

# CITY OF LEWISTON

CITY COUNCIL

SEPTEMBER 1, 2015

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

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Dubois, Libby, Bouchard, Cloutier, Cayer and Lachance, City Administrator Edward Barrett and City Clerk Kathleen Montejo.

Absent/Excused: Councilor D'Auteuil. According to the City Charter, the Mayor is permitted to vote in the absence of a City Councilor.

Pledge of Allegiance to the Flag.

Moment of Silence.

### PUBLIC COMMENT PERIOD

Melissa Dunne spoke about housing conditions in the downtown area and gave examples of bed bugs, lack of smoke detectors, leaking roofs, leaking pipes, unsafe conditions and so forth. She presented photographs and a report from the Maine People's Alliance regarding housing conditions. Jackie Smith of 9 Willow Circle requested to have the road paved, noting it has not been done for 27 years and is in disrepair. Charlie Soule of 135 Bartlett Street noted that Joe Dunn has been a fair landlord and has saved many buildings in the downtown from being demolished. Heidi Sawyer of 206 Farwell Street noted that some School Committee members have been in violation of the City Charter regarding their lack of attendance at meetings.

A representative from Healthy Androscoggin presented a plaque to the City Administrator in recognition of the City as a healthy workplace.

### ANNUAL APPOINTMENT FOR THE LEWISTON-AUBURN RAILROAD COMPANY BOARD OF DIRECTORS

#### VOTE (218-2015)

Motion by Councilor Libby, seconded by Councilor Cloutier:

To accept the nominations from the Lewiston Auburn Railroad Board of Directors and to elect the following residents to serve on the Lewiston Auburn Railroad Company Board of Directors:

- 1) Richard Albert, three year term expiring 2018
- 2) Marc Pellerin, three year term expiring 2018

Passed - Vote 7-0

### APPOINTMENTS TO THE LEWISTON HOUSING AUTHORITY BOARD OF COMMISSIONERS

#### VOTE (219-2015)

Motion by Councilor Libby, seconded by Councilor Cloutier:

To confirm the Mayor's nomination and to appoint the following residents as members of the Board of Commissioners of the Lewiston Housing Authority:

- 1) Aime Morin, 7 Pleasant Street, term to expire Sept. 17, 2020
- 2) Bertrand Dutil, 23 Spofford Street, term to expire Oct. 7, 2020

Passed - Vote 7-0

**ADOPTION OF MEETING SCHEDULE FOR THE MONTH OF NOVEMBER**

**VOTE (220-2015)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

To suspend Section 1(a) of the Rules Governing the City Council, to cancel the November 3, 2015 City Council meeting due to the conflict with Election Day and to hold one regular meeting during the month of November on Tuesday, November 17<sup>th</sup>. Passed - Vote 7-0

**AMENDMENT TO THE TRAFFIC SCHEDULE TO ADD A STOP SIGN ON ST. PATRICK AVENUE**

**VOTE (221-2015)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

To approve amendments to the Traffic Schedule to add a stop sign on St. Patrick Avenue at the intersection with Deer Road. Passed - Vote 7-0

**PUBLIC HEARING ON A NEW LIQUOR LICENSE APPLICATION FOR MANDARIN BUFFET, 750 SABATTUS STREET**

**VOTE (222-2015)**

Motion by Councilor Cayer, seconded by Councilor Libby:

To authorize the City Clerk's Office to approve a new liquor license application for Mandarin Buffet, 750 Sabattus Street. Passed - Vote 7-0

**PUBLIC HEARING AND FIRST PASSAGE FOR THE CONDITIONAL REZONING OF THE PROPERTY AT 111 WEBSTER STREET FROM THE NEIGHBORHOOD CONSERVATION "A" (NCA) DISTRICT TO THE DOWNTOWN RESIDENTIAL (DR) DISTRICT**

**VOTE (223-2015)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

To approve First Passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone the property at 111 Webster Street from the Neighborhood Conservation

“A” (NCA) District to the Downtown Residential (DR) District, subject to a conditional agreement, and that the public hearing on this item be continued to the next regularly scheduled City Council meeting for final passage. Passed – Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO SELL THE PROPERTY AT 112 HOLLAND STREET THROUGH DIRECT NEGOTIATION WITH CENTRAL MAINE HEALTHCARE**

**VOTE (224-2015)**

Motion by Councilor Libby, seconded by Councilor Cayer:

To approve the Order authorizing the City Administrator to sell the property at 112 Holland Street through direct negotiation with Central Maine Healthcare:

Whereas, tax liens matured on the property at 112 Holland Street; and

Whereas, the structure on this property was condemned by the City Council and ordered demolished in 2014; and

Whereas, the balances due to the City include \$7,630.57 in real estate taxes and interest, \$1,649.07 in utility bills, and \$28,195.65 in demolition fees for a total of \$37,475.29; and

Whereas, as a result, the City Council has acted to take possession of this properties; and

Whereas, given the location and size of the property, the City has no reason to maintain ownership; and

Whereas, Central Maine Healthcare has approached the City with a request to purchase this property for an amount equal to the amount due to the City for use as a parking lot; and

Whereas, the City’s Property Disposition Policy authorizes direct negotiations with an interested party where the proposed reuse of the property meets the City’s expectations; and

Whereas, in accordance with City Ordinances, the Planning Board has reviewed the disposition of this property and has provided a positive recommendation that it be sold to Central Maine Healthcare for an amount equal to the outstanding amounts due to the City on it;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to take the necessary steps to sell the property at 112 Holland Street through direct negotiations with Central Maine Healthcare and for a price of at least \$37,475.29.

Passed - Vote 7-0

**ORDER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A DATA SHARING AGREEMENT BETWEEN THE MAINE CHILDHOOD LEAD POISONING PREVENTION PROGRAM AND THE CITY OF LEWISTON**

**VOTE (225-2015)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

To approve the Order authorizing the City Administrator to execute a Data Sharing Agreement between the Maine Childhood Lead Poisoning Prevention Program and the City of Lewiston:

Whereas, the State of Maine has a statutory goal to eliminate childhood lead poisoning (22 MRSA §1314-A); and

Whereas, while the number of new cases of lead poisoning identified annually has decreased by 50% over the last 7 years, the rates of childhood lead poisoning are approximately two to three times higher in Lewiston/Auburn compared to the rest of the state; and

Whereas, once a dwelling has been identified as having lead hazards, it is to the benefit of housing authorities, code enforcement and Section 8 to have access to that information; and

Whereas, the purpose of this data sharing agreement is to identify housing that is currently under an abatement order but that has not yet been abated to ensure children do not get relocated into that unit and to notify code enforcement of potential code violations;

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to execute the attached Data Sharing Agreement between the Maine Childhood Lead Poisoning Prevention Program and the City of Lewiston.

Passed - Vote 7-0

**AMENDMENTS TO THE TRAFFIC SCHEDULE REGARDING REGULATIONS OF PARKING TIMES FOR PORTIONS OF CENTRAL AVENUE AND CAMPUS AVENUE AROUND THE LEWISTON MIDDLE SCHOOL**

**VOTE (226-2015)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

To adopt the proposed amendments to the Traffic Schedule regarding the regulations of parking times for portions of Central Avenue and Campus Avenue as proposed by the Lewiston Police Department and Lewiston School Department. Passed - Vote 7-0

**CONFIRMATION OF THE MAYOR'S NOMINATION OF ZAM ZAM MOHAMUD TO SERVE ON THE LEWISTON SCHOOL COMMITTEE AS THE AT-LARGE REPRESENTATIVE**

**VOTE (227-2015)**

Motion by Councilor Libby, seconded by Councilor Cloutier:

To confirm the Mayor's nomination of Zam Zam Mohamud to serve as the At-Large representative to the Lewiston School Committee, said term to expire January 4, 2016.

Passed - Vote 7-0

**REPORTS AND UPDATES**

No reports or updates were presented at this time.

**OTHER BUSINESS**

No other business was presented at this time.

**EXECUTIVE SESSION**

It was noted that the Executive Session is no longer needed as an item for this evening and was cancelled.

**VOTE (228-2015)**

Motion by Councilor Lachance, seconded by Councilor Dubois:

To adjourn at 7:31P.M. Passed - Vote 7-0

A true record, Attest:

Kathleen M. Montejo, MMC  
City Clerk  
Lewiston, Maine