

CITY OF LEWISTON

CITY COUNCIL

JANUARY 17, 2023

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 6:30 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.

EXECUTIVE SESSION

VOTE (25-2023)

Motion by Councilor Clement, seconded by Councilor Pease:

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

Executive Session began at 6:30pm and ended at 6:58pm.

Regular Meeting began at 7:00pm.

Pledge of Allegiance to the Flag.

The Mayor asked for a moment of remembrance for Tim Strohm, the Lewiston Middle School math teacher who unexpectedly passed away recent.

LEWISTON LEADS PRESENTATION

Mayor Sheline recognized Courtney Schlachter, owner of Quiet City Books on Lisbon Street, the only bookstore in the city. He noted her business is a hub for books and the arts.

Councilor Scott honored Drew and Sue Desjardins, the owners of Mr. Drew and His Animals Too, a local animal rescue and education center located in the Pepperill Mill. She mentioned the numerous community outreach activities conducted by Mr. Drew.

VOTE (26-2023)

Motion by Councilor McCarthy, seconded by Councilor Pease:

To dispense with the reading of the minutes of the meetings of December 6 and 20, 2022 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0-1 (Councilor Scott abstained since she was absent from the Dec. 6 meeting.)

PUBLIC COMMENT PERIOD

No members of the public offered comment at this time.

PUBLIC HEARING ON A RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR THE MIDTOWN ATHLETIC CLUB, 875 LISBON STREET

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

VOTE (27-2023)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To grant a Special Amusement Permit for Live Entertainment for the Midtown Athletic Club, 875 Lisbon Street. Passed - Vote 7-0

PUBLIC HEARING ON A RENEWAL APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR LIVE ENTERTAINMENT FOR DAVINCIS, 150 MILL STREET

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

VOTE (28-2023)

Motion by Councilor Gelinias, seconded by Councilor Pease:

To grant a Special Amusement Permit for Live Entertainment for Davincis, 150 Mill Street. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE, ARTICLE II, DEFINITIONS

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

VOTE (29-2023)

Motion by Councilor Harriman, seconded by Councilor LaChapelle:

That the proposed amendments to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article II, Definitions receive final passage by a roll call vote. Passed - Vote 7-0

PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE, ARTICLE III, OFFICIAL MAP

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

VOTE (30-2023)

Motion by Councilor McCarthy, seconded by Councilor LaChapelle:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article III, Official Map as shown on Proposed Zoning – Area C Map receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE III, OFFICIAL MAP**

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

VOTE (31-2023)

Motion by Councilor Harriman, seconded by Councilor Gelinas:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article III, Official Map as shown on Proposed Zoning – Area D Map receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE III, OFFICIAL MAP**

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

VOTE (32-2023)

Motion by Councilor Pease, seconded by Councilor McCarthy:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article III, Official Map as shown on Proposed Zoning – Area E Map receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE III, OFFICIAL MAP**

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

VOTE (33-2023)

Motion by Councilor LaChapelle, seconded by Councilor Pease:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article III, Official Map as shown on Proposed Zoning – Area F Map receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE III, OFFICIAL MAP**

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

VOTE (34-2023)

Motion by Councilor Pease, seconded by Councilor McCarthy:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article III, Official Map as shown on Proposed Zoning – Area H Map receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE V, ADMINISTRATION AND ENFORCEMENT**

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

VOTE (35-2023)

Motion by Councilor Pease, seconded by Councilor Gelinas:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article V, Administration and Enforcement receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE VI, NONCONFORMANCE**

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

VOTE (36-2023)

Motion by Councilor Clement, seconded by Councilor McCarthy:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article VI, Nonconformance receive final passage by a roll call vote. Passed – Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE IX, APPEALS AND VARIANCES**

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

VOTE (37-2023)

Motion by Councilor McCarthy, seconded by Councilor Harriman:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article IX, Appeals and Variances receive final passage by a roll call vote.

Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE XI, DISTRICT REGULATIONS**

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

VOTE (38-2023)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code Article XI, District Regulations receive final passage by a roll call vote. Passed - Vote 7-0

**PUBLIC HEARING AND FINAL PASSAGE FOR AN AMENDMENT TO THE
APPENDIX A OF THE CODE OF ORDINANCES, ZONING AND LAND USE CODE,
ARTICLE XIII, DEVELOPMENT REVIEW AND STANDARDS**

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

VOTE (39-2023)

Motion by Councilor McCarthy, seconded by Councilor Pease:

That the proposed amendment to Appendix A of the Code of Ordinances, Zoning and Land Use Code, Article XIII, Development Review and Standards receive final passage by a roll call vote.

Passed - Vote 7-0

**ORDER, AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE
FEDERAL FORFEITURE FUND FOR AN EQUIPMENT PURCHASE AND
ASSOCIATED TRAINING COSTS IN THE AMOUNT OF \$102,396**

VOTE (40-2023)

Motion by Councilor Gelinas, seconded by Councilor Pease:

To approve the Order, Authorizing a supplemental appropriation from the Federal Forfeiture Fund for an equipment purchase and associated training costs in the amount of \$102,396:

Whereas, The pistols currently carried by LPD officers have reached their end of life and need to be replaced; and

Whereas, Prices and availability of the Sig Sauer pistols we intend to purchase are anticipated to increase by an estimated 2-3%, and the trade-in value for our current pistols is expected to decrease by 8-10%; and

Whereas, Price and availability of 9mm ammo versus .45 caliber ammo is much better; without sacrificing quality and effectiveness while also increasing accuracy due to less recoil; and

Whereas, We will be able to incorporate these pistols into our spring range training along with our recently acquired shotguns;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston, To authorize a supplemental appropriation from the Federal Forfeiture Fund for an equipment purchase and associated training costs in the amount of \$102,396.

Passed - Vote 7-0

ORDER, AUTHORIZING EXECUTION OF MUNICIPAL QUITCLAIM DEEDS FOR REAL ESTATE LOCATED AT 800 MAIN STREET

VOTE (41-2023)

Motion by Councilor Pease, seconded by Councilor Harriman:

To approve the Order, Authorizing execution of municipal quitclaim deeds for real estate located at 800 Main Street:

Whereas, the former owners, Gerald Guay Heirs, failed to pay their bills on a timely basis for 800 Main Street (Tax Map 168, Lot 08, Parcel 00-004504); and

Whereas, a tax lien was filed on June 15, 2020 (Book 10392 Page 248) and matured on December 15, 2021 in the amount of \$928.67; and

Whereas, a tax lien was filed on June 15, 2021 (Book 10772 Page 324) and matured on December 15, 2022 in the amount of \$821.67; 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 800 Main Street to the owner.

Passed - Vote 7-0

APPOINTMENTS TO VARIOUS CITY BOARDS AND COMMITTEES

The Mayor has recently made the following appointments:

Complete Streets Committee – Tobin Williamson

Historical Preservation Review Board – David Chittim and Douglas Hodgkin

LA Community Forestry Board – Zoe Lidstrom
Library Board of Trustees – Dan Jenkins

VOTE (42-2023)

Motion by Councilor McCarthy, seconded by Councilor Pease:

To approve the Mayor’s nomination to the Housing Committee of Samantha Bickford as the financial institution representative for a three year term. Passed - Vote 7-0

VOTE (43-2023)

Motion by Councilor Gelinas, seconded by Councilor Scott:

To approve the Mayor’s nomination to the Housing Committee of Craig Saddlemire as a real estate developer for a three year term. Passed - Vote 7-0

VOTE (44-2023)

Motion by Councilor Gelinas, seconded by Councilor Harriman:

To approve the Mayor’s nomination to the Planning Board of Amy Smith as a full member for a three year term. Passed - Vote 7-0

VOTE (45-2023)

Motion by Councilor Clement, seconded by Councilor LaChapelle:

To appoint Heather Hunter as a full member of the Lake Auburn Watershed Protection Commission for a one-year term to fill a current vacancy. Passed - Vote 7-0

VOTE (46-2023)

Motion by Councilor Pease, seconded by Councilor LaChapelle:

To postpone action for selection of the City Council representative to the Lewiston Seniors Advisory Council to the next regular City Council meeting. Passed - Vote 7-0

REPORTS AND UPDATES

Mayor Sheline offered a report for a Year in Review and noted the following:

- 1) The City hired its first Director of Marketing and Communication.
- 2) Summer events and festivals returned, noting the Riverfest, Balloon Festival and more
- 3) Lewiston Leads was established to honor and recognize the community contributions and hard work of individual citizens
- 4) Economic Development growth within the city and the planning work for the Choice Neighborhood grant
- 5) Riverfront Master Plan
- 6) Installation of the outdoor Fitness Center
- 7) Increase in Recreational program offerings
- 8) Amendments to the Land Use Code to assist enhanced economic development work

9) Dedicated focus and work via special committees regarding public art, senior citizens, DEI, substance use and recovery and economic development.

The City Administrator mentioned the on-going employee Friday Jeans Day fundraisers noting that over \$3600 has been raised for local charities and non-profits.

Councilor Harriman noted he attended the Martin Luther King Day program at Bates College yesterday and he found it very informative and interesting.

Councilor Scott reported the School Committee recently met and elected officers for the new year – Megan Parks, chairperson and Bruce Damon, vice-chair. She noted the committee is conducting a full review of the policy manual and updating it to match state language and DOE language. The committee is also going to be conducting a review of the work of The Store Next Door and look into violence in the schools based upon some community comments on social media. They are also exploring ideas regarding the shortage of bus drivers and seeking alternatives such as having other LPS staff certified as drivers. Councilor Scott also reported the LYAC members were recently interviewed by Channel 6 news for their Be Kind To Your Mind youth mental health awareness event.

Councilor Gelinas reported the Public Health committee met last week with their new members and they are working on addressing such issues as substance abuse, lack of shelter space, tobacco use and mental health. She also noted the Substance Use and Recovery Task Force will be making a presentation to the Council at the Feb. 21 workshop.

Councilor Clement noted the Finance Committee is reviewing the LCIP for their recommendations.

OTHER BUSINESS

Councilor Scott stated she appreciated the Mayor’s Year in Review report and is looking forward to a strategic planning review soon. She asked Councilors to let her know if they have any initiatives to bring forward for the coming year. It was noted the Economic Development Task Force will be presenting an update in March/April. She also stated questions and suggestions for the LCIP can be submitted at any time.

Councilor Clement stated the Police Dept is almost back to full staffing and can now get back to projects, programs and work details that were previously postponed due to lack of staff.

EXECUTIVE SESSION

VOTE (47-2023)

Motion by Councilor McCarthy, seconded by Councilor Pease:

To enter into an Executive Session, pursuant to MRSA Title I, section 405 (6) (C), to discuss Real Estate Negotiations, 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 8:00pm and ended at 8:48pm.

VOTE (48-2023)

Motion by Councilor Harriman, seconded by Councilor Pease:

To adjourn at 8:49 P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine