

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
JANUARY 24, 2012**

6:00 p.m. Work Session - Presentation of the Annual Audit Report

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Update from the Lewiston Youth Advisory Council.
Acceptance of minutes of the meeting of January 10, 2012.

Public Comment period - Any member of the public may make comments regarding issues pertaining to Lewiston City Government (maximum time limit is 15 minutes for all comments)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 2.

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- * 1. Annual authorization for the Public Works Department to post certain roads, from March 1st to May 1st, prohibiting vehicles having a gross vehicle weight of over 23,000 pounds.
- * 2. Approval of the Election Warrant for a Special Municipal Election to be held on Tuesday, February 7, 2012 for the Office of City Council, Ward Four and recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct said election.
- * 3. Appointment to the Lewiston Auburn Transit Committee.

REGULAR BUSINESS:

- 4. Public Hearing and First Passage for Land Use Code amendments concerning permitted signs.
- 5. Resolve accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year ended June 30, 2011.
- 6. Order Directing City Staff to take necessary steps to transfer the Multi-Purpose Center to the School Department and relocate the City programs currently located at this facility.
- 7. Resolve authorizing the transfer of various School Department Bond proceeds for the purpose of implementing the initial stages of the Department's Facility Plan.
- 8. Appointment of the City Council's representative to the Lewiston Auburn Public Health Committee.
- 9. Reports and Updates.
- 10. Any other City Business Councilors or others may have relating to Lewiston City Government.
- 11. Executive Session to discuss acquisition of property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Annual authorization for the Public Works Department to post certain roads, from March 1st to May 1st, prohibiting vehicles having a gross vehicle weight of over 23,000 pounds.

INFORMATION:

The Public Works Department is requesting authorization to post certain roads prohibiting vehicles having a gross vehicle weight of over 23,000 pounds. This action is necessary in order to prevent damage to the base and pavement of the roads during the spring thaw. This is a standard item that most municipalities do each spring.

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To authorize the Public Works Department to post the following roads prohibiting vehicles having a gross vehicle weight of over 23,000 pounds:

From March 1, 2012 to May 1, 2012:

- Ferry Road - From Cottage Road to River Road
- River Road - From Ferry Road to 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



Department of Public Works

David A. Jones, P.E.
Director



TO: Ed Barrett, City Administrator
FROM: Dave Jones, Public Works Director
DATE: January 18, 2012
SUBJECT: Weight Limit Road Postings

The Department of Public Works is requesting that the Lewiston City Council authorize the posting of the following roads prohibiting vehicles having a gross weight greater than 23,000 pounds. The proposed posting would be from March 1, 2012 to May 1, 2012, but exceptions could be made if road conditions are favorable and on a case-by-case basis by the Director of Public Works or his designee. The posting could potentially be lifted earlier if weather and road conditions are favorable.

This posting is to prevent damage to the road base and pavement during the critical period of time when the frost is thawing from the road base. Historically, this period of time is when the roads are the most susceptible to damage from heavy weight traffic. The streets and roadways deemed for the weight limit posting are those with an open ditch drainage system and no under drains. 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

Exempted vehicles would be 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 thereof.

This posting is in accordance with Lewiston City Ordinance 70-100.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Approval of the Election Warrant calling for a Special Municipal Election to be held on Tuesday, February 7, 2012 for the Office of City Council, Ward Four and Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct said election.

INFORMATION:

In December 2011, the City Clerk declared the November 8, 2011 election results for the Ward Four City Council seat to be null and void since the person elected to the seat did not meet the City Charter qualifications to hold the office at that time. In December, the City Council voted to hold a special election on February 7 to fill this seat.

This agenda item is for the Council to approve the warrant calling for the special election, to set the hours of voter registration in accordance with state law, to set the times for processing absentee ballots per the City Clerk's recommendations, and to appoint the City Clerk as the Election Warden for this special election.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order authorizing the Approval of the Election Warrant calling for a Special Municipal Election to be held on February 7, 2012 for the Office of City Council, Ward Four and Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct said election.

Agenda Item Number 2
January 24, 2012 City Council Meeting

Be It Ordered by the City Council that the Election Warrant be issued for the Special Municipal Election to be held on Tuesday, February 7, 2012 for the purposes of voting for the City Councilor for Ward Four; and

To approve the following recommendation from the City Clerk/Registrar of Voters on actions necessary to conduct the Special Election to be held on Tuesday, February 7, 2012:

A. That the hours for acceptance of registrations in person only, prior to the February 7 election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, January 18 through February 6, 2012.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, except the day prior to the election when they shall be recorded in accordance with subsec. 7A.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the polling place at 8:00am, and any and all remaining shall be processed at 8:00pm, if necessary.

D. To appoint the City Clerk as the City's Election Warden and an Assistant City Clerk as the City's Ward Clerk, for the February 7, 2012 election.

WARRANT FOR SPECIAL MUNICIPAL ELECTION
CITY OF LEWISTON
OFFICE OF CITY COUNCIL, WARD FOUR
FEBRUARY 7, 2012

County of Androscoggin, SS.

To Michael Bussiere, a constable of Lewiston, Maine: You are hereby required in the name of the State of Maine to notify the voters of the City of Lewiston of the election described in this warrant:

To all voters of the City of Lewiston: You are hereby notified that a Special Municipal Election in this municipality will be held on Tuesday, February 7, 2012, at the Ward Four voting place:

Lewiston Multi-Purpose Community Center, 145 Birch Street

Said election being held for the purpose of conducting an election for the Office of City Councilor, Ward Four.

The polls shall be opened at 7:00 a.m. and closed at 8:00 p.m.. Absentee ballots will be processed at the polling place at 8:00 a.m. and any and all remaining at 8:00 p.m., if necessary.

Dated at Lewiston, Maine on January 24, 2012.

_____	_____
_____	_____
_____	_____
_____	_____

ATTEST: _____
Kathleen M. Montejo, MMC
City Clerk

LEWISTON CITY COUNCIL
MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Appointment to the Lewiston Auburn Transit Committee.

INFORMATION:

Deputy City Administrator Phil Nadeau serves as the city staff representative to the Lewiston Auburn Transit Committee (LATC). He is the current chairperson of the Committee.

His seat on the Committee expired in June 2011, so therefore this appointment is for a three year term, yet the term will be expiring June 15, 2014.

The LATC supports this appointment and Council confirmation is requested.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To appoint Deputy City Administrator Phil Nadeau to serve as a member of the Lewiston Auburn Transit Committee for a three year term, said term to expire June 15, 2014.

LEWISTON CITY COUNCIL
MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing and First Passage for Land Use Code Amendments concerning permitted signs.

INFORMATION:

On January 9, 2012, the Planning Board voted unanimously (7-0) to send a favorable recommendation to the City Council for the adoption of the proposed amendment to the Land Use Code.

The amendment would allow wall and projecting signs to extend above the roofs of vestibules, canopies, porticos, loading docks and similar single-story attached structures, and to clarify that ground signs may extend above the level of a principle building's roof.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/1/24/12

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That the proposed amendment to Appendix A, Zoning and Land Use Code, Article XII "Performance Standards", Section 16, "Signs", of the City Zoning and Land Use Code, concerning requirements for signs, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled meeting for final passage.

January 5, 2012

**AN ORDINANCE PERTAINING TO ROOF, WALL, AND PROJECTING
SIGNS**

THE CITY OF LEWISTON HEREBY ORDAINS:

**Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby
amended as follows:**

APPENDIX A

ZONING AND LAND USE CODE

Article XII. Performance Standards

Sec. 16. Signs

(c) Permitted Signs

(2) Nonresidential districts.

(c) Special requirements. For the purposes of this section, the following special requirement applies:

2. Roof signs are not permitted, and no part of any wall or projecting sign may extend above the level of a flat roof or the eaves of any other type of roof, with the following exceptions:

(i) Wall signs may project no more than five feet above the level of a flat roof or the eaves of any other type of roof as long as that portion of the sign does not exceed 20 percent of the sign's total area. Wall signs on mansard roofs, the lower portion of gambrel roofs, false fronts, facades, parapets or other significant architectural features may not exceed the height of the architectural feature.

~~(ii) Wall signs on mansard roofs, the lower portion of gambrel roofs, false fronts, facades, parapets or other significant architectural features may not exceed the height of the architectural feature.~~

(ii) Roof signs not exceeding 54 square feet and wall and projecting signs may be located on or above the roofs of vestibules, canopies, porticos, loading docks, and similar single-story, attached structures, provided that the proposed sign is in compliance with Article XII, Section 16 (c)(2)(c)(2)(i) of this ordinance with regard to the roof of the principal building.

Reasons of proposed amendment

The language in the Article XII, Section 16 (c)(2)(c)(2) of the Zoning and Land Use Code needs clarification as to when regulated signs may be erected above the level of a flat roof or the eaves of any other type of roof. As currently written, the ordinance may be interpreted that wall, projecting, or roof sign may be in violation if said sign extends above the level of a flat roof or the eaves of any other type of roof. This would imply that a ground sign with a maximum permitted height of 25 feet would be in violation if the roof of the related business is less than 25 feet in height. Wall and projecting signs on multi-storied structures attached to single storied roof entrances, vestibules, canopies, drive-thru' s and similar single-story, attached structures would also be in violation. Staff believes this was not the intention of the ordinance and an over sight in how the language was adopted.

The proposed amendment clarifies that wall and projecting signs may extend above the roofs of vestibules, canopies, porticos, loading docks, and similar single-story, attached structures provided said sign extends no more than five feet above the level of a flat roof or the eaves of the principle building. Since roof signs on principle buildings shall remain prohibited, signs on said referenced lower roofed structures shall be limited to 54 square feet (27 square feet per side) in effort to remain accessory to other permitted signs on the building and property.

The ordinance also clarifies that only wall and projecting signs are prohibited from extended above the level of a flat roof or the eaves of any other type of roof; grounds signs may extend above the level of a roof, not to exceed 25 feet in height.

Conformance with Comprehensive Plan

Review permitting and licensing policies and practices to see where they can be streamlined in order to better service the development community. . . (see Economy, Policy 1, Strategy C, p 39).



CITY OF LEWISTON

Department of Planning & Code Enforcement



**TO: City Council
Mayor**
FROM: David Hediger, City Planner
DATE: January 17, 2012
RE: Proposed Sign Amendment

On January 9, 2012 the Planning Board voted unanimously (7-0) to send a favorable recommendation for the City Council's consideration an amendment to Article XII, Performance Standards, Section 16 (c)(2)(c)(2) of the Zoning and Land Use Code of the City of Lewiston to allow wall and projecting signs to extend above the roofs of vestibules, canopies, porticos, loading docks, and similar single-story attached structures and to clarify that ground signs may extend above the level of a principle building's roof.

The language in the Article XII, Section 16 (c)(2)(c)(2) of the Zoning and Land Use Code needs clarification as to when regulated signs may be erected above the level of a flat roof or the eaves of any other type of roof. As currently written, the ordinance may be interpreted that wall, projecting, or roof sign may be in violation if said sign extends above the level of a flat roof or the eaves of any other type of roof. This would imply that a ground sign with a maximum permitted height of 25 feet would be in violation if the roof of the related business is less than 25 feet in height. Wall and projecting signs on multi-storied structures attached to single storied roof entrances, vestibules, canopies, drive-thru's and similar single-story, attached structures would also be in violation. Staff believes this was not the intention of the ordinance and an over sight in how the language was crafted.

The proposed amendment clarifies that wall and projecting signs may extend above the roofs of vestibules, canopies, porticos, loading docks, and similar single-story, attached structures provided said sign extends no more than five feet above the level of a flat roof or the eaves of the principle building. Since roof signs on principle buildings shall remain prohibited, signs on said referenced lower roofed structures shall be limited to 54 square feet (27 square feet per side) in effort to remain accessory to other permitted signs on the building and property.

The ordinance also clarifies that only wall and projecting signs are prohibited from extended above the level of a flat roof or the eaves of any other type of roof; grounds signs may extend above the level of a roof, not to exceed 25 feet in height



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: City Clerk's Office
City Council Members

From: David Hediger

Date: January 17, 2012

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on January 9, 2012 regarding proposed amendment to the sign ordinance per Article XII, Section 16 (c)(2)(c)(2) of the Zoning and Land Use Code:

The following motion was made:

MOTION: by **Bruce Damon** pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration a proposal to amend Article XII, Performance Standards, Section 16 (c)(2)(c)(2) of the Zoning and Land Use Code of the City of Lewiston to allow wall and projecting signs to extend above the roofs of vestibules, canopies, porticos, loading docks, and similar single-story attached structures and to clarify that ground signs may extend above the level of a principle building's roof. Second by **Kevin Morissette**.

VOTED: 7-0 (Passed)

c: Ed Barrett, City Administrator
Planning Board Members

The City of Lewiston is an EOE. For more information, please visit our website at www.ci.lewiston.me.us and click on the Non-Discrimination Policy.

LEGAL AD

**PUBLIC HEARING NOTICE
CITY OF LEWISTON
LAND USE CODE AMENDMENT**

A public hearing on the following Land Use Code amendment, for passage on first reading, will be held in the Council Chambers, City Building, Lewiston, on **Tuesday, January 24, 2012, at 7:00pm**, or as soon thereafter as it may be heard. Any interested persons may appear and will be given the opportunity to be heard before final action is taken:

Sign Ordinance Amendment

This amendment will clarify when signs may be located above the roofs of vestibules, canopies, porticos, loading docks and similar single-story attached structures.

Copies of this proposal are available for review at the City Clerk's Office and Public Library during regular business hours. FMI, please visit our www.lewistonmaine.gov and click on the Non-Discrimination Policy.

Kathleen M. Montejo, City Clerk

LEGAL AD - SUN JOURNAL - Thursday, January 19, 2012

TO: LSJ Advertising Dept. 784-3062 fax Attn: Venise
FROM: Lewiston City Clerk's Office 777-4621 fax

Thank you.

Please bill the City Clerk's Dept account.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Resolve Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year ended June 30, 2011.

INFORMATION:

City Finance Director Heather Hunter, along with representatives of the City's auditing firm of Runyon, Kersteen & Ouellette will make a presentation to the City Council during the workshop session regarding the annual financial report for the fiscal year ending June 30, 2011.

This agenda item is asking the City Council to adopt a Resolve to accept the Financial Report as presented by the outside auditors.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This issue is presented annually to inform the Council about the financial status of the City.

EAB/kmm

REQUESTED ACTION:

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To adopt the Resolve Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2011.



**City of Lewiston Maine
City Council Resolve
January 24, 2012**



Resolve, Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2011

Be It Resolved by the City Council of the City of Lewiston

that the City of Lewiston's Comprehensive Annual Financial Report, including its General Purpose Financial Statements for the year ended June 30, 2010 as prepared by City Finance staff and the Independent Auditor's Report thereon prepared by Runyon, Kersteen Ouellette, is hereby accepted in its entirety.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Order Directing City Staff to take the necessary steps to transfer the Multi-Purpose Center to the School Department and Relocate the City programs currently located at this facility.

INFORMATION:

The City Council and the School Committee have held several workshops recently regarding the School Department's need for classroom space due to increasing school enrollment. The School Committee has requested the ability to expand Longley School into the Multi-Purpose Center to create four classrooms for the pre-kindergarten program.

After a review and analysis of several options as well as the related long-term capital and operating costs, city staff is recommending that the Multi-Purpose Center be transferred to the School Department and relocating the Senior Citizens program to the Armory.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

ERB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order directing city staff to take the necessary steps to transfer the Multi-Purpose Center to the School Department and relocate the City programs currently located at this facility.



**City of Lewiston Maine
City Council Resolve
January 24, 2012**



Order, Directing City Staff to Take the Necessary Steps to Transfer the Multi-Purpose Center to the School Department and Relocate the City Programs Currently Located There.

Whereas, due to an increasing school enrollment, the City's schools are rapidly running out of classroom space; and

Whereas, expanding Longley School into the Multi-Purpose Center will allow for the addition of four classrooms to be used for the pre-kindergarten program, freeing classroom space at other elementary schools; and

Whereas, at the request of the City Council, the School Department and City staff investigated a variety of alternative locations for school and City programs including reuse of the Pettingill School, leasing space, adding modular classrooms, purchasing the Knights of Columbus building, and undertaking renovations to the Armory; and

Whereas, after analysis of long-term capital and operating costs, staff recommended that the Multi-Purpose center be transferred to the School Department and that relocation of the senior citizen program to the Armory was the most cost effective and appropriate option; and

Whereas, given the immediate space needs of the School Department, the transfer of this space and relocation of City programs must be done expeditiously;

Now, Therefore, be it Ordered by the City Council of the City of Lewiston

That City staff is hereby authorized to take all necessary steps to transfer the multi-purpose center to the school department and relocate the City programs currently operated at that location. This shall include implementing plans to renovate a portion of the Armory to house programs for senior citizens, such renovations to include installation of an elevator and other Americans with Disability Act improvements to the facility, adding additional parking, and making such other interior improvements as are necessary to meet the needs of these programs.

Be it Further Ordered, that

The Finance Director shall take the necessary steps to prepare for financing these improvements through developing the necessary documents to allow for the City Council to consider authorizing and issuing general obligation bonds for this project in the approximate amount of \$400,000; and

Be it Further Ordered, that

The Director of Recreation shall work with the School Department to relocate a portion of the recreation programs currently operating at the MPC to other facilities including the Armory and other school gymnasiums; and

Be it Further Ordered, that

City staff shall initiate the process of designating Vale Street as one-way to allow for the installation of additional parking on that street adjacent to the Armory.



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



January 11, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Pre-K School Department Space Needs/Multi-Purpose Center Programs

BACKGROUND

The School Department recently presented future enrollment and space projections to the City Council. A portion of that presentation dealt with the Department's interest in assuming full operation of the Multi-Purpose Center to allow it to house the Pre-K program there, freeing needed classroom space at other schools. This would require the relocation of certain City programs and functions, in particular our Senior Program.

In response to that presentation, City staff recommended, and Council concurred, that no action should be taken on this request until a range of alternative locations for both school and city programs was evaluated. An initial review was completed in December.

ELIMINATED ALTERNATIVES

The alternatives that the School Department investigated and which were eliminated due to cost were: renovating Pettingill Elementary at a cost of \$1.4 million and \$270,000 in annual operating expenses; and leasing space in the private market with an initial capital requirement of \$500,000 and \$180,000 in annual operating costs. The City also investigated the potential of renovating the newer portions of Pettingill for our programs. This alternative was eliminated due to initial capital costs estimated at \$950,000. Leasing space for City programs was also considered. This would require a minimum of \$150,000 in first year costs and \$60,000 in annual lease costs (excluding utilities, taxes, and other triple net charges). Given the temporary nature of such arrangements, the initial capital cost, and uncertainty over the exact locations that might be available for lease, the lease alternative was also eliminated from consideration.

REMAINING ALTERNATIVES

Modular Classrooms

The addition of six modular classrooms at Montello School could serve as a temporary solution for school programs. One-time costs associated with this option are estimated at \$270,000 with annual operating costs of approximately \$112,000. This is a relatively low cost option since the state will potentially reimburse the School Department for the annual \$48,000 costs to lease the modules, reducing the net impact on the operating budget to \$64,000. It is not, however, a permanent solution. At some point, the modulares will have to be replaced by permanent facilities, foregoing the value associated with some of the initial improvements, most notably site work that is estimated at \$160,000. While not an ideal solution, this would provide a temporary alternative that would allow city programs to continue at the MPC.

Armory Improvements

Modifications could be undertaken at the Armory to allow it to house the Senior Program and many other non-recreational events now using the MPC. These improvements would include: adding a minimum of 38 new parking spaces in front of the Armory and installing angled parking along Vale Street (which would require designating Vale as one-way); addition of an elevator and other ADA improvements; and other minor interior improvements to meet the space and amenity needs of the senior program. Estimated project costs are roughly \$380,000 and only minor increases (estimated at \$5,000) in operating costs would be expected. Note that the estimate initial capital costs have increased slightly, primarily due to upgrading the elevator to serve both floors of the Vale Street side of the building. The second floor is currently not accessible. The annual impact on the budget due to debt service would be about \$25,000. While this is one of the lower cost alternatives, prior proposals to relocate the senior program to the Armory were strongly resisted by program participants due to the congestion in this area during the school year and concerns over conflicts between senior programming, other facility programs, and the adjacent middle school. Recent conversations with representatives of the seniors have confirmed that this opposition continues.

Knights of Columbus Building

The Knights of Columbus recently indicated a willingness to divest themselves of their building on East Avenue or to consider a joint use arrangement with the City or School Department. After reviewing the building, it could be modified to house the City's non-recreation programs now at the MPC. Required work includes ADA improvements (including installation of an elevator) estimated at \$250,000 which must be done immediately. Other improvements such as insulating and replacing the roof will likely be required within the next five years at an estimated additional cost of \$125,000. As discussions with the Knights continued, it also became apparent that they are seeking a payment from the City for the building. They have proposed two options: an outright sale or a sale at a reduced price with the Knight's leasing one-half of the lower floor of the building at either very low or no cost for twenty years. Based on these alternatives,

initial costs would range between \$400,000 and \$600,000 excluding an additional \$125,000 in capital maintenance items likely to be needed in the short term future. Annual operating costs for this building are estimated at about \$69,000.

Fiscal Implications of School Build-Out of MPC

Any option which is based on the School Department expanding into the MPC must also take into account the costs associated with renovating the MPC space. This includes start-up costs of approximately \$202,500. Please keep in mind that the current operating cost allocation formula between the City and School budget would change. The City currently budgets \$140,000 for operating the MPC. With the exception of two maintenance/janitorial positions budgeted at roughly \$68,000 which would be moved to the location of the senior program, the remaining costs would be transferred to the School Department. There are also additional future improvements required or anticipated to the Longley School/MPC including new boilers and conversion to natural gas (\$400,000), window replacement (\$150,000), and roof replacement (\$650,000). At this time, funding is available for both start-up costs and natural gas conversion.

The following chart presents a simplified analysis of the impact of each of these options on the total City and School operating budget. Please note that the projected impact is annualized based on current costs and does not present the exact figures that would appear in any individual fiscal year's budget.

IMPACT OF VARIOUS OPTIONS ON ANNUAL OPERATING BUDGET

	MODULARS	ARMORY	K of C w. LEASE	K of C PURCHASE
Initial Capital	270,000	380,000	400,000	600,000
Annual Operating	64,000	5,000	69,000	69,000
Debt Service	18,000	25,000	30,000	40,000
Revenues	0	0	10,000	2,400
Annual Budget Impact	82,000	30,000	89,000	106,600
MPC Operating				
Schools	N/A	159,025	159,025	159,025
City	N/A	-72,274	-72,274	-72,274
NET	0	86,751	86,751	86,751
TOTAL BUDGET IMPACT	82,000	116,751	175,751	193,351

NOTES:

- Debt service payments shown above are an annualized average. In practice, debt service would be higher in earlier years, lower in later.
- Debt service amount shown for Modular Option may not be required if existing bond funds now set aside for MPC school improvements are used rather than new bond issue.
- Costs associated with the K of C options are estimates and may vary based on negotiations.
- Revenues for the K of C w. Lease Option are estimated and not assured.
- MPC costs also exclude debt service since funding for improvements will come from previously issued bonds.

Other Considerations – City

Consideration must be given to the needs of recreation programs currently using the MPC gym. The two programs with the most specific needs are volleyball and gymnastics, each of which require either high ceilings, large floor areas, or pre-installed floor hardware. It appears that the gymnastics program could be moved to the Armory. This would require relocating portions of our basketball program from the Armory to other school gyms. Volleyball would likely remain at the MPC. Voting would also continue at the MPC. Additional parking at the Armory would also provide a benefit for others using the facility at certain times during the school year. Finally, a decision on the future of the MPC/Longley School, which has been in limbo for a number of years, would be closer to being finalized.

Other Considerations – Schools

From the Superintendent's perspective, other issues result from joint occupancy of the MPC. First, Longley School does not meet the security standards set by most schools. There is the potential for unauthorized interactions between students and adults since school offices for guidance, counseling, and student health are located in the MPC. The cafeteria and gym are generally accessible from the MPC, and students regularly pass through the MPC on the way to the gym. If City programs such as the seniors remain in the MPC, it is likely that certain security restrictions will be applied. This may include limiting access to the senior area (which is served by a separate entrance to the outside) during hours when students are present.

Longley School students are not provided the same level of intramural programs as students in our other elementary schools because of gym scheduling restrictions resulting from some of the recreation programs. Regardless of the MPC decision, this issue should be addressed and we are exploring options.

There is considerable interest in retaining a downtown school. If the School Department takes over the MPC, there will be a stronger case to locate the new school as an extension from the rear of the MPC gym into Franklin Pasture with a new primary access off Bartlett Street. Such a new facility would retain the present gym and a

portion of the existing facility. In addition, funding is already available to replace the boiler, convert the heating system to natural gas, and upgrade the MPC space for school use. If the MPC is not transferred to the School Department, the Superintendent has indicated that the odds will increase that the school may relocate from the building in the future, leaving the City to absorb all costs associated with its operation and, potentially, boiler replacement should funds now set aside for this project be required to support one of the other alternatives discussed above.

Please note that the Planning Board has formally supported the transfer of the MPC to the School Department. We have also received the attached letter from the Visible Community in support of expanding Longley Elementary at its current site.

Staff Discussion and Recommendation

At this point, three options remain under consideration. The first is the addition of modular classrooms. This option is not recommended because of its temporary nature and the relatively high cost associated with installing the necessary infrastructure to support modulars (roughly \$160,000). While this option would allow the senior program to remain at the MPC, it is not clear that this is a permanent solution given the needs of the School Department and their interest in potentially locating a new school adjacent to it. There appears to be strong support on the Planning Board and from representatives of the downtown neighborhood for keeping a school in downtown, an opinion that was shared by the prior Council. If this is to happen, it is likely that the seniors will have to be relocated at some point in the next few years. Should this not happen and Longley be abandoned for a new school at another location, the City would then be faced with what to do with the entire property and the full cost of its operation would fall on the City's budget.

The K of C originally appeared to be a strong option. When discussions with the Knights began, the City's proposal was to assume ownership of the property at low to no cost (other than ADA and other building improvements) in return for allowing the Knights to continue to occupy a portion of the building at no cost. It is now apparent that acquiring the building will require an initial purchase price. This will increase the upfront cost of this project. In addition, owning and operating an additional structure will impose operating costs and future capital maintenance costs. This option will add between \$85,000 and \$110,000 to the City's annual budget, depending on whether the City purchases the building outright or does so at a reduced price with a lease arrangement. While still workable, the cost of this option, especially in light of the current economy and the City's fiscal posture, makes it less appealing.

Armory

The Armory offers a number of clear advantages. Since portions of the building are currently underutilized, the senior program could be absorbed with little impact on the operating budget. Since it is already city-owned, any capital maintenance expenses associated with the building in the future would already be the city's responsibility. The disadvantage is that the seniors don't like this option. This appears to be primarily

based on two concerns: inadequate parking and potential conflicts with middle school or other city programs. It is probably also influenced by the current appearance of the area of the building the program would move to where considerable cosmetic work would be required. These concerns can be addressed by adding additional parking and creating a separate handicapped entrance on the side of the Armory away from the middle school. Concerns over appearance will likely only be addressed once improvements have been made. We would recommend working with representatives of the seniors on designing the proposed Armory space.

Recommendation

Staff would recommend that the senior program be relocated to the Armory and that staff work with the seniors' organization on the details of the design of the space, parking, and access. If this is not an acceptable option, the next alternative would be to continue to work with the K of C toward an agreement for their property. While the purchase/lease back option with the Knights is less costly than the direct purchase, I would recommend that the City pursue an outright purchase of the property outright. On an annual basis, the additional cost of an outright purchase would be in the range of \$20,000 per year. Full ownership would eliminate any potential conflicts/issues between users and allow the City to more easily offer or expand other programs at that location. The least preferred although still workable option would be modular classrooms.

Lewiston Public Schools
10-Year Facilities Plan
September 7, 2011

INTRODUCTION

Unlike most school districts in Maine, Lewiston school-age enrollment is expected to increase approximately 2% per year over the next decade. This will necessitate the construction of additional classroom space as our schools are essentially at full capacity today. This facilities plan represents a roadmap to meet our classroom needs. Facilities Committee members include Shawn Chabot, Bruce Damon, Dean Flannigan, Tom Hood, Ronnie Paradis, Joe Perryman, Paul St. Pierre, Bill Webster and Steve Whitfield.

ENROLLMENT PROJECTIONS

Twice in the last decade Lewiston Public Schools has contracted with Planning Decisions Consultants Group of South Portland to perform 10-year enrollment projections in conjunction with our two most recent construction projects. The usefulness of their work is in question, however, as our student counts have been materially above their forecasts each year. The firm was challenged, no doubt, by the unpredictability of immigration patterns and larger family sizes typical in our New Mainer population. We are left with how best to forecast our student trends. Rather than working with Planning Decisions (the only such firm in Maine), one reasonable approach is to assume a long-term continuation of our present elevated kindergarten enrollments. Approximately 465 children are entering kindergarten this year, and this also is similar to last year's figure. If this trend continues indefinitely, Lewiston student enrollment will increase by 1,000 over the next decade.

CLASSROOM NEEDS

Average classroom size in Lewiston is already a little over 20 students. This figure will likely continue to increase as our schools deal with expected enrollment growth, long construction timelines, budget constraints and future uncertainties. A key question is when should we construct a new classroom as building rooms to accommodate a peak, rather than sustained enrollment, is an undesirable use of public funds. Here we are using the conservative assumption that a new classroom should be added to accommodate every additional 25 students. This then suggests that Lewiston will need another 40 classrooms over the next 10 years.

FACILITIES PLAN

The table on the last page of this report presents enrollment projections and classrooms needs through 2024, when enrollment projections stabilize under the assumption listed. Below is a tentative plan to provide the necessary space. (Note: The year 2012 on the worksheet refers to the school year 2011-12, 2013 is 2012-13, etc.)

School Committee Decision by	Completion Date	Project Description	# of Rooms	Rough Cost Estimate
September 2011	December 2011	Replacement of Longley boilers and conversion to natural gas	-	485,000
September 2011	January 2012	Energy audit of Lewiston High School	-	40,000
November 2011	March 2012	Phase 1 architectural and engineering review of Lewiston Middle School	-	75,000
April 2012	August 2012	Annual capital maintenance and improvement plan (We are researching this further by asking the question what level of annual funding is needed to maintain our existing facilities, fields and playgrounds.)	-	200,000/yr
May 2012	August 2012	Replacement of Montello lockers and hallway improvements	-	100,000
May 2012	August 2012	Add two portable classrooms at Martel. A lease on an additional parking area has already been secured.	2	50,000
January 2012	August 2012	With City approval, take over City space in the multi-purpose building for prekindergarten space, freeing up classroom space at Geiger McMahon, and Montello.	4	200,000
January 2012	August 2013	Construction of new McMahon gymnasium and additional classrooms	8	3,500,000
May 2012	Multi-year project?	LMS Improvements.	8	4,000,000
May 2013	August 2013	Add two portable classrooms	2	50,000
May 2014	August 2014	Replacement of Montello Roof	-	600,000
May 2015	August 2015	Addition portables needed prior to completion of new school project.	4	
January 2014?	August 2016	New school project State funded. The project planning process over the next two years will determine wither or not this project replaces one or two schools.	19 net addition	30,000,000
January 2017?	August 2019	New classrooms and performing arts space at Lewiston High School	8	???

Longley Elementary School

Dear Lewiston City Council and Public School Administration,

The Visible Community believes that expanding Longley Elementary School at its current site is the best way to meet the immediate needs of the current student population. Though programming has improved greatly the past few years, the limitations of the facility have inhibited the school's ability to offer the same level of educational service that students in other schools receive. For many years, we have heard from parents about the importance of improving that facility, and an expansion is a good first step. In addition to this expansion, it is important that the school system begin planning for the development of a new elementary school facility in the same location, perhaps expanding to Bartlett Street through Franklin pasture. The presence of the school in this area allows for convenient walking access for families and will be a tremendous resource in the revitalization of the surrounding area.

In addition, we believe the seniors who were once utilizing the Multipurpose Center should receive a comparable alternative for their activities. We must make sure both the students and the seniors are being honored, and that neither group must compete for the city's support.

Sincerely,

Shanna Rogers

On behalf of The Visible Community

Department of Planning & Code Enforcement

**TO: City Council
Mayor**
FROM: David Hediger, City Planner
DATE: December 14, 2010
**RE: Planning Board recommendation regarding acquisition of the
Knights of Columbus Hall, 150 East Avenue**

On December 12, 2011 the Planning Board voted 1-5, with 1 abstention, to acquire Knights of Columbus Hall at 150 East Avenue. Therefore, the motion failed resulting in a recommendation to the City Council not to acquire said property. There was considerable discussion with City Administrator Ed Barrett regarding the Board's concerns including, but not limited to the following:

- More information is needed about alternatives for the senior's program and their needs.
- The Council should take time to evaluate and gather additional information and not be rushed into making a decision.
- Whether the City should assume additional costs given the current economic conditions and tax rate of the community. More economical opportunities should be explored within the community.
- The primary need is additional educational space at the Multi-Purpose Center. Housing the senior's program is a less significant matter for consideration at another time.

Pursuant to Article VII, Sections 4(f) and (h) of the Zoning and Land Use Code, the Planning Board is required to review and make a recommendation to the City Council with regard to the acquisition, except through tax lien foreclosure and disposition of all public ways, lands, buildings and other municipal facilities. The Board must also review and make a recommendation to the City Council with regard to all capital expenditures costing \$100,000.00 or more which are not included in the annual capital program.

From: David Hediger

Date: December 14, 2011

Subject: Planning Board Action-150 East Avenue

The Planning Board took the following action at their public meeting held on December 12, 2011 regarding the acquisition of the Knights of Columbus Hall located at 150 East Avenue:

The following motion was made:

MOTION: by **Denis Fortier** pursuant to Article VII, Sections 4(f) and (h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council to acquire 150 East Avenue. Second by **Paul Robinson**.

VOTED: 1-5-1 (Motion Failed, Bruce Damon Abstained)

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Resolve authorizing the transfer of various School Department Bond proceeds for the purpose of implementing the initial stages of the Department's Facility Plan.

INFORMATION:

This agenda item coincides with the previous agenda item regarding the transfer of the Multi-Purpose Center to the School Department for use for additional classroom space. This Resolve pertains to the funding of the project. Please see the attached memorandum from School Superintendent Bill Webster regarding the financial details of the project.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAS/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To adopt the Resolve authorizing the transfer of various School Department Bond proceeds for the purpose of implementing the initial stages of the Department's Facility Plan.



**City of Lewiston Maine
City Council Resolve
January 24, 2012**



Resolve, Authorizing the Transfer of Various School Department Bond Proceeds for the Purpose of Implementing the Initial Stages of the Department's Facility Plan.

Whereas, in September 2011, the School Department requested the transfer of \$800,000 from the 2010 McMahon School Boiler and Ventilation Project to the Longley School Boiler Replacement and natural Gas Conversion, Multi-Purpose Center space renovation, the Lewiston High School Energy Audit, and the Lewiston Middle School Phase I Architectural and Engineering Review; and

Whereas, at that time, the City Council approved the Longley boiler replacement, the High School Energy Audit, and the Middle School review; and

Whereas, approval of the transfer of \$200,000 for renovations to the Multi-Purpose Center to allow it to be used for school purposes was requested but not approved by the Council pending additional analysis of alternatives; and

Whereas, after analyzing various options, City and School staff have recommended that the MPC be transferred to the school department; and

Whereas, the School Department has determined that an energy audit of Lewiston High School is no longer necessary given the recent conversion of the high school kitchen to natural gas; and

Whereas, the Department is requesting a slight increase in the budget for the architectural and engineering review of the middle school;

Now, Therefore, be it Resolved by the City Council of the City of Lewiston

That the \$800,000 originally designated for the McMahon School Boiler and Ventilation Project be reallocated as follows:

Renovation of MPC Space and Longely Boiler Replacement	\$700,000
Architectural and Engineering Review – Middle School	80,000
Initial Planning – New School	20,000

1/5/2012

To: Lewiston School Committee

From: Bill Webster, Superintendent

Re: Proposed Reallocation of Municipal Public Improvement Bond Funds

Last September the School Committee authorized the superintendent to seek City Council authorization to transfer the Municipal Public Improvement Bonds as follows:

<u>Description</u>	<u>Amount</u>
1. Replacement of Longley Boilers and Conversion to Natural Gas	485,000
2. Energy Audit of Lewiston High School	40,000
3. Phase 1 architectural and engineering review of Lewiston Middle School	75,000
4. Renovation of Multi-Purpose Building Space for pre-Kindergarten Use	200,000

Subsequently, the request was considered by the City Council and approved, except for item 4 above pending a decision on school use of the Multi-Purpose Building (MPC). At this point, a Council workshop on the MPC space is tentatively scheduled for January 17th, and a decision by the Council might happen at their February 7th meeting.

I will encourage the Council make a definitive decision one way or another and, with the approval of the School Committee, will seek a revision and finalization of the request above on the use of the \$800,000 Municipal Public Improvement Bond. Below are two options, depending upon whether or not the Council approves school use of the MPC space. (Note: Neither option includes the original energy audit as shortly after the September approval we converted the High School kitchen from electricity to gas. The reduction in electricity usage is expected to be significant, and an energy audit is no longer the highest priority.)

<u>Description</u>	<u>Option A – LPS Controls MPC Space</u>	<u>Option B – LPS Does Not Control MPC Space</u>
1. Renovation of MPC Space, replacement of Longley Boilers and Conversion to Natural Gas	700,000	-
5. Acceleration of Lewiston Middle School Improvements	-	700,000
2. Energy Audit of Lewiston High School	-	-
3. Phase 1 architectural and engineering review of Lewiston Middle School	80,000	80,000
5. Initial planning for new school	20,000	20,000
TOTAL	800,000	800,000

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Appointment of the City Council's representative to the Lewiston Auburn Public Health Committee.

INFORMATION:

In 2008, the City of Lewiston and the City of Auburn jointly created a Public Health Committee to monitor and address issues related to community public health. The LAPHC played a key role two years ago in educating the residents of the Twin Cities about the H1N1 flu virus. An upcoming program that the Committee is involved with is regarding the relatively new public health issue of Baths Salts.

There is a seat on the Committee for a City Councilor from each city.

Lewiston is asked to appoint a City Council representative to the Committee. Deputy City Administrator Phil Nadeau is the City's administrative staff representative to the Committee.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The Council shall select their representatives to various boards and committees.

EAB/kmm

REQUESTED ACTION:

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To review and discuss the City Council's representatives to Lewiston Auburn Public Health Committee and to determine a course of action.

LEWISTON CITY COUNCIL

MEETING OF JANUARY 24, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.