

CITY OF LEWISTON

CITY COUNCIL

MARCH 5, 2019

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

THE HONORABLE KRISTEN CLOUTIER, COUNCIL PRESIDENT, PRESIDING.

PRESENT: Councilors Lysen, Pettengill, Lajoie, Beam and Marcotte, City Administrator Edward Barrett and City Clerk Kathleen Montejo. Absent/Excused: Mayor Bouchard and Councilor Rea.

Pledge of Allegiance to the Flag.

Moment of Silence was held in memory of Herve Gendreau, a 49 year city employee who passed away on Friday evening.

RECOGNITION OF CITY ASSESSOR WILLIAM HEALEY FOR OBTAINING THE INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS RES DESIGNATION

The City Council recognized and congratulated City Assessor Bill Healey on his recent achievement of receiving the Residential Evaluation Specialist designation from the International Association of Assessing Officers.

VOTE (39-2019)

Motion by Councilor Beam, seconded by Councilor Pettengill:

To dispense with the reading of the minutes of the meeting of February 19, 2019 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-0

Councilor Marcotte asked to have agenda item one removed from the Consent Agenda and addressed separately.

ORDER AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO PROHIBIT VEHICLES WITH A GROSS VEHICLE WEIGHT GREATER THAN 23,000 POUNDS FROM TRAVELING ON CERTAIN ROADS FOR THE PERIOD FROM MARCH 6, 2019 TO MAY 1, 2019

VOTE (40-2019)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To approve the Order authorizing the Public Works Department to prohibit vehicles with a gross vehicle weight greater than 23,000 pounds from traveling on certain roads for the period from March 6, 2019 to May 1, 2019:

Whereas, this road posting is intended to prevent damage to road base and pavement during the critical period when the frost is thawing from the road base; and

Whereas, historically, this period is when the roads are the most susceptible to damage from heavy weight traffic; and

Whereas, the streets and roadways designated for weight limit posting are those with an open ditch drainage system and no underdrains; and

Whereas, the thirteen roads proposed for posting are as follows:

- Ferry Road – From Cottage Road to River Road
- River Road – From Ferry Road to the Solid Waste Facility
- Dyer Road – From Lisbon Road to Ferry Road
- Pinewoods Road - From Ferry Road to Town Line
- Gayton Road – From Lisbon Road to Town Line
- Webster Road – From Old Lisbon Road to Crowley Road
- Merrill Road from College Road to Main Street
- Sleeper Road – From Merrill Road to Town Line
- Randall Road – From Sunrise Lane to Grove Street
- Grove Street – From Randall Road to Town Line
- Old Greene Road – From North Temple Street to Town Line
- No Name Pond Road – From Old Greene Road to Town Line
- Pond Road – From Cherrywood Drive to No Name Pond Road; and

Whereas, all vehicles or combination of vehicles 23,000 pounds or less, emergency response vehicles, school buses, fuel delivery trucks, State or municipal highway maintenance vehicles or authorized vehicles under the direction of a public jurisdiction engaged in emergency maintenance of a public highway would be exempted; and

Whereas, this posting is in accordance with Lewiston City Ordinance 70-100.

Now, therefore, be it ordered by the City Council of the City of Lewiston that the Public Works Director is hereby authorized to post the streets identified above for weight limits through the spring thaw period beginning March 6, 2019 and ending May 1, 2019.

Be it Further Ordered, that the Director of Public Works is authorized to grant exceptions to these restrictions on a case by case basis if road conditions are favorable and to lift the restrictions earlier if weather and road conditions are favorable.

Passed - Vote 6-0

ORDER AUTHORIZING EXECUTION OF A MUNICIPAL QUITCLAIM DEED FOR REAL ESTATE LOCATED AT 47 GLORIA STREET

VOTE (41-2019)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 47 Gloria Avenue:

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Whereas, the owner, Eileen Harkins' Estate, failed to pay her bills on a timely basis for 47 Gloria Avenue (Tax Map 63, Lot 31, Parcel 00-004650); and

Whereas, a tax lien was filed on June 15, 2005 (Book 6370 Page 233) and matured on December 15, 2006 in the amount of \$1,571.11; and

Whereas, a tax lien was filed on June 15, 2006 (Book 6794 Page 30) and matured on December 15, 207 in the amount of \$1,432.76; and

Whereas, a tax lien was filed on June 18, 2007 (Book 7170 Page 18) and matured on December 18, 2008 in the amount of \$1,466.26; and

Whereas, a tax lien was filed on June 18, 2008 (Book 7461 Page 57) and matured on December 18, 2009 in the amount of \$1,676.54; and

Whereas, a tax lien was filed on June 17, 2009 (Book 7720 Page 347) and matured on December 17, 2010 in the amount of \$1,689.20; and

Whereas, a tax lien was filed on June 16, 2010 (Book 7952 Page 206) and matured on December 16, 2011 in the amount of \$1,656.46; and

Whereas, a tax lien was filed on June 17, 2011 (Book 8181 Page 22) and matured on December 17, 2012 in the amount of \$1,736.41; and

Whereas, a tax lien was filed on June 13, 2012 (Book 8417 Page 186) and matured on December 13, 2013 in the amount of \$1,748.03; and

Whereas, a tax lien was filed on June 19, 2013 (Book 8699 Page 269) and matured on December 19, 2014 in the amount of \$1,742.29; and

Whereas a tax lien was filed on June 18, 2014 (Book 8934 Page 169) and matured on December 18, 2015 in the amount of \$1,788.95; and

Whereas, a tax lien was filed on June 23, 2015 (Book 9164 Page 332) and matured on December 23, 2016 in the amount of \$1,804; and

Whereas, a tax lien was filed on June 16, 2016 (Book 9386 Page 249) and matured on December 16, 2017 in the amount of \$1,849.17; and

Whereas, a tax lien was filed on June 14, 2017 (Book 9616 Page 244) and matured on December 14, 2018 in the amount of \$1,733.18; and

Whereas, a tax lien was filed on June 21, 2018 (Book 9865 Page 191) and will mature on December 21, 2019 in the amount of \$1,641.42; and

Whereas, payment will be received in full 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 47 Gloria Avenue to the owner.

Passed - Vote 6-0

**AMENDMENT TO THE TRAFFIC SCHEDULE REGARDING LOADING ZONES
ON SPRUCE STREET**

Councilor Marcotte noted it is unusual to have a loading zone in a residential area. The Police Chief said this is used by the Trinity Jubilee Center that offers a soup kitchen and warming area in their church basement and at least once a day they receive delivers of items and donations.

VOTE (42-2019)

Motion by Councilor Lajoie, seconded by Councilor Lysen:

To approve an amendment to the Traffic Schedule regarding the addition of a designated loading zone on Spruce Street, at the intersection with Bates Street. Passed - Vote 4-2 (Councilors Pettengill and Marcotte opposed)

It was noted that Public Comment was accidentally omitted earlier in the meeting and it was offered at this time.

PUBLIC COMMENT PERIOD

Melissa Dunne, 254 Blake Street, stated she is opposed to the City imposing a fine for trash within the city and specifically in the downtown area. Heather Everly, 17 Howe Street, made comments and allegations about inappropriate actions by Mayor Bouchard and asked for him to forfeit the office of Mayor citing the City's Ethics Policy.

**PUBLIC HEARING ON A NEW APPLICATION FOR A NEW LIQUOR LICENSE FOR
BOBA, 97 LISBON STREET**

Council President Cloutier opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this issue. The Council President then closed the hearing.

VOTE (43-2019)

Motion by Councilor Lysen, seconded by Councilor Marcotte:

To authorize the City Clerk's Office to approve a new liquor license application for boba, 97 Lisbon Street. Passed - Vote 6-0

**RESOLVE RESCINDING THE APPROPRIATION OF ALL BUT \$5,000 FROM THE
TREEBATE PROGRAM**

Councilors inquired about the level of advertising that was conducted to promote the program.

VOTE (44-2019)

Motion by Councilor Lysen, seconded by Councilor Lajoie:

To approve the Resolve rescinding the appropriation of all but \$5,000 from the Treebate Program:

Whereas, during the summer of 2017, the City Council adopted a Treebate program to provide rebates for apportion of the cost incurred by residents for purchasing and planting trees on their properties; and

Whereas, the program was funded with an initial appropriation of \$60,000; and

Whereas, while a portion of these funds were used to promote the program through posters, pamphlets, and utility bill inserts, a limited number of residents have taken advantage of the program with rebates provided for 6 newly planted trees and 14 additional applications on file; and

Whereas, reducing the current appropriation for this program will allow a portion of these funds to be used to address other identified city capital and operational needs; and

Now, therefore, be it resolved by the City Council of the City of Lewiston that all but \$5,000 of the original appropriation for the Treebate Program is hereby rescinded.

Passed - Vote 6-0

RESOLVE INDICATING THE SUPPORT OF THE LEWISTON CITY COUNCIL FOR LD 47, AN ACT TO AUTHORIZE A GENERAL FUND BOND ISSUE TO INVEST IN FIRE STATIONS

VOTE (45-2019)

Motion by Councilor Lysen, seconded by Councilor Beam:

To approve the Resolve indicating the support of the Lewiston City Council for LD 47, An Act to Authorize A General Fund Bond Issue to Invest in Fire Stations:

Whereas, the City has undertaken and completed an engineering and functional review of its three fire substations as well as Central Station; and

Whereas, this review documents the age and poor condition of these stations, which are clearly functionally obsolete and cannot meet the requirements of today's fire service; and

Whereas, based on preliminary architectural and engineering work, replacing these stations will carry a project cost in the range of \$5 million each; and

Whereas, given the pressing need, the City has adopting a multi-year capital improvement program that anticipates replacing these stations over the next six years; and

Whereas, the need for such a significant capital expenditure in one area of City operations will place significant strain and limitations on the City’s ability to meet other important and pressing capital needs; and

Whereas, support from other funding sources will mitigate the impact of these replacements; and

Whereas, Representative Brennan has presented bond legislation to the Maine State Legislature that would authorize borrowing \$25 million for the purpose of rehabilitating or new construction of fire stations by municipalities;

Now, therefore, be it resolved by the City Council of the City of Lewiston that we hereby express our support for LD 47, An Act to Authorize a General Fund Bond Issue to Invest in Fire Stations. The City Clerk shall forward a copy of this resolution to the Lewiston Legislative Delegation, Representative Brennan, and to the Joint Committee on Appropriations and Financial Affairs.

Passed – Vote 6-0

VOTE (46-2019)

Motion by Councilor Marcotte, seconded by Councilor Lysen:

To encourage the State Legislature to consider increasing the proposed amount to fund upgrades and improvements to municipal fire stations around the state given the need for such upgrades to support public safety. Passed - Vote 6-0

REPORTS AND UPDATES

Council President Cloutier presented the School Committee update on behalf of Councilor Rea who was unable to attend the meeting. The School Committee is reviewing various budget options and reviewing proposals for a visual arts center.

OTHER BUSINESS

The City Administrator reviewed the option of starting budget workshop sessions earlier than 6pm and Councilors stated they would be able to start sessions at 5:30pm if needed.

VOTE (47-2019)

Motion by Councilor Lysen, seconded by Councilor Beam:

To adjourn at 7:30 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine