Whereas, the City is experiencing difficulty in attracting and retaining police officers due to the tight labor environment; and

Whereas, the Mayor and City Council wish to acknowledge the hard work of the current police officers, especially with capacity limitations left by current vacancies; and

Whereas, recent surveys note that area employers and other municipalities' wage scales surpasses the current amount negotiated; and

Whereas, the Mayor and City Council desire to pay competitive wages and proposed increases to the previously approved wage steps achieves that goal, and

Whereas, as a result, the City's negotiators and union representatives have reached a tentative agreement on a three contract covering the City's FY25 through FY27, and additional wage adjustments that will be effective 11/30/22 to all active police officers;

Now therefore be it ordered that the City Council of the City of Lewiston, to approve and authorize the City Administrator to execute a Collective Bargaining Agreement for FY25-FY27 and adjust the current pay scale for Maine Association of Police Patrol unit as proposed.

Passed - Vote 6-0

ORDER, TO APPROVE AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT FOR THE MAINE ASSOCIATION OF POLICE SUPERVISORS FOR FY25-FY27 AND ADJUST THE CURRENT PAY SCALE OF THE POLICE SUPERVISORS UNIT AS PROPOSED

VOTE (407-2022)

Motion by Councilor LaChapelle, seconded by Councilor Pease:

To approve the Order, To Approve and Authorize the City Administrator to Execute a Collective Bargaining Agreement for the Maine Association of Police Supervisors for FY25-FY27 and adjust the current pay scale of the Police Supervisors unit as proposed:

Whereas, the City is experiencing difficulty in attracting and retaining police officers due to the tight labor environment; and

Whereas, the Mayor and City Council wish to acknowledge the hard work of the current police officers, especially with capacity limitations left by current vacancies; and

Whereas, recent surveys note that area employers and other municipalities' wage scales surpasses the current amount negotiated; and

Whereas, the Mayor and City Council desire to pay competitive wages and proposed increases to the previously approved wage steps achieves that goal, and

Whereas, as a result, the City's negotiators and union representatives have reached a tentative agreement on a three contract covering the City's FY25 through FY27, and additional wage adjustments that will be effective 11/30/22 to all active police officers;

Now therefore be it ordered that the City Council of the City of Lewiston, to approve and authorize the City Administrator to execute a Collective Bargaining Agreement for FY25-FY27 and adjust the current pay scale for Maine Association of Police Supervisors unit as proposed.

Passed - Vote 6-0

REPORTS AND UPDATES

Councilor Scott reported the School Committee met last night at The Green Ladle and held an accreditation review meeting for the high school. Teachers from around the state attended to help Lewiston High School staff brainstorm on this topic. The Committee recently appointed a new English Language Learners (ELL) Director and a New Assistant Transportation Director. Federal funds are being used to upgrade the HVAC and ventilation at the Middle School in the gym and cafeteria. The School Committee has been asked to consider establishing a quiet room/prayer room in schools. It was noted there is limited space at the high school and such a room would require adult supervision and needs to be equitable to all religions. Councilor Pease reported the Androscoggin County Budget Committee has submitted their budget proposal to the County Commissioners. Councilor McCarthy reported the Airport Committee is working on updating the Master Plan which must be done every ten years and they are getting ready to install the flight simulator. He also noted with the closing of Twitchell Airport in Turner, they are expecting to house more planes and accommodate more flights.

OTHER BUSINESS

No other business was presented at this time.

VOTE (408-2022)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To adjourn at 8:05 P.M. Passed - Vote 6-0

CITY COUNCIL

NOVEMBER 15, 2022

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine