

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
MAY 15, 2012**

5:30 p.m. Tour of the General Assistance Office

6:00 p.m. Workshop

- A. Proposed Parking and Lane Assignment Changes - Park Street**
- B. Update on Androscoggin County Dispatch**

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Proclamation Recognizing the 40th Church & Pastoral Anniversary of First United Pentecostal Church
Mayor's Recognition - Bates College Student Night in Downtown Lewiston
Presentation of the Alfred A. Plourde Memorial Scholarship

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 3.

REGULAR BUSINESS:

1. Public Hearing and First Passage regarding amendments to the General Assistance Ordinance regarding burials and cremations.
2. Public Hearing and Adoption of the FY2013 Lewiston Capital Improvement Program Bond Issue.
3. Adoption of meeting schedule for the months of July and August.
4. Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the State Candidate Primary Election to be held on Tuesday, June 12, 2012.
5. Reports and Updates
6. Any other City Business Councilors or others may have relating to Lewiston City Government.
7. Executive Session to discuss labor negotiations regarding the Maine Association of Police - Patrol Unit.

A



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



May 10, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Park Street Parking/Lane Assignments

As a part of our overall effort to address traffic concerns in the downtown area, we have been looking at the lane assignments and parking arrangements on Park Street, particularly in the area of City Hall/Lewiston Police Department.

Park Street is currently a relatively lightly traveled two-lane, one-way street from Main to Spruce Streets. At Spruce, two-way traffic resumes. From Main Street to Oak, parallel parking is allowed on both sides; from Oak to Spruce, parking is one side only; from Ash to Pine, it reverts to both sides; from Pine to Spruce, there is parallel parking on one side, perpendicular on the other.

The most problematic area is from Pine to Spruce. This area can be quite congested given employee and visitor parking associated with City Hall and the Police Department. In addition, individuals unfamiliar with the area frequently are observed traveling in the wrong direction from Spruce toward Pine. The primary issues, then, are one-way violations, conflicts between vehicles, pedestrians, and parking adjacent to City Hall, and limited visibility where those using the perpendicular spaces frequently face limited visibility in exiting and lane conflicts on entering parking bays, and vehicle speeds at the pedestrian crosswalk at Park and Chestnut.

After reviewing a variety of options, the following changes are recommended:

1. Reduce the current two-lane arrangement to one lane from Main Street to Spruce;
2. Install diagonal parking on both sides of the street from Pine to Spruce with the City Hall side designated for visitor use and the park side for employees;
3. Provide a designated bike lane from Main Street to Pine and mark the section from Pine to Spruce for shared bikes and vehicles (technically called a "sharrow");

Prior to implementing these changes, we would like to review them with you.



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



May 10, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Update, Dispatch Consolidation

As you are aware, the County and its various municipalities continue to discuss dispatch consolidation.

About a month ago, the County Commissioners requested that regional city and town managers meet to discuss a potential governance structure for a regional dispatch center. Since then, two such meetings have taken place. After the first meeting, when asked if any of the managers would like to form a subcommittee to discuss the issue, there was no interest expressed. Subsequently, I drafted a concept governance plan (attached) that was circulated with little reaction. Early last week, the managers met again. Based on these meetings, it is clear that there is a continuing discomfort on the part of the smaller communities with the idea of joining in with LA 911. The majority of those present appeared to continue to support the Lisbon proposal.

The Commissioners also met last week and held further discussions on dispatch. At the meeting, the Sheriff indicated his opinion that the best option for his dispatch center is to consolidate with LA 911. His primary reason for taking this position is that the County's dispatch and records systems are currently housed at and integrated with LA 911's system. Moving to Lisbon, which has its own separate system (although using the same software), would carry a cost in excess of \$270,000. In addition to cost, the Sheriff expressed concern that such a move would limit his department's ability to access data from Lewiston and Auburn.

Given the reluctance of some smaller communities to join with LA 911 and the stated position of Lisbon that it would not give up its own dispatch center as reaffirmed by its Council last week, LA 911 presented a proposal to the County for consolidation with the County only. This would entail the core county services of dispatching sheriff patrol, prisoner transport, civil processes, and Public Safety Answering Point (PSAP). Under this proposal, the smaller towns would have to make their own decision as to where they would receive dispatching services (County-wide PSAP would be housed at LA 911) with the understanding that Lisbon could not take everyone with its current staff and

equipment nor, likely, could LA 911. A brief overview of this plan is also attached.

The Commissioners plan to meet on Thursday, May 17th at 6 p.m. at which time they have indicated that they plan to make a decision on what direction to take.

Three proposals are now on the table:

- maintain county dispatch and institute charges for certain services such as police and fire dispatch and PSAP, with the PSAP likely coming to LA 911
- the Lisbon option where the County and towns would consolidate with Lisbon and LA 911 would provide PSAP
- county consolidation with LA911 with the towns finding their own solutions

Various Commissioners appear to favor various options, and it is unclear what, if anything, will be decided. However, given the costs and the law enforcement considerations advanced by the Sheriff against the Lisbon option, that option may no longer be seen as viable. There may also be a difference of opinion on including PSAP as a core county function. If this is not included, it creates problems and uncertainties.

Cost Implications

Assuming the county transfer to LA 911 was in effect for FY13 and included PSAP as a core function, the following chart shows the cost implications for Lewiston only. Current costs include the city's share of the LA 911 budget and the city's estimated share of the current County dispatch operation. Combined costs have been estimated by LA 911 based only on the County dispatch operation transferring to LA 911.

| | Current Cost | Combined Cost | Change |
|-----------------|--------------|---------------|-------------|
| LA 911 | \$1,035,381 | \$1,077,530 | \$42,149 |
| County Dispatch | 154,479 | -0- | (154,479) |
| TOTAL | \$1,189,860 | \$1,077,530 | (\$112,330) |

Based on the proposal from LA 911, the net savings for consolidation with the County are estimated at about \$112,000. Should other communities choose to come to LA 911 and should they be able to be accommodated, these costs may change.

For comparability, the estimated savings to Lewiston of the other options are: \$59,374 in savings under the county charge for services system and \$61,872 with the Lisbon option. Note that these figures do not include revenues that might accrue to LA 911 if it provided PSAP services to individual communities at \$2 per capita. These numbers are excluded because adding this workload could involve the need to increase staff and expenses at LA 911.

Should you have any questions on this information, please feel free to contact me.

LA911/ASO consolidation
into the
Androscoggin Regional
Communications Center

- ASO Rural Patrol
- ASO Civil Division
- ASO Prisoner Transport
- PSAP/EMD for all of Androscoggin
County

LA9111/ASO consolidation

LA911 proposed FY13 budget: \$2,070,762

ARCC proposed budget*: \$2,586,650

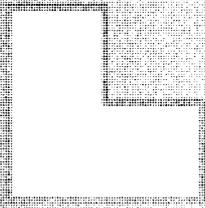
Operational cost to consolidate: \$515,888

*subject to approval, CBAs, etc.

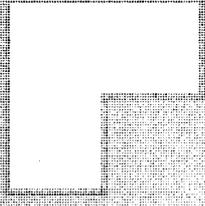


Consolidated set up

Lewiston PD



Lewiston Fire



Andro Law/CT4



Power / CT2



Auburn PD

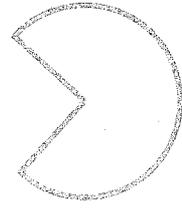


Auburn Fire/CT3

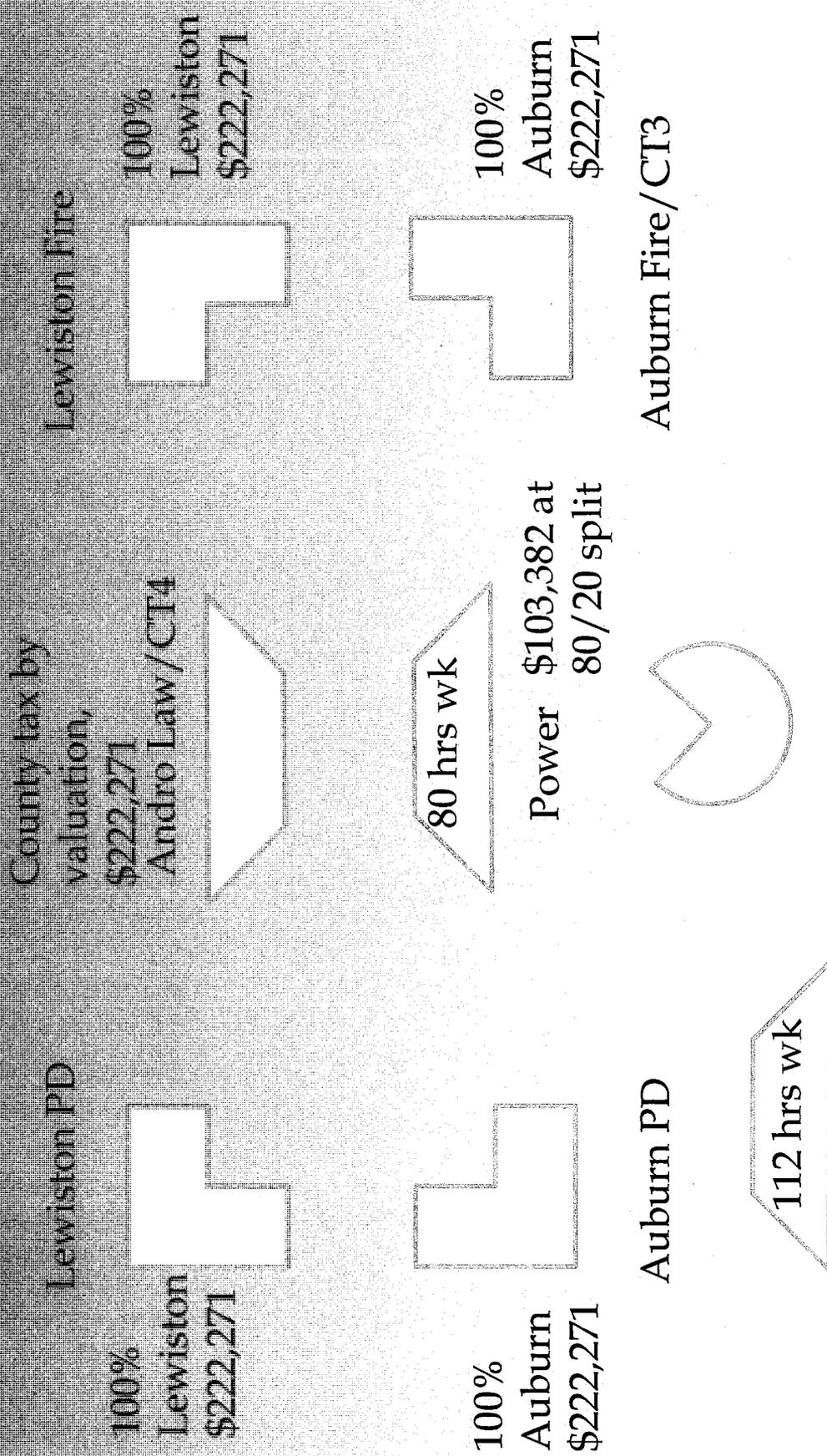


Call Taker 1

Supervisor



Consolidated funding



Administration

Administrative support costs based on current salary level plus 5% and 40% for benefits.

- o Part time admin assist \$12/hr/20 hrs wk 12,480
 - o HR/CALEA \$37,500 x 40% = 52,500
 - o IT support 40,000 x 40% = 56,000
 - o System Manager \$65,000 x 40% = 91,000
 - o Deputy Director \$68,000 x 40% = 95,200
 - o Director 80,000 x 40% = 112,000
- \$419,180

- o Training costs \$250/pp x 35 people = \$8,750

Operational costs: 2009-2010 operational budget + 20%

- o 2009-2010 budget \$369,967 + 20% (73,993) 443,960

Total administrative and operational costs: \$871,890



| Town | Valuation | ASO Core Service funded by valuation | 911 call taker Core Service, funded by valuation | Valuation minus Lew/Aub | Shared costs* at 80/20 \$1,044,098/\$261,024 | Total cost |
|-------------|-----------|--|--|-------------------------------|---|-------------|
| | | \$222,271 | \$155,073 | | \$1,305,112 | |
| Auburn | 24.64% | \$54,768 | \$38,210 | | | \$1,061,532 |
| Lewiston | 28.88% | \$64,192 | \$44,785 | | \$524,012 | \$1,077,530 |
| Durham | 4.34% | \$9,640 | \$6,726 | 9.33% | \$524,012 | \$40,817 |
| Greene | 4.07% | \$9,038 | \$6,306 | 8.75% | \$24,451 | \$38,276 |
| Leeds | 2.27% | \$5,035 | \$3,513 | 4.87% | \$22,932 | \$31,479 |
| Lisbon | 7.35% | \$16,332 | \$11,394 | 15.81% | \$12,763 | \$69,159 |
| Livermore | 2.41% | \$5,357 | \$3,737 | 5.19% | \$41,433 | \$22,393 |
| Liv. Falls | 2.25% | \$5,006 | \$3,492 | 4.85% | \$13,299 | \$21,269 |
| Mech. Falls | 2.06% | \$4,579 | \$3,195 | 4.43% | \$12,771 | \$19,547 |
| Minot | 2.43% | \$5,391 | \$3,761 | 5.22% | \$11,773 | \$22,833 |
| Poland | 8.25% | \$18,333 | \$12,791 | 17.74% | \$13,681 | \$77,615 |
| Sabattus | 3.59% | \$7,984 | \$5,570 | 7.73% | \$46,491 | \$33,812 |
| Turner | 6.13% | \$13,618 | \$9,501 | 13.18% | \$20,259 | \$57,659 |
| Wales | 1.35% | \$3,004 | \$2,096 | 2.91% | \$34,541 | \$12,728 |
| | | \$222,276 | \$155,077 | 100% | \$7,628 | \$2,586,650 |
| | | | | | \$1,305,112 | |

911 fees 2010 census cost per capita

| | | |
|-------------|--------|--------|
| Auburn | 23,055 | \$1.66 |
| Lewiston | 36,592 | \$1.22 |
| Durham | 3,848 | \$1.75 |
| Greene | 4,350 | \$1.45 |
| Leeds | 2,326 | \$1.51 |
| Lisbon | 9,009 | \$1.26 |
| Livermore | 2,095 | \$1.78 |
| Liv. Falls | 3,481 | \$1.00 |
| Mech. Falls | 3,031 | \$1.05 |
| Minot | 2,607 | \$1.44 |
| Poland | 5,376 | \$2.38 |
| Sabattus | 4,876 | \$1.14 |
| Turner | 5,734 | \$1.66 |
| Wales | 1,616 | \$1.30 |

***Shared costs**

include:

| | | |
|----------------|-------------------------|-------------|
| Power shifts | LA911 FY 13 | \$2,070,762 |
| Supervisors | ASO FY12 | \$601,378 |
| Administration | | |
| Operations | | |
| Overtime | Cost to take on ARCC | \$515,888 |

LA 911 CONCEPT DRAFT FOR ANDROSCOGGIN REGIONAL COMMUNICATIONS

The following attempts to outline the organizational structure of the proposed Androscoggin Regional Communications Center (ARCC) and to address some of the issues/concerns raised during a recent meeting of town and city managers. It is not an effort to provide a detailed proposal as to the final form of any agreements or contracts that would be required to implement these concepts.

This proposal is based on the assumption that all of the communities currently receiving services through the County would be served by the new ARCC. If this does not occur, changes in the organizational structure outlined below and/or pricing provided separately may be required.

FORM OF ORGANIZATION

ARCC would be created through a new interlocal agreement between Auburn, Lewiston, and Androscoggin County. The current assets and liabilities of LA911 and County Dispatch would be transferred to the new organization. ARCC would provide the following "core" services for the County: PSAP, civil processes, rural patrol, and prisoner transport. Other communities served through the Center would enter into contracts specifying the terms and conditions of the services to be provided.

Board of Directors

The Board of Directors would be composed of 11 members. Lewiston and Auburn would each have three directors composed of one elected official, the Manager/Administrator (or designee), and Finance Director (or designee). The County would have five directors composed of a representative of County Administration, a County Commissioner or Budget Committee Member (or designee), and three representatives of communities with fire or dispatch services provided by ARCC. The Board of Directors would exercise overall authority over ARCC.

Advisory Committee

There would be an advisory committee composed of representatives of each of the emergency services departments served by ARCC including the Sheriff's Department. This Board would meet at least four times a year to address any concerns relating to service quality and coordination and/or dispatch procedures or protocols. It would also provide advisory comment on technology issues/concerns regarding CAD/IMIS and telecommunications. The Committee would also provide advisory comments on the proposed budget to the Board of Directors.

Budget Approval

The Board of Directors would adopt an annual budget which must be approved by a minimum of seven of the 11 members of the Board. This addresses the concern that Lewiston and Auburn could, with unanimous votes, force a budget opposed by everyone else.

Initial Contract Pricing

For the initial three years of operation, Police dispatch services charges would be fixed at \$6.96 per capita; Fire dispatch services would be \$3.92. Communities would be asked to sign contracts for an initial five years to ensure some stability in the early stages of the ARCC's operations. At the end of the initial five years, communities served by the ARCC will be offered the option of joining into an amended interlocal agreement as full partners or continuing to receive services on a contractual basis.

What Happens in Year 4?

Concern was expressed as to what would happen to pricing in year 4 of the agreement. During the first 3 years, any increases in the ARCC's operating budget would be addressed through the charge for core county services. In year 4 and thereafter, the increase would be apportioned between the County's core services and the per capita fees. Assuming a three percent annual increase in the ARCC budget, the year 4 service charges would be: Police \$7.54; Fire \$4.24. In year 5 and beyond, increases would continue to be allocated proportionately between the County Core and charges for service until such point as the payments from Lewiston and Auburn reach a "floor" recognizing the higher service levels required by those communities.

I would initially suggest that this floor be set at the total percentage of County population living in Lewiston-Auburn plus 10%. Based on the 2010 Census, LA's population is 55.2% of the County total, so the required payment floor for Lewiston and Auburn would be 65.2% of budget. At the point where Lewiston and Auburn reach 65.2% of the ARCC's budget, future increases would be applied proportionately to each area: Lewiston, Auburn, County Core Services, and Charges for Service.

LEWISTON CITY COUNCIL

MEETING OF MAY 15, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing and First Passage regarding amendments to the General Assistance Ordinance regarding burials and cremations.

INFORMATION:

The Social Services Director and the City Administrator are recommending amendments to the General Assistance ordinance which governs the City's assistance program for low income and eligible residents. The amendments pertain to the criteria used regarding burials and cremation services for residents whose families are unable to pay for this service. Note the underlined language is the new proposed language and the words that are struck out are proposed to be deleted.

Please see the attached memorandum from Social Services Director Sue Charron.

The City's procedures on burial and cremation are defined in the Ordinance and in the Policy Manual. Ordinance amendments require two passages and amendments to the Policy only require one. This agenda item is for adoption of the proposed Ordinance amendments on first passage. If approved, final passage will be scheduled for the June 5 Council meeting and the applicable Policy Manual amendments will also be scheduled for that night.

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 |
|---|---|---|---|---|---|---|---|

That the proposed amendments to the City Code of Ordinances, Chapter 46 "General Assistance", Section 46-98 "Basic necessities; maximum level of assistance, burial and cremations", receive first passage by a roll call vote and the public hearing on said ordinance be continued to the next regular City Council meeting for final passage.

AN ORDINANCE PERTAINING TO BURIAL AND CREMATIONS

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 46 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 46

GENERAL ASSISTANCE

ARTICLE IV. DETERMINATION OF ELIGIBILITY

Sec. 46-98. Basic necessities; maximum levels of assistance.

g. Burial, cremations.

1. Under the circumstances and in accordance with the procedures and limitations described below, the municipality recognizes its responsibility to pay for the burial or cremation of eligible persons. The administrator will provide for burial and cremation services to eligible persons up to the allowed maximum amounts as established by the city council in the general assistance policy.
2. Funeral directors must give timely notice. In order for the municipality to be liable for a burial or cremation expense, the funeral director must notify the administrator prior to the burial or cremation or by the end of ~~the next 3~~ 3 business days following the funeral director's receipt of the body, whichever is earlier. This contact by the funeral director shall begin the process of developing an application for burial/cremation assistance on behalf of the deceased. It is the funeral director's responsibility to determine if the family or any other persons are going to pay all or part of the burial expenses. If family members or others are unable to pay the expenses and the funeral director wants the municipality to pay all or part of the expenses, the funeral director must make timely contact with the municipal administrator. In addition, the funeral director may refer legally liable relatives to the administrator so that a timely determination of financial capacity may be accomplished.
3. Application for assistance shall be created on behalf of the deceased. For the purposes of determining residency, calculating eligibility and issuing general assistance for burial or cremation purposes, an application for assistance shall be created by the administrator on behalf of the deceased.
4. With regard to residency, the municipality of responsibility for burial expenses shall be the municipality in which the eligible deceased person was a resident at the time of death as residency is determined under section 46-40.
5. Although legally liable relatives may be asked to provide information regarding their income, assets, and basic living expenses, that information will not be construed as an application for general assistance inasmuch as living persons

are not eligible for burial assistance. To clarify this point of law, although legally liable relatives have a financial responsibility to pay for the burial or cremation of their relatives, that financial responsibility only exists to the extent the legally liable relatives have a financial capacity to do so. Therefore, legally liable relatives who are eligible for general assistance, by virtue of their eligibility, have no legal obligation to pay for the burial or cremation of their relatives. For these reasons, all general assistance issued for burial or cremation purposes shall be issued on behalf of, and in the name of, the deceased.

6. The financial responsibility of certain family members. Grandparents, parents, siblings, children and grandchildren of the deceased, who live in the state or own property in the state, are financially responsible for the burial or cremation of the deceased to the extent those relatives, individually or as a group, have a financial capacity to pay for the burial or cremation either in lump sum or by means of a budgeted payment arrangement with the funeral home. Accordingly, at the request of the administrator, all legally liable relatives must provide the municipal administrator, with any reasonable requested information regarding their income, assets, and basic living expenses. If any responsible family members refuse to provide the requested information or refuse to allow the municipality to investigate their resources, the municipality will not grant the requested burial or cremation assistance. If the administrator makes a finding that one or more legally liable relatives has a financial capacity to pay for the burial or cremation, the municipality will not grant the requested burial or cremation assistance.
 7. ~~Ten~~ Eight days to determine eligibility. The administrator may take up to ~~ten~~ eight days from the date of contact by the funeral director to issue a written decision regarding the amount of the municipal contribution toward the burial or cremation.
 8. The municipal obligation to pay when legally liable relatives or others can contribute. The figures provided in the general assistance policy are the maximum benefits provided by the municipality when no contributions toward the burial or cremation are available from any other source.
- h. *Burial expenses.* The administrator will respect the wishes of family members with regard to whether the deceased is interred by means of burial or cremation. Burial services required, at a minimum, shall include removal of the body from a local residence or institution, a secured death certificate and obituary, preparation of the body, a minimum casket, and necessary transportation. Other reasonable and necessary specified direct costs may be approved for reimbursement by the administrator, and may include the wholesale cost of a cement liner if the cemetery bylaws require one, the opening and closing of the gravesite, and a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, or in a cemetery that donates the lots to the city, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.
 - i. *Cremation expenses.* In the absence of any objection by any family members of the

No. 12-
Effective:

deceased, ~~or when neither the administrator nor the funeral director can locate any family members,~~ the administrator will issue general assistance for cremation services. ~~Minimum services for a e~~Cremation services required, at a minimum, shall include removal of the body from a local residence or institution, a secured death certificate and obituary, an appropriate container for cremation, and necessary transportation. ~~Additional payments for the actual cremation charge shall be paid directly to the cremation facility.~~ Other reasonable and necessary specified direct costs may be approved for reimbursement by the administrator, and may include the wholesale cost of a liner if the cemetery bylaws require one, and a cremation lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, or in a cemetery that donates the lots to the city, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Note: Additions are underlined; deletions are ~~struck out~~.



Social Services Department
Sue Charron
Social Services Director



MEMORANDUM

TO: Mayor Macdonald and Members of the City Council

FR: Sue Charron, Social Services Director

RE: General Assistance Burial/Cremation Changes

DT: May 15, 2012

Please see the attached Lewiston General Assistance Ordinance and the General Assistance section of the City of Lewiston policy manual for deletions and additions. Revisions are necessary because of recent law changes, updates to current procedures, and a decrease in the crematory fee. Also included is a proposal to revise the current cremation policy which, if approved, would negate the need to vote on the decrease in the crematory fee.

The ordinance needs to reflect the law changes in Title 22, Part 5, Chapter 1161, Section 4313.

- The new language increases the amount of time that the funeral director has to notify the administrator of the receipt of a deceased person, from the end of the next business day to the end of 3 business days,
- The new language decreases the amount of time that the administrator must render a decision after receiving an application from within 10 days to within 8 days.
- The new language removes siblings from the list of relatives who are considered legally liable to pay for burial or cremation costs.

The ordinance and policy manual need to be revised to reflect current procedures.

*City Hall • 27 Pine Street • Lewiston, Maine • 04240 • Voice Tel. 207-513-3130 • Fax 207-784-2959
• TTY/TDD 207 784-5999 • Email: scharron@ci.lewiston.me.us*

The City of Lewiston does not discriminate against or exclude individuals from its municipal facilities, and/or in the delivery of its programs, activities and services based on an individual person's race, ancestry, color, religion, gender, age, physical or mental disability, veteran status, or limited English speaking ability. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-513-3140, (TTY) 207-784-5999, or email mparadis@ci.lewiston.me.us.



Social Services Department
Sue Charron
Social Services Director



- Language is added to include donated lots. Because St. Peter's cemetery donates lots to the city for burials, the city will not pay for a lot in any other cemetery.

The ordinance needs to be revised to reflect current procedures.

- Language is deleted to remove the liability risk. Because of the potential for liability, the area funeral directors will not sign off on a cremation if there are no known next of kin. The legal staff at the Maine Municipal Association has advised GA administrators not to sign off on a cremation because of the potential for liability.

The policy manual will need to be revised to reflect a decrease in the crematory fee, if the council wishes to continue with existing policy.

- Effective April 16, 2012, Gracelawn Memorial Park decreased their standard crematory fees from \$300.00 to \$275.00.

However, if the council wishes to adopt the following proposal instead, there would be no need to vote on the change in the above monetary amount for the crematory fee because the funeral home would pay the crematory expense out of the GA maximum allowed for the total cremation expense. The ordinance and policy manual would need to be revised.

The proposal is to revise the current policy so that it is reflective of the original language and is consistent with the surrounding communities— allowing for only one maximum total payment paid to the funeral home and increasing the current amount of \$750 to \$785. The funeral home would be responsible for paying the crematory fee directly out of the \$785.

- The most recent decrease in the crematory fee is welcome news; however, there has been an increase in the crematory fees from \$125 in 2000 to \$300 in 2011, and it is very likely that there will be another increase at some time.

if we revert back to the original policy, the funeral homes will be responsible for paying for any increase out of the \$785. However, every other municipality pays only one set amount directly to the funeral home. The cities of Portland, Auburn

*City Hall • 27 Pine Street • Lewiston, Maine • 04240 • Voice Tel. 207-513-3130 • Fax 207-784-2959
• TTY/TDD 207 784-5999 • Email: scharron@ci.lewiston.me.us*

The City of Lewiston does not discriminate against or exclude individuals from its municipal facilities, and/or in the delivery of its programs, activities and services based on an individual person's race, ancestry, color, religion, gender, age, physical or mental disability, veteran status, or limited English speaking ability. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-513-3140, (TTY) 207-784-5999, or email mparadis@ci.lewiston.me.us.



Social Services Department
Sue Charron
Social Services Director



and Waterville pay a total maximum of \$785, and Biddeford pays a total of \$700.00. The City of Lewiston's policy must be consistent with other

municipalities around the state and the fees must be in line with those of the surrounding communities.

The current GA cremation policy that has been in effect since October 17, 2000, allows for separate payments to the funeral home and to the crematory. The maximum amount that is paid to the funeral home for associated cremation costs is \$750; and the maximum amount that is paid to the crematory for the actual cremation fee is \$300.

Keep in mind that the maximum amount paid for a burial is \$1,000, with additional costs for the opening and closing and a liner if required by the cemetery. Because the crematory fee has increased over the years, the city is currently paying more for total cremation costs than for the \$1,000 maximum amount allowed for burial, and that was never the intent.

Prior to October 17, 2000, the maximum amount allowed for the funeral home's associated cremation expenses **and** the actual crematory fee was a total of \$750— the funeral home paid the crematory fee out of the \$750.

The reason for the change was twofold: representatives of the funeral homes expressed concerns that the \$750 did not cover their expenses associated with the cremation and, more importantly, that the crematory was charging some of the funeral homes a higher fee than what the city was being charged. The variation in the crematory fees resulted in some of the funeral homes handling more than their fair share of indigent cases.

In an attempt to treat all of the funeral homes in an equitable fashion and to ensure that indigent families were able to have their family members taken care of as timely as possible, the city implemented what is the current policy. Keep in mind that in 2000 when the policy was implemented, the crematory expense was only \$125. I am of the belief that, when the existing policy was implemented, there was no thought of an increase in the crematory fees and, had there been even the slightest notion of an increase, the existing policy would never have been implemented.

City Hall • 27 Pine Street • Lewiston, Maine • 04240 • Voice Tel. 207-513-3130 • Fax 207-784-2959
• TTY/TDD 207 784-5999 • Email: scharron@ci.lewiston.me.us

The City of Lewiston does not discriminate against or exclude individuals from its municipal facilities, and/or in the delivery of its programs, activities and services based on an individual person's race, ancestry, color, religion, gender, age, physical or mental disability, veteran status, or limited English speaking ability. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-513-3140, (TTY) 207-784-5999, or email mparadis@ci.lewiston.me.us



**Social Services Department
Sue Charron
Social Services Director**



In 2011, Gracelawn increased the cremation cost to \$300. Gracelawn also changed its policy so that the same fee applied to all funeral homes and to all

general assistance cases. Hence, the city is no longer receiving a reduced rate and the real impetus for the change in the GA policy no longer exists.

I have notified all of the funeral homes that we do business with, about the changes contained in this memo.

*City Hall • 27 Pine Street • Lewiston, Maine • 04240 • Voice Tel. 207-513-3130 • Fax 207-784-2959
• TTY/TDD 207 784-5999 • Email: scharron@ci.lewiston.me.us*

The City of Lewiston does not discriminate against or exclude individuals from its municipal facilities, and/or in the delivery of its programs, activities and services based on an individual person's race, ancestry, color, religion, gender, age, physical or mental disability, veteran status, or limited English speaking ability. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-513-3140, (TTY) 207-784-5999, or email mparadis@ci.lewiston.me.us.

LEGAL AD

**PUBLIC HEARING NOTICE
CITY OF LEWISTON
PROPOSED ORDINANCE AMENDMENT**

A public hearing on the following ordinance amendment, for passage on first reading, will be held in the Council Chambers, Lewiston City Hall, on **Tuesday, May 15, 2012, at 7:00pm**, or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said ordinance adoption.

GENERAL ASSISTANCE ORDINANCE

This amendment would amend the ordinance language regarding determination of eligibility for burial and cremation expenses due to recent changes in state law. This amendment would extend the time a funeral home has to notify the City about a deceased person in need of city assistance for a burial, limit the time the City has to determine eligibility and eliminate siblings as relatives who are legally liable to assist with burial costs.

The City of Lewiston is an EOE. For more information, please visit our website at www.lewistonmaine.gov and view on the Non-Discrimination Policy.

Kathleen M. Montejo, MMC
City Clerk

LEGAL AD - SUN JOURNAL - Thursday, May 10, 2012

TO: LSJ Advertising Dept. 784-3062 fax Attn: Venise
FROM: Lewiston City Clerk's Office 784-2959 fax

Thank you.

Please bill the City Clerk's Dept account.

LEWISTON CITY COUNCIL
MEETING OF MAY 15, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing and Adoption of the FY2013 Lewiston Capital Improvement Program Bond Issue Order.

INFORMATION:

This public hearing is being held in accordance with Article VI, Section 6.14 of the City Charter.

The projects being bonded are in accordance with the Capital Improvement Program adopted by the City Council earlier this year and revisions based on discussions during budget deliberations or changes due to new information on the cost of the projects for funding. The total cost of the Bond Issue is \$22,796,400 and include 25 various projects and programs.

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 |
|---|---|---|---|---|---|---|---|

To adopt the FY2103 Lewiston Capital Improvement Program Bond Issue Order.

**LCIP Bond Issue Order
May 15, 2012**

Order, Authorizing the Issuance of \$22,796,400 in Public Improvement Bonds and Making an Appropriation for Certain Capital Projects.

ORDERED, That \$22,796,400 be appropriated for financing the following projects in the Lewiston Capital Improvement Program:

| <u>Project</u> | <u>Amount</u> |
|-------------------------------------|-------------------|
| Acquisition & Demolition | 150,000 |
| Comprehensive Plan | 150,000 |
| Vehicle Wash Facility | 180,000 |
| Library Building Improvement | 60,000 |
| Police Department Sidewalk Replace. | 50,000 |
| Social Services Expansion | 200,000 |
| Armory Rehab. | 75,000 |
| GIS Photogrammetric Update | 75,000 |
| General Street Rehab. | 607,000 |
| Russell Street Overlay | 71,000 |
| Main Street (Pettingill to Bearce) | 120,700 |
| RT. 196/Lisbon Street Project | 142,700 |
| Total General Fund | 1,881,400 |
| | |
| McMahon Addition | 5,500,000 |
| LMS Improvements | 9,165,000 |
| Montello Lockers | 125,000 |
| Total School Department | 14,790,000 |
| | |
| L/A Water Treatment Program | 530,000 |
| Distribution Main Replacement | 1,770,000 |
| Total Water Fund | 2,300,000 |
| | |
| Oak Street Sewer Separation | 550,000 |
| Jepson Brook Sewer Separation | 1,000,000 |
| Interceptor Inspection & Rehab. | 200,000 |
| Sanitary Line Rehabilitation | 325,000 |
| Total Sewer Fund | 2,075,000 |
| | |
| Oak Street Stormwater Separation | 550,000 |
| Hart Brook Water Quality Imp | 100,000 |
| Jepson Brook Drainage Channel Study | 100,000 |
| Jepson Brook Stormwater Separation | 1,000,000 |

Total Stormwater Fund 1,750,000

GRAND TOTAL 22,796,400

FURTHER ORDERED, since the Lewiston Middle School Project exceeds the charter required 15% of the 2012 tax levy, the project will be sent to referendum on July 10, 2012 for voter approval;

FURTHER ORDERED, as the general property tax based debt of \$16,671,400 exceeds the debt limitation of \$5,792,278, this Council order requires five affirmative votes for passage;

FURTHER ORDERED, That to meet this appropriation, \$22,796,400 shall be raised by Public Improvement Bond Issue(s);

FURTHER ORDERED, That the City Council instruct the Finance Director to advertise for bids for \$22,796,400, or increments thereof, of Public Improvement Bonds; to award the loan; and to employ Palmer & Dodge to furnish the legal opinion for the same; provided that in the alternative, the Finance Director is authorized to award the loan to the Maine Municipal Bond Bank;

FURTHER ORDERED, That the bonds shall be signed by the City Treasurer and Mayor;

FURTHER ORDERED, That the date, maturities, denominations, interest rate or rates, place or places of payment, form or other details of the bonds and of the provisions for the sale thereof shall be determined by the Finance Director;

FURTHER ORDERED, That bonds issued hereunder may be subject to call for redemption on such terms as may be determined by the Finance Director.

FURTHER ORDERED, On or before the call date, the Finance Director is authorized to refund/advance refund this bond series if a net present value benefit is derived.



Finance Department



Heather Hunter
 Director of Finance/Treasurer
 hhunter@ci.lewiston.me.us

TO: Mayor Robert Macdonald and Members of the City Council
FROM: Heather Hunter, Finance Director
SUBJECT: **2013 Lewiston Capital Improvement Program**
DATE: May 9, 2012

On January 10, 2012, the City Council received and placed on file the 2012 Lewiston Capital Improvement Program (LCIP) planning document and conducted a public hearing on February 7, 2012. The public hearing outlined numerous projects totaling \$36,840,473 for fiscal year 2013. The final 2013 LCIP project recommendation for bonding is provided below.

PROPOSED FY2013 LCIP BOND AUTHORIZATION

| Project | Amount |
|-------------------------------------|-------------------|
| Acquisition & Demolition | 150,000 |
| Comprehensive Plan | 150,000 |
| Vehicle Wash Facility | 180,000 |
| Library Building Improvement | 60,000 |
| Police Department Sidewalk Replace. | 50,000 |
| Social Services Expansion | 200,000 |
| Armory Rehab. | 75,000 |
| GIS Photogrammetric Update | 75,000 |
| General Street Rehab. | 607,000 |
| Russell Street Overlay | 71,000 |
| Main Street (Pettingill to Bearce) | 120,700 |
| RT. 196/Lisbon Street Project | 142,700 |
| Total General Fund | 1,881,400 |
| McMahon Addition | 5,500,000 |
| LMS Improvements | 9,165,000 |
| Montello Lockers | 125,000 |
| Total School Department | 14,790,000 |
| L/A Water Treatment Program | 530,000 |
| Distribution Main Replacement | 1,770,000 |
| Total Water Fund | 2,300,000 |
| Oak Street Sewer Separation | 550,000 |

| | |
|-------------------------------------|--------------------------|
| Jepson Brook Sewer Separation | 1,000,000 |
| Interceptor Inspection & Rehab. | 200,000 |
| Sanitary Line Rehabilitation | 325,000 |
| Total Sewer Fund | 2,075,000 |
| | |
| Oak Street Stormwater Separation | 550,000 |
| Hart Brook Water Quality Imp | 100,000 |
| Jepson Brook Drainage Channel Study | 100,000 |
| Jepson Brook Stormwater Separation | 1,000,000 |
| Total Stormwater Fund | 1,750,000 |
| | |
| GRAND TOTAL | <u>22,796,400</u> |

During Administration's evaluation and the public hearing process, a few projects were either eliminated or deferred without having a major impact to the City's operations.

On December 20, 2011, the City Council revised their adopted bond issue limitation ordinance (Article II. Sec. 2-34), that limits the amount of debt to be authorized for issuance. The limit is capped at 80% of the average amount of annual debt being retired over the three previous fiscal years, unless the debt is financed through sources other than general property taxes. The debt limitation applicable to the 2013 LCIP is \$5,792,278. Using the refined municipal sub-total of \$16,671,400, the City would be \$10,879,122 above the cap, therefore requiring five affirmative votes to pass the bond order.

At the most recent Council workshop, concern was raised about the two school projects and the best means to package the debt burden. I am recommending the McMahon Addition, which is a shovel ready project, be issued for the entire \$5.5 million. Given the accelerated cashflows, we will have no problem satisfying the arbitrage spend-down requirements and the low market rates provide a cost effective means to finance a project of this magnitude. The annual principal payment for this project would be about \$275,000.

Given the alternatives of financing the LMS Project in one bond sale vs. a split sale, I am recommending a split sale. Although the City may save some marginal issuance costs (most costs are based upon a percentage of the amount financed) and a possible lower interest rate, I am concerned that the arbitrage spend-down requirements may not be satisfied, thus putting the City at risk of rebating money back to the Internal Revenue Service. I am recommending selling \$4.91 million in early 2013 and the remaining \$4.255 million in early 2014. The City Council will still approve the entire project amount of \$9.165 million for FY2013, subject to voter approval. The further benefit of a split sale is if we come in below budget on the McMahon Addition, funds can be transferred to this project and/or if bids come in below budget, we have the option of reducing the needed debt proceeds on the second sale. The annual principal estimates for this project are: for FY2014 - \$245,500 and for FY2015 and thereafter - \$458,250.

The total estimated impact of issuing \$12,416,400 of bonds (but approving \$16,671,400) is an additional principal requirement of \$726,907 in fiscal year 2014, and \$939,657 in fiscal year 2014, after the second LMS sale. I have forecasted the impact on the City's overall outstanding

debt, principal and interest requirements for the next three fiscal years below, assuming an interest rate of 3.25%.

| | City | School | Total | Total Payments |
|------------------------------------|-------------|-------------|--------------|---------------------|
| <u>As of June 30, 2012:</u> | | | | |
| Outstanding Principal | 68,653,695 | 36,920,553 | 105,574,248 | |
| Outstanding Interest | 16,328,003 | 11,763,927 | 28,091,930 | |
| New Principal** | 2,345,400 | 10,535,000 | 12,880,400 | |
| New Interest*** | 364,493 | 5,026,775 | 5,391,268 | |
| Principal Payments | (6,179,826) | (2,794,008) | (8,973,834) | |
| Interest Payments | (2,431,302) | (1,369,396) | (3,800,698) | (12,774,532) |
| <u>As of June 30, 2013:</u> | | | | |
| Outstanding Principal | 64,819,269 | 44,661,545 | 109,480,814 | |
| Outstanding Interest | 14,261,194 | 15,421,306 | 29,682,500 | |
| New Principal* | 4,818,459 | 4,930,000 | 9,748,459 | |
| New Interest | 1,252,799 | 230,344 | 1,483,143 | |
| Principal Payments | (6,553,229) | (3,411,260) | (9,964,489) | |
| Interest Payments | (2,298,047) | (1,612,133) | (3,910,181) | (13,874,670) |
| <u>As of June 30, 2014:</u> | | | | |
| Outstanding Principal | 63,084,499 | 46,180,285 | 109,264,784 | |
| Outstanding Interest | 13,215,946 | 14,039,516 | 27,255,462 | |
| New Principal* | 5,132,500 | 2,286,000 | 7,418,500 | |
| New Interest | 1,334,450 | 780,098 | 2,114,547 | |
| Principal Payments | (6,936,121) | (3,514,468) | (10,450,589) | |
| Interest Payments | (2,239,968) | (1,661,705) | (3,901,672) | (14,352,261) |
| <u>As of June 30, 2015:</u> | | | | |
| Outstanding Principal | 61,280,878 | 44,951,817 | 106,232,695 | |
| Outstanding Interest | 12,310,428 | 13,157,909 | 25,468,337 | |

* Based upon projects listed in the current LCIP

** Included authorized projects from 2012, not issued yet.

*** Combined split issue interest total

The projects recommended for funding in the Water Division amount to \$2,300,000. The fiscal year 2014 debt service requirement for principal and interest would increase by \$189,750 from the current \$1,933,400 requirement assuming an interest rate of 3.25%.

Sewer Utility projects total \$2,075,000. These projects will increase the 2014 scheduled debt retirement of \$1,077,742 by \$171,187 with the same interest rate assumption.

Requested Storm Water projects total \$1,750,000, producing an increase of \$144,375 in combined principal and interest payments over the current \$1,101,772 in the next fiscal year.



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



May 10, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Proposed FY13 Bond Issue

On May 15th, the Council will consider authorizing bonds for a variety of city, school, and utility projects, including those outlined for FY13 in the Capital Improvement Plan. The attached spreadsheet lists these projects along with staff's recommendations.

FY13 LCIP municipal projects call for just over \$3 million in bonds. Of that, we are recommending only \$1,881,400. Over 50% of this amount will go to street reconstruction and the local share of state highway projects. Other projects include acquisition and demolition of properties primarily in the downtown (\$150,000), the local share of a large vehicle wash (\$180,000), funding for updating the City's comprehensive plan (\$150,000), police station sidewalk replacement (\$50,000), waterproofing at the Library (\$60,000), and updated aerial mapping (\$75,000). There are two projects that do not appear in the LCIP: \$200,000 for renovations to the Social Services office in City Hall and \$75,000 for Armory renovations related to installation of an elevator.

These projects received preliminary review at a workshop on May 8th where additional information was requested on certain projects. See the attached on: property acquisition and demolition; comprehensive planning; social services office renovation; armory elevator; and the impact of school projects on annual debt service payments.

During the coming year, the City will make principal payments of \$6,172,940 as compared to the proposed new debt of \$1,881,400. This level of borrowing will support our efforts to manage the municipal side of the City's debt and will allow room for additional borrowing for projects related to the Riverfront Island Master Plan, including the possible demolition of Mill 5, should the Council wish to pursue them.

School projects include an addition to McMahan School (\$5,500,000) and locker replacement and hallway renovations at Montello School (\$125,000). As originally presented, the LCIP included \$160,000 in bonds for site work for portable classrooms at Montello. This has been deferred. A second Montello project (\$160,000) called for replacing security cameras, lockers, and whiteboards. This was originally proposed to be

funded from the school operating budget. The Department has requested that the Council borrowing \$125,000 to allow for locker replacement and hallway improvements only. One other LCIP project not recommended for funding -- site preparation for the installation of portable classrooms at Martel (\$50,000), is no longer needed due to the transfer of the Multi-Purpose Center to the School Department.

The Middle School Project was included in the LCIP in two Phases. Phase I would include renovations to 50,000 square feet of the building at an original estimate of \$3.0 million. This has increased to \$3.5 million as preliminary project design moved forward. Phase II, which was included in FY14 proposed capital program, would renovate 40,000 square feet of the existing building and add 8 classrooms. The renovations were split into two phases to ensure that the renovation work to be completed would not be negatively impact or redone when the expansion was undertaken. The current estimate of the cost of Phase II is \$5.6 million. Taken together, the renovation and expansion plus bond issuance costs result in a \$9,165,000 project.

The City Charter requires that any single bond project that exceeds 15% of the prior year's tax levy must go to the voters for approval. That limit is currently \$7,091,112. Since the middle school project exceeds this amount, a referendum vote is required to approve issuing the bonds. Note, however, that if the Council and voters approve, bonds could be issued over a two year period depending on the project's cash flow needs. Finance Director Heather Hunter is evaluating options and has developed a projection that shows the impact of this project on the city's overall budget.

Taken together, these General Fund projects total \$16,671,400. Under the City's ordinances, any bond authorization in excess of 80% of the average amount of principal retired over the last three years requires the affirmative vote of 5 members of the Council. That limit is approximately \$5.8 million.

Enterprise Funds

The proposed bond projects for our enterprise funds are similar to those of recent years and address separation of combined sewers, water and sewer line rehabilitation or replacement, and water quality improvements. Of note, \$100,000 is recommended for a study of the Jepson Brook Channel to establish its carrying capacity and improvements that might be required given the impact of various separation projects in this watershed. Unlike the municipal general fund, the bond issues for all three utilities will exceed the principal amount scheduled for payment in the coming year. This is a result of the costs associated with state and federal clean water mandates and the aging nature of our water and sewer systems. Utility debt is repaid through user fees.

Conclusion

City and school staff will be available on Tuesday to review these projects with you. Should you have any questions or need further information, please feel free to contact me or the responsible department head.

MEMORANDUM

TO: Mayor Robert E. Macdonald
Members of the City Council

FR: Gildace J. Arsenault, Director of Planning and Code Enforcement

RE: FY 2013 LCIP – Acquisition/Demolition

DT: May 10, 2012

There are a number of vacant and distressed multifamily buildings that are having an adverse impact on the health and vitality of our downtown residential neighborhoods. These structures discourage reinvestment in downtown neighborhoods, and the number of such structures appears to be on the rise. Many of these structures have been abandoned by their owners and are in the process of foreclosure. Unfortunately, many of these abandoned buildings are not being closely monitored by lenders, and the foreclosure process takes an inordinately long period of time to complete. Some abandoned buildings have been targeted by vandals who remove copper pipe and other building components to sell. Many such structures are at times unsecured with broken windows and are generally attractive nuisances whose appearance contributes to the gradual deterioration and sense of hopelessness endemic in downtown neighborhoods.

Rental revenue for a number of downtown multifamily buildings is insufficient to cover the operational costs of heat and hot water, sewer and water, storm water utility fees, solid waste, debt service, bed bugs and other pest control, replacement reserves and management fees. High vacancy rates and lost revenues due to nonpayment of rent further exacerbate a very challenging housing market. Rental rates are generally very affordable for lower income families; however, the rental income can not in many cases carry the costs associated with the provision of rental housing, and thus housing conditions are substandard in many instances. The housing stock in downtown Lewiston is one of the oldest in the country and some of the housing has not seen significant reinvestment and is functionally obsolete. Usually any improvements can be described as quarter measures at best. Poverty rates are extremely high for the downtown census tracts in which our Community Development Block Grant funds are directed to address housing and blighting conditions.

In order to address vacant and distressed housing, the City Council made \$336,839.68 available for FY 2012 for acquisition and demolition. Given this funding, the City Council recently gave authorization to demolish a tax-acquired, single-family home located at 233 Blake. In addition, the Council ordered the demolition of 305 Bates Street, 10 College Street, 81 Lincoln Street, and 67 Oak Street. The Council had also scheduled a hearing to order the demolition of 220 Park Street; however, the lender committed to taking possession of the property and to affirmative steps to address this blighting

influence. The City is in the process of undertaking environmental assessments of the four condemned properties, and these multifamily buildings should be demolished early this summer. The Director of Budget & Purchasing, Norm Beauparlant, has provided the Council with a spread sheet that details current expenditures and obligations.

On June 5th the Council will undertake condemnation hearings to consider orders for the demolition of a three-unit building located at 357 Sabattus Street and the demolition of a fire-ravaged, single-family home located at 72 Wellman Street. Staff has filed the requisite documents with the City Attorney for the condemnation of a three-unit building located at 122 Pierce Street and will submit documents to the City Attorney for condemnation hearings of a four-unit building located at 226 Oak Street and a five-unit located at 159 Pine Street. I anticipate that the Council will conduct hearings on these buildings in July. Given the number of abandoned buildings, staff will continue to work with the City Attorney in order to schedule additional hearings for Council action to condemn other distressed properties.

I have attached a list that staff has developed of currently identified vacant/abandoned buildings. This list contains 82 properties, and I should note that additional properties come to our attention on a regular basis. The Fire Department has placarded 57 buildings that they have identified as “Structural Hazards, Exterior Operations Only”, and they have a sub-list that identifies 22 of these structures as “Structural Hazards, Extreme Caution”. I have also attached these lists to this memorandum.

The Lewiston Capital Improvement Program for FY 2013 includes \$250,000 to fund acquisition and demolition. This money is intended to acquire property for economic development opportunities and to respond to the current housing crisis in the downtown and beyond. This amount is insufficient to allow the City to strategically acquire distressed properties during a significant economic downturn in the downtown housing market that may provide opportunities for economic development, housing, open space, etc. This amount is also insufficient to address the growing number of distressed residential buildings within the downtown and in scattered locations in other parts of the City. Staff fully appreciates the competing needs for limited resources; however, given market conditions, staff would like to discuss increasing funding for acquisition/demolition at your meeting of May 15, 2012.

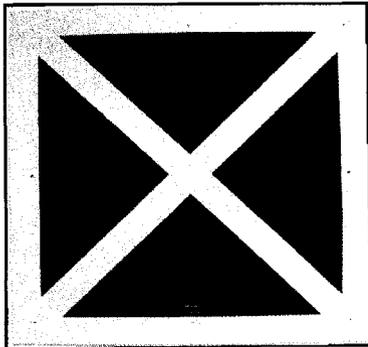
I plan to attend your May 15, 2012 meeting to provide any assistance that you may require.

May 10, 2012.

Currently Identified Vacant/Abandoned Residential Buildings

| # | ST # | STREET NAME | Number of Units | CONDEMNED | Notes |
|----|------|-------------|------------------------------|-----------|------------------------|
| 1 | 73 | Bartlett St | Single Family Home | Yes | |
| 2 | 114 | Bartlett St | 8 Unit Apt Building | No | |
| 3 | 116 | Bartlett St | 8 Unit Apt Building | No | |
| 4 | 139 | Bartlett St | 3 Unit Apt Building | Yes | |
| 5 | 155 | Bartlett St | 8 Unit Apt Building | Yes | |
| 6 | 184 | Bartlett St | 8 Unit Apt Building | Yes | |
| 7 | 305 | Bates St | 5 Unit Apt Building | Yes | Pending Demolition |
| 8 | 320 | Bates St | 8 Unit Apt Building | Yes | |
| 9 | 44 | Birch St | 3 Unit Apt Building | Yes | |
| 10 | 80 | Birch St | 3 Unit Apt Building | Yes | |
| 11 | 87 | Birch St | 3 Unit Apt Building | Yes | |
| 12 | 130 | Blake St | 3 Unit Apt Building | Yes | |
| 13 | 233 | Blake St | Demolished | Yes | Demolished |
| 14 | 198 | Blake St | 3 Unit Apt Building | Yes | |
| 15 | 10 | Brault St | Single Family Home | | |
| 16 | 124 | Campus Ave | 2 Unit Apt | Yes | |
| 17 | 10 | College St | 4 Unit Apt Building | Yes | Pending Demolition |
| 18 | 112 | College St | 4 Unit Apt Building | Yes | |
| 19 | 127 | Cotton Rd | Single Family Home | | |
| 20 | 12 | Fair St | Single Family Home | No | |
| 21 | 112 | Holland St | 2 Unit Apt | No | |
| 22 | 178 | Holland St | 3 Unit Apt Building | Yes | |
| 23 | 180 | Holland St | Single Family Home | Yes | |
| 24 | 75 | Horton St | 3 Unit Apt Building | No | |
| 25 | 21 | Howard St | 3 Unit Apt Building | No | |
| 26 | 48 | Howe St | 3 Unit Apt Building | Yes | |
| 27 | 60 | Howe St | 4 Unit Apt Building | Yes | |
| 28 | 76 | Irwin St | Single Family Home | Yes | |
| 29 | 18 | King Ave | Single Family Home | Yes | |
| 30 | 47 | Knox St | 3 Unit Apt Building | Yes | |
| 31 | 91 | Knox St | 4 Unit Apt Building | Yes | |
| 32 | 7 | Lincoln Dr | Single Family Home | Yes | |
| 33 | 81 | Lincoln St | 3 Unit Apt Building | Yes | Pending Demolition |
| 34 | 248 | Lincoln St | Single Family Home | Yes | |
| 35 | 251 | Lincoln St | Single Family Home | Yes | |
| 36 | 264 | Lincoln St | 2 Family Home | Yes | |
| 37 | 266 | Lincoln St | 2 Family Home | Yes | |
| 38 | 267 | Lincoln St | 2 Single Family- three sheds | | |
| 39 | 271 | Lincoln St | Single Family Home | | |
| 40 | 390 | Lincoln St | Single Family Home | Yes | |
| 41 | 25 | Lucille Ave | Single Family Home | Yes | Pending Demolition |
| 42 | 65 | Nichols St | 3 Unit Apt Building | | |
| 43 | 10 | Nomar Crt | 2 Unit Apt | No | |
| 44 | 67 | Oak St | 3 Unit Apt Building | Yes | Pending Demolition |
| 45 | 50 | Oak St | 4 Unit Apt Building | Yes | Demolished |
| 46 | 226 | Oak St | 4 Unit Apt Building | Yes | |
| 47 | 162 | Oxford St | Single Family Home | Yes | |
| 48 | 208 | Park St | 3 Unit Apt Building | Yes | |
| 49 | 220 | Park St | 4 Unit Apt Building | Yes | |
| 50 | 5 | Peter Blvd | Single Family Home | Yes | |
| 51 | 116 | Pierce St | 2 Unit Apt | No | |
| 52 | 122 | Pierce St | 4 Unit Apt Building | Yes | Pending Council Action |
| 53 | 119 | Pine St | 3 Unit Apt Building | Yes | |
| 54 | 159 | Pine St | 5 Unit Apt Building | Yes | Pending Council Action |

| | | | | | |
|----|-----|---------------|---------------------|-----|------------------------|
| 55 | 158 | Pine St | 3 Unit Apt Building | No | Rehab Completed |
| 56 | 551 | Pond Rd | Single Family Home | | |
| 57 | 9 | Radio Circle | Single Family Home | | |
| 58 | 46 | River St | 4 Unit Apt Building | Yes | |
| 59 | 66 | River St | Shed | | |
| 60 | 68 | River St | Shed | | |
| 61 | 145 | Sabattus St | 4 Unit Apt Building | Yes | |
| 62 | 147 | Sabattus St | 4 Unit Apt Building | Yes | |
| 63 | 357 | Sabattus St | 2 Unit Apt | Yes | Pending Council Action |
| 64 | 478 | Sabattus St | 2 Unit Apt | Yes | |
| 65 | 97 | Sabattus St | 2 Unit Apt | Yes | |
| 66 | 3 | Shawmut St | 4 Unit Apt Building | Yes | |
| 67 | 80 | Shawmut St | 3 Unit Apt Building | Yes | |
| 68 | 29 | Spring St | Single Family Home | Yes | |
| 69 | 82 | Summer St | Single Family Home | Yes | |
| 70 | 2 | Summer St | Single Family Home | Yes | |
| 71 | 140 | Summer St | 4 Unit Apt Building | No | |
| 72 | 48 | Tampa St | 2 Unit Apt | Yes | |
| 73 | 27 | Thorn Ave | Single Family Home | Yes | |
| 74 | 40 | Union St | 3 Unit Apt Building | Yes | |
| 75 | 28 | Wakefield St | 4 Unit Apt Building | yes | |
| 76 | 84 | Walnut St | 8 Unit Apt Building | No | |
| 77 | 131 | Webber Ave | 3 Unit Apt Building | | |
| 78 | 83 | Webster St | 3 Unit Apt Building | No | |
| 79 | 582 | Webster St | Single Family Home | No | |
| 80 | 741 | Webster St | Single Family Home | No | |
| 81 | 72 | Wellman St | Single Family Home | Yes | |
| 82 | 7 | Willow Circle | Single Family Home | Yes | |
| | | | | | |
| | | | | | |



Structural Hazards, Exterior Operations Only

| Street # | Street name | Comments and Warnings | Most Current Inspection Date |
|----------|---------------------------|--|------------------------------|
| 73 | Bartlett St | Vacant/Condemned | |
| 114 | Bartlett St | Vacant (Rear porches unsafe) | 10/25/2011 |
| 118 | Bartlett St | Vacant | 10/25/2011 |
| 139 | Bartlett St | Vacant/Condemned | 1/13/2012 |
| 155 | Bartlett St | Vacant/Condemned | 10/25/2011 |
| 184 | Bartlett St | Vacant | 10/25/2011 |
| 305 | Bates St | Severe deterioration/ extraordinary amount of mold Vacant/Condemned | 10/25/2011 |
| 320 | Bates St | Vacant/Condemned/ ready to colapse | |
| 1 | Beech Street (Museum L-A) | VACANT Not Safe for Firefighters | 6/4/2010 |
| 80 | Birch St | Vacant/Condemned | |
| 130 | Blake St | Vacant/Condemned | |
| 233 | Blake St | Vacant/Condemned (to be torn down week of 1/9/2012) | 10/25/2011 |
| 124 | Campus Ave | Vacant/Condemned | |
| 10 | College St | Severe deterioration Vacant/Condemned | 10/25/2011 |
| 12 | Fair St | Vacant; Large unprotected (no guards) opening with access to cellar in rear of 1st floor; and the rear deck and access stairs are sturcturally unsound. (Sent to us by Code-Gary Campbell) | 12/16/2011 |
| 112 | Holland St | Vacant | 10/25/2011 |
| 178 | Holland St | Vacant/Condemned | 10/25/2011 |
| 180 | Holland St | Vacant/Condemned | 1/13/2012 |
| 21-23 | Howard St | To be condemned Vacant | 10/25/2011 |
| 48 | Howe St | Vacant/Condemned | 10/25/2011 |
| 60 | Howe St | Vacant/Condemned | |
| 76 | Irwin Ave | Vacant/Condemned | 10/25/2011 |
| 18 | King Ave | Seriously delapidated Vacant/Condemned | 10/25/2011 |
| 47 | Knox St | Vacant/Condemned | |
| 91 | Knox St | Vacant/Condemned | |
| 7 | Lincoln Dr | Structural deficiencies/dangerous Vacant/Condemned | 10/25/2011 |
| 81 | Lincoln St | Severely deteriorated Vacant/Condemned | 10/25/2011 |
| 248 | Lincoln St | Vacant/Condemned | 10/25/2011 |
| 251 | Lincoln St | Severely deteriorated Vacant | 10/25/2011 |
| 264 | Lincoln St | Vacant | 10/25/2011 |

| Street # | Street name | Comments and Warnings | Most Current Inspection Date |
|----------|--------------------|---|------------------------------|
| 266 | Lincoln St | Poor condition Vacant | 10/25/2011 |
| 25 | Lucielle Ave | Vacant/Condemned | 10/25/2011 |
| 67 | Oak St | Rear porches very poor condition Vacant/Condemned | 10/25/2011 |
| 50 | Oak St | Vacant/Condemned | |
| 226 | Oak St / 62 Elm St | Vacant/Condemned access issues/debris in interior | 6/21/2011 |
| 162 | Oxford St | Dangerously dilapitated Vacant/Condemned | 10/25/2011 |
| 208 | Park St | Vacant/Condemned | |
| 220 | Park St | Vacant/Condemned | 10/25/2011 |
| 5 | Peter Blvd | Vacant | 10/25/2011 |
| 122 | Pierce St | Egress porches & stairs dangerously deteriorated condition Condemned | 10/25/2011 |
| 46 | River St | Vacant | |
| 145 | Sabattus St | Vacant/No Entry | 11/4/2011 |
| 147 | Sabattus St | Vacant/Condemned | 10/25/2011 |
| 357 | Sabattus St | Severely deteriorated Vacant/Condemned (Dangerously weak porches/weak floors) | 10/25/2011 |
| 478 | Sabattus St | Vacant/Condemned | 10/25/2011 |
| 3 | Shawmut St | To be condemned Vacant | 10/25/2011 |
| 80 | Shawmut St | Vacant/Condemned | 10/25/2011 |
| 29 | Spring St | Severely deteriorated / unsanitary conditons Vacant/Condemned | 10/25/2011 |
| 82 | Summer St | Vacant | 10/25/2011 |
| 48 | Tampa St | Substantial interior damage & mold Vacant/Condemned | 10/25/2011 |
| 27 | Thorne Ave | Dangerous bldg. collapsing structually Vacant/Condemned | 10/25/2011 |
| 28 | Wakefield | Deteriorated Vacant/Condemned | 10/25/2011 |
| 84 | Walnut St | Lead Hazardous To be condemned Vacant | 10/25/2011 |
| 582 | Webster St | Vacant cellar stairs missing | 12/15/2009 |
| 741 | Webster St | Vacant | 10/25/2011 |

Tracking For Costs Associated with Condemnation Orders by City Council/Court

Summary

| (demonjb2012) | | | | | | | | | | |
|---|---------------------|-----------------------|-------------------|-----------------|---------------|---------------|---------------|-----------------------|-----------------|---------------------------------|
| Location | | | | | General Fund | Bond Issue | CDBG | Brownfield Assessment | Total All Funds | Estimate of Probable Demo Costs |
| | | | | | Acct. # | Acct. # | Acct. # | Acct. # | | Revised 5/10/2012 |
| FY2012 Account Numbers | | | | | 41310-4015000 | 702-7027104 | 51237-5151000 | 51501-5492880 | | |
| FY2013 Account Numbers | | | | | | | | | | |
| Budget FY 2012 (BI & CDBG) | | | | | | \$ 200,000.00 | \$ 136,839.68 | | | |
| Acquisition Costs Charged | | | | | \$ - | \$ - | \$ - | \$ - | \$ - | |
| Demo Costs as of 4/09/2012 | | | | | \$ - | \$ 18,928.31 | \$ 45,143.10 | \$ - | \$ 64,071.41 | |
| Non Specific Code Costs | Legal Services | | | | \$ 1,795.25 | \$ - | \$ - | \$ - | \$ 1,795.25 | |
| | Securing Bnuildings | | | | \$ - | \$ - | \$ 1,697.07 | \$ - | \$ 1,697.07 | |
| | City Council | Date | # Of Units | Date | | | | | | |
| Demolition Projects | Hearing Date | 30 Day Expires | | Complete | | | | | | |
| 305 Bates Street | 3/20/2012 | 5/5/2012 | 4 | | \$ 1,344.63 | \$ - | \$ - | \$ - | \$ 1,344.63 | \$ 38,000.00 |
| 10 College Street | 3/20/2012 | 4/27/2012 | 6 | | \$ 1,319.04 | \$ - | \$ - | \$ - | \$ 1,319.04 | \$ 41,000.00 |
| 81 Lincoln Street | 4/3/2012 | 5/9/2012 | 3 | | \$ 1,315.34 | \$ - | \$ - | \$ - | \$ 1,315.34 | \$ 25,000.00 |
| 67 Oak Street | 4/3/2012 | 5/11/2012 | 3 | | \$ 1,430.79 | \$ - | \$ - | \$ - | \$ 1,430.79 | \$ 25,000.00 |
| Total Expended 5/10/2012 | | | 16 | | \$ 7,205.05 | \$ 18,928.31 | \$ 46,840.17 | \$ - | \$ 72,973.53 | |
| Encumbrance/Committed as of | 5/10/2012 | | | | | \$ - | \$ 4,477.93 | \$ 3,225.00 | | |
| Remaining Available 5/10/2012 | | | | | | \$ 181,071.69 | \$ 85,521.58 | | \$ 129,000.00 | \$ 137,593.27 |
| Current Properties Likely to be sent to City Council | | | | | | | | | | |
| 72 Wellman St | | | 1 | | | | | | | Due to be on City |
| 357 Sabattus Street | | | 3 | | | | | | | Due to be on City |
| 122 Pierce Street | | | 4 | | | | | | | |
| 159 Pine Street | | | 5 | | | | | | | |
| 226 Oak Street | | | 4 | | | | | | | |



CITY OF LEWISTON



Department of Planning & Code Enforcement

TO: City Council
Mayor
SUBJECT: 2013 LCIP Proposal for Update to the 1997 Comprehensive Plan
FROM: David Hediger, City Planner
DATE: May 10, 2012

The following provides additional information regarding the LCIP request for funding of a comprehensive plan update.

Background

The last comprehensive plan for Lewiston was completed in 1997. This was basically an update to City's 1988 plan, during which a great deal of time was spent in developing strategy and policy recommendations. The 1997 plan was an update to the inventory requirements of the plan such as population, housing, and economic data. While other updates were provided in 1997, many of the policies and strategies remained unchanged.

At this time, Lewiston's plan is deemed valid and consistent with State law until December 31, 2012. Notwithstanding the 2012 date, it is entirely up to a community to decide if it is time to update its comprehensive plan. However, a consistent comprehensive plan helps a municipality qualify for certain state grant and loan programs. Examples of these programs include:

- Land for Maine's Future (i.e. Rancourt Preserve)
- Municipal Investment Trust Fund
- DEP 319(h) Non-Point Source Protection Grants (i.e. No Name Pond camp road improvements)
- State Revolving Loan Funds
- DOT Funding (i.e. Maine DOT Planning Process Manual and Maine Sensible Transportation Policy Act requires transportation improvements and projects to be consistent with the purposes, goals and policies of the community's comprehensive plan)

In addition, a comprehensive plan serves as the basis for zoning. According to the requirements of Title 30-A MRSA Section 4314, any portion of a municipal land use ordinance or impact fee ordinance that is not consistent with a comprehensive plan shall no longer be in effect 24 months after adoption of the plan. Title 30-A MRSA Section 4352 states a land use and impact fee ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipality's legislative body.

Attached find documents from the State Planning Office with more details on the 2012 deadline and the importance of adopting comprehensive plan.

Strategic Plan versus Comprehensive Plan

The City of Lewiston, under the direction of the Mayor and City Council, adopted a Strategic Plan on November 9, 2010. That effort was undertaken focusing on identifying Lewiston's priorities for the next three to five years. The plan outlines a vision for the future, how we will get there, and the role that municipal government will play in realizing the vision. The Strategic Plan contains several recurring themes that were brought forward by members of the public, elected officials, and City staff:

- Moving to a community-oriented model of government
- Establishing a Performance Measurement System for all decision-making and operations
- Articulating a new vision to energize our waterfront – Androscoggin River and historic canal system
- Working in an enhanced environmentally-friendly manner
- Expanding collaboration with community organizations to achieve beneficial and cost-saving goals

As a result, the following goals were established as priority focal points for the next three to five years within the City of Lewiston.

1. Innovative Service Delivery
2. Neighborhood Identity
3. Safety
4. Riverfront Development
5. Economic Growth
6. Sustainability
7. Civic Engagement & Collaboration
8. Collaborative Approach to Address Poverty

A great deal of effort was put into the Strategic Plan. During the initial planning process, three "Family Meetings" were held to provide an opportunity to discuss the City's strengths, opportunities, challenges, and weaknesses, as well as dreams for the future. In addition to the input gathered at the Family Meetings, City staff also met with community groups and organizations to hear their thoughts, concerns, and ideas. It was seen as a process to determine what the City of Lewiston intends to do and how it intends to do it within the next three to five years. While a useful document, adoption of a strategic plan is not required by State law.

A comprehensive plan is required by State law for any municipality that has a land use ordinance requiring different development standards in different parts of the community. Title 30-A MRSA Section 4326, subsection 3-A is specific about the types of provisions that must be included in the comprehensive plan and the land use ordinance. The plan must contain the State goals, analyses, condition and trend data, policies, and strategies for each of following areas.

- A. State Goals: The plan must indicate the State goal or goals relevant to each topic area noted below. Local goals may be added but are not required.
- B. Analyses and Key Issues: The plan must identify the key issues facing the community using the series of questions for each of the topic areas. These questions get to the heart of the issues a community must plan for in order to address the State goals. A community must address each of these questions in its plan's narrative.

- C. Conditions and Trends: To provide a basis for the analyses of key issues, the plan must include sufficient data necessary to identify current conditions and future trends for each of the topic areas. Much of the data will be provided by State agencies. Some data are only available from local sources.
- D. Policies: The minimum required policies for each topic area must be incorporated into a plan for it to be found consistent with the Growth Management Act.
- E. Strategies: The strategies describe what actions the community will take to carry out its policies. The plan must include all of the minimum required strategies identified for each topic area.

The following is a listing of topic areas for which policies and strategies must be developed:

1. Future Land Use Plan
2. Population and Demographics
3. Economy
4. Housing
5. Transportation
6. Recreation
7. Water Resources
8. Critical Natural Resources
9. Historical and Archeological Resources
10. Agricultural and Forestry Resources
11. Public Facilities and Services
12. Fiscal Capacity and Capital Investment Plan
13. Land Use

Overlaps will exist between the Strategic Plan and comprehensive plan. In fact, sections of the current comprehensive plan were referenced in drafting the strategic plan. Staff fully anticipates portions of the 2012 Riverfront Master Plan and the 2009 Downtown Neighborhood Action Plan will also be referenced and incorporated into a new comprehensive plan. However, the requirements of a comprehensive plan are specific through State law as to what topics must be addressed and the processes involved in providing a vision of the community's future. From this process, a good land use ordinance can help a community achieve the plans vision.

Public Participation

State law requires the municipality to appoint a planning committee (which may be the Planning Board) to prepare the comprehensive plan. The committee must solicit and consider "a broad range of public review and comment." All meetings must be open to the public, and the committee must hold at least one public hearing. These are the minimum requirements of public participation; it is anticipated that much more will be necessary. Citizen participation is needed to provide input and to review each of the specific topics. Citizen participation will provide the opportunity for those with a stake in the community to have a voice in the plan in hopes that they will support (or at least won't oppose) putting its recommendations into action.

Timetable for Implementation

Staff expects this process to be completed with an 18 to 24 month period, including submission of completed documents for the Council's consideration and submission for review by the Department of Conservation.

SPO



Maine State Planning Office

Executive Department

PAUL R. LEPAGE
Governor

Darryl Brown
Director

The 2012 Comprehensive Plan Deadline

Q: I have been told that my comprehensive plan will expire in 2012. Why?

A: A comprehensive plan generally sets out recommendations for ten years into the future. Beyond that period, not just the recommendations but community attitudes and concerns may shift and condition and trends analysis lose relevancy. The original Growth Management Act provided no "expiration date," but the legislature amended it in 2008 to say that the State Planning Office finding that a comprehensive plan is "consistent with the law" will expire after 12 years. For plans adopted prior to 2001, the grace period was extended to December 31, 2012.

Q: Will our plan become invalid if it is no longer consistent?

A: The way the law is written, it is not the plan itself that expires; it is the finding by the State Planning Office that the plan is consistent with the law. A consistency finding which has expired ("expired finding") does not invalidate a locally adopted plan, nor any of the recommendations that the plan carries.

Q: Why should we care if the state no longer finds the plan consistent?

A: The SPO finding of consistency triggers a number of state actions and benefits. Since passage of the Growth Management Act, various state agencies have tied their growth-related programs to it. The most well-known is the CDBG program, which will not award grant funding for growth-related capital investments to a town without a consistent plan. Other grant programs award point priorities to towns with consistent plans. Some state agencies, such as the MaineDOT, give priority in funding their own projects to towns with consistent plans.

Q: What about our zoning ordinance? I understand a zoning ordinance must be based on a consistent plan.

A: The law says that zoning ordinances (as defined), impact fees and rate-of-growth ordinances (building permit caps) must conform to a plan which meets the requirements of the Growth Management Act (Refer to 30A M.R.S.A. §4314 (3)). An expired finding does not invalidate these ordinances. It does, however, provide an opening for a party affected by the ordinance to challenge it in court. Consultation with legal counsel is recommended.

OFFICE LOCATED AT: 19 UNION STREET, 38 STATE HOUSE STATION, AUGUSTA MAINE

PHONE: (207) 624-7660

internet: www.maine.gov/spo

FAX: (207) 287-6489

Q: Can't the SPO just "re-affirm" our old plan?

A: No. Should a community choose to submit a plan to the SPO, it would have to be reviewed for completeness with the current standards. Among other things, data has to be refreshed, conclusions based on that data re-examined, and implementation strategies brought up to date. SPO makes updated data for plans available to communities to insure the use of current data available from State agencies. If the plan meets the threshold of the review standards it is accepted for consistency review. Until a plan is reviewed for consistency, its status would remain "unknown" in SPO records.

Q: What about plans that have been fixed after a SPO finding of inconsistency? Can these still be found consistent?

A: There is some latitude depending on the nature of what's 'fixed' to respond to a finding of inconsistency on a plan prepared under the old rule (Chapter 202). Issues identified in a finding or inconsistency must be addressed within two years of the date of the finding. After that period of time, the plan must be resubmitted to SPO under the new rule.



Maine State Planning Office
Executive Department

PAUL R. LEPAGE
Governor

DARRYL BROWN
Director

**ADVANTAGES OF MUNICIPAL ADOPTION OF A COMPREHENSIVE PLAN
CONSISTENT WITH THE PLANNING AND LAND USE REGULATION ACT
(30-A, M.R.S.A. §4301 et seq.)**

Note: The Planning and Land Use Regulation Act is commonly referred to as the Growth Management Act

1. An adopted consistent comprehensive plan is legally required to substantiate any zoning ordinance (that regulates land area beyond the minimum required in the state shoreland zoning guidelines), *see 30-A, M.R.S.A. §4314.*
2. An adopted consistent comprehensive plan is legally required to substantiate any impact fee ordinance, *see 30-A, M.R.S.A. §4314.*
3. An adopted consistent comprehensive plan is legally required to substantiate any rate of growth ("building cap") ordinance, *see 30-A, M.R.S.A. §4314.*
4. An adopted consistent comprehensive plan, while not specifically required to substantiate other types of ordinances, provides the most solid legal footing to all land use and related ordinances by providing clear municipal policy intent within the parameters of state law.
5. Zoning ordinances enacted pursuant to an adopted consistent comprehensive plan, if determined by SPO to be consistent with the plan, become binding on state agencies (Governor can override if state interests are overly frustrated), *see 30-A, M.R.S.A., §4352.6.*
6. State growth related capital investments may only be made within a growth area designated within an adopted consistent comprehensive plan or one of the following growth area surrogates: sewer and water district, census designated place or urban compact area, *see 30-A, M.R.S.A., §4349-A.1.*
7. State agencies are directed to award preference for many state grant and investment programs to municipalities with an adopted consistent comprehensive plans, *see 30-A, M.R.S.A. §4349.3.*
8. State agencies are directed to assist municipalities with an adopted consistent comprehensive plan with plan implementation, *see 30-A, M.R.S.A. §4349-A.2-A.*
9. The most important advantage of adopting a consistent comprehensive plan is creating a highly participatory and official public statement describing the desired future for your community! In doing so, your municipality is contributing to a larger effort in concert with your neighbors to attain the State's Growth Management Goals and Coastal Policies.
10. Consistency of comprehensive plan and zoning ordinance is one component for eligibility for Natural Resource Protection Act (NRPA) permit granting authority, *see 38, M.R.S.A., §480-F.1.B.*

Note: This list reflects the interpretation of the Land Use Planning Team of the State Planning Office, who are charged with implementing the Planning and Land Use Regulation Act. This list is not meant to render a legal opinion. We recommend contacting the Maine Municipal Association or municipal attorney if an official legal interpretation is needed. Date last modified: October 26, 2011

OFFICE LOCATED AT: 19 UNION STREET, 38 STATE HOUSE STATION, AUGUSTA MAINE

PHONE: (207) 624-7660

internet: www.maine.gov/spo

FAX: (207) 287-6489



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



May 8, 2012

To: Mayor and City Councilors
Fr: Edward A. Barrett
Su: Renovations to Social Services Office Space

The current Social Services' space in City Hall is poorly laid out, inefficient, and lacks adequate HVAC and security. It poses workflow problems since the client interview area is separated from the case workers' office space and has poor access to both physical and automated filing systems. Confidentiality is an issue given the layout and small size of the interview area. The lack of privacy for case workers and clients has and continues to pose management and operational issues.

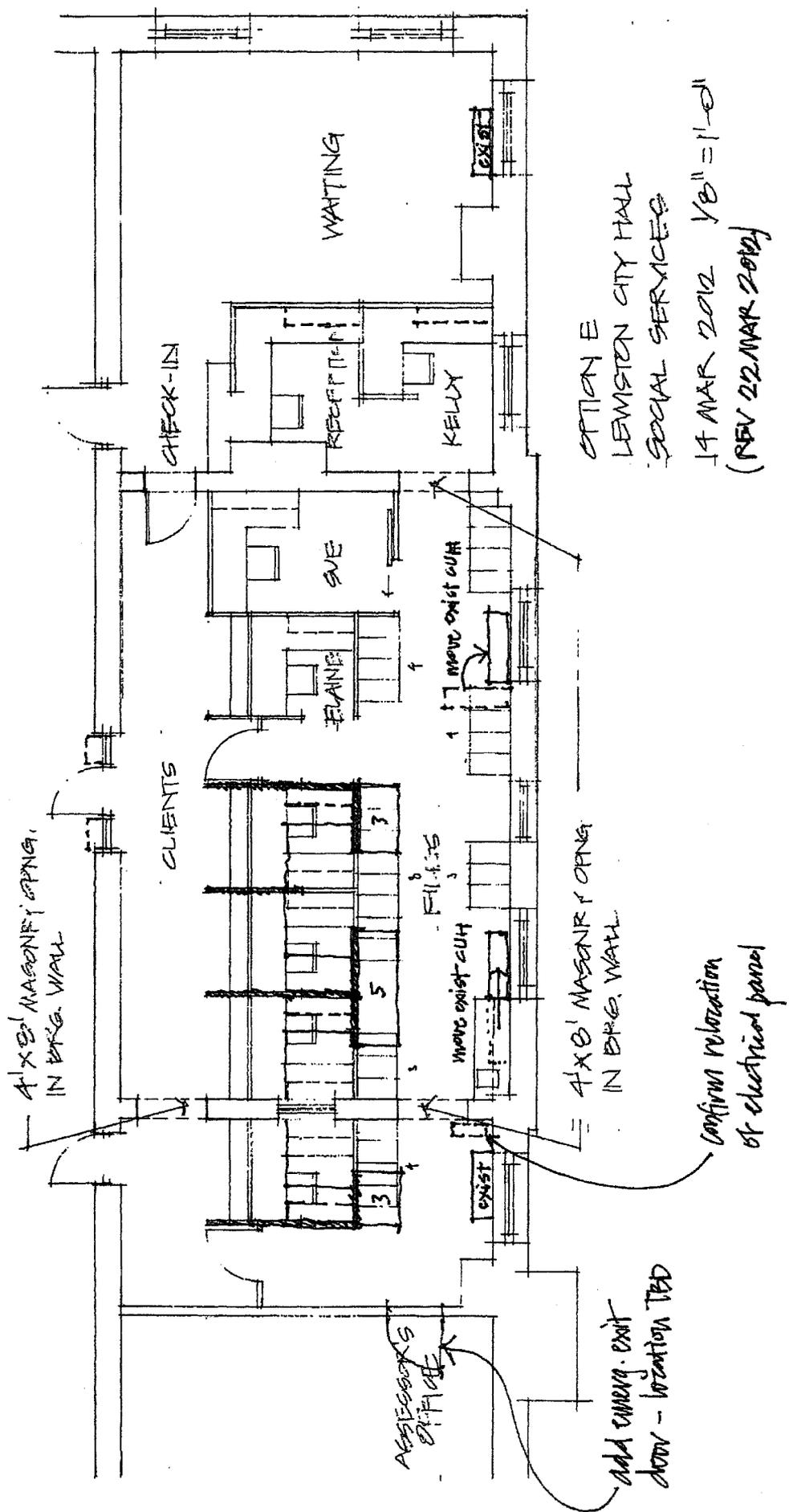
For some time, we have been evaluating changes to improve the working conditions in this office. This has included evaluating relocating the office to another space in City Hall and reviewing how the existing space could be better arranged.

Working with Social Services and other staff, we have developed an alternative that allows Social Services to remain in its current location while improving the layout, efficiency, and security of the operation. A copy of the revised layout is attached.

This proposal relocates the client waiting area, allows the area to remain under surveillance by staff, combines case worker interview and work areas in a manner that recognizes client confidentiality, and clearly segregates clients from staff to ensure safety and security.

Based on preliminary estimates, the cost to renovate this space is estimated at approximately \$175,000 to \$200,000. Undertaking this work will also require the temporary relocation of the Social Services Office.

Given the difficult working conditions currently in existence, we would like to pursue this proposal during the coming year. This would require including it in the upcoming bond issue for FY13.





City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



May 10, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Armory Elevator

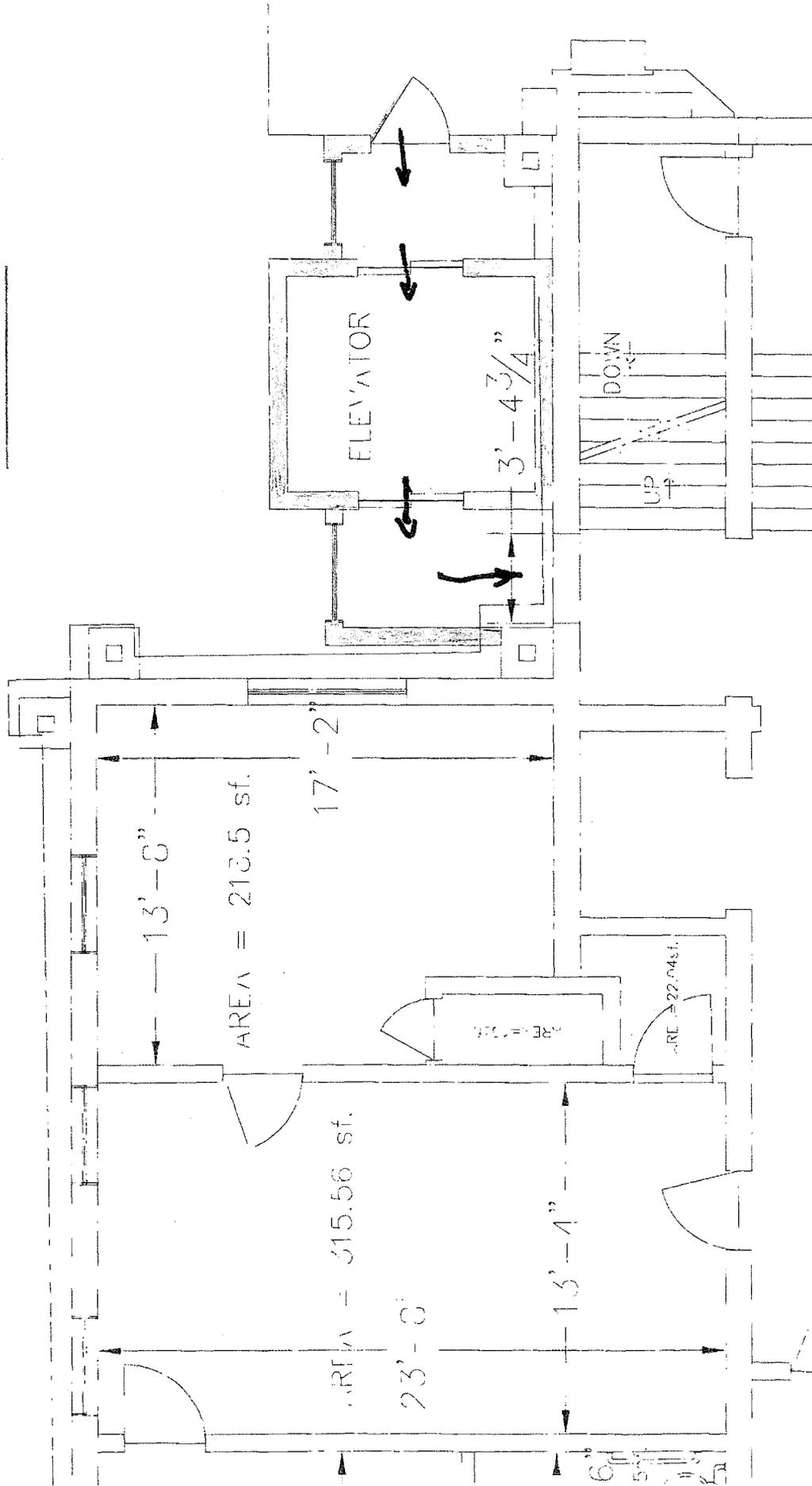
As was reviewed at a recent budget workshop, the cost of the Armory renovation project came in above budget primarily due to costs associated with the elevator. Since pricing was initially offered, Public Works has discussed alternatives with the contractor that could bring the cost back down to the initial \$400,000 budget. This can be accomplished through revising the location of the elevator and eliminating one of the lobbies called for on the initial plans.

To retain the original concept (option 1), an additional \$56,820 will be required. This concept has the advantage of allowing the elevator to be used to access the entire first floor of the building. Option 2 would bring the cost back into line with the budget; however, the location of the elevator would primarily serve the senior citizens space. While it could potentially allow access to the first floor for certain events, that access would be less convenient and require visitors to pass through the senior area.

The list of bond projects under consideration includes an additional \$75,000 for the Armory project. Please note that a timely decision on this matter would be helpful given the time frame established for this project and the needs of the School Department to complete its work at the Multi-Purpose Center.

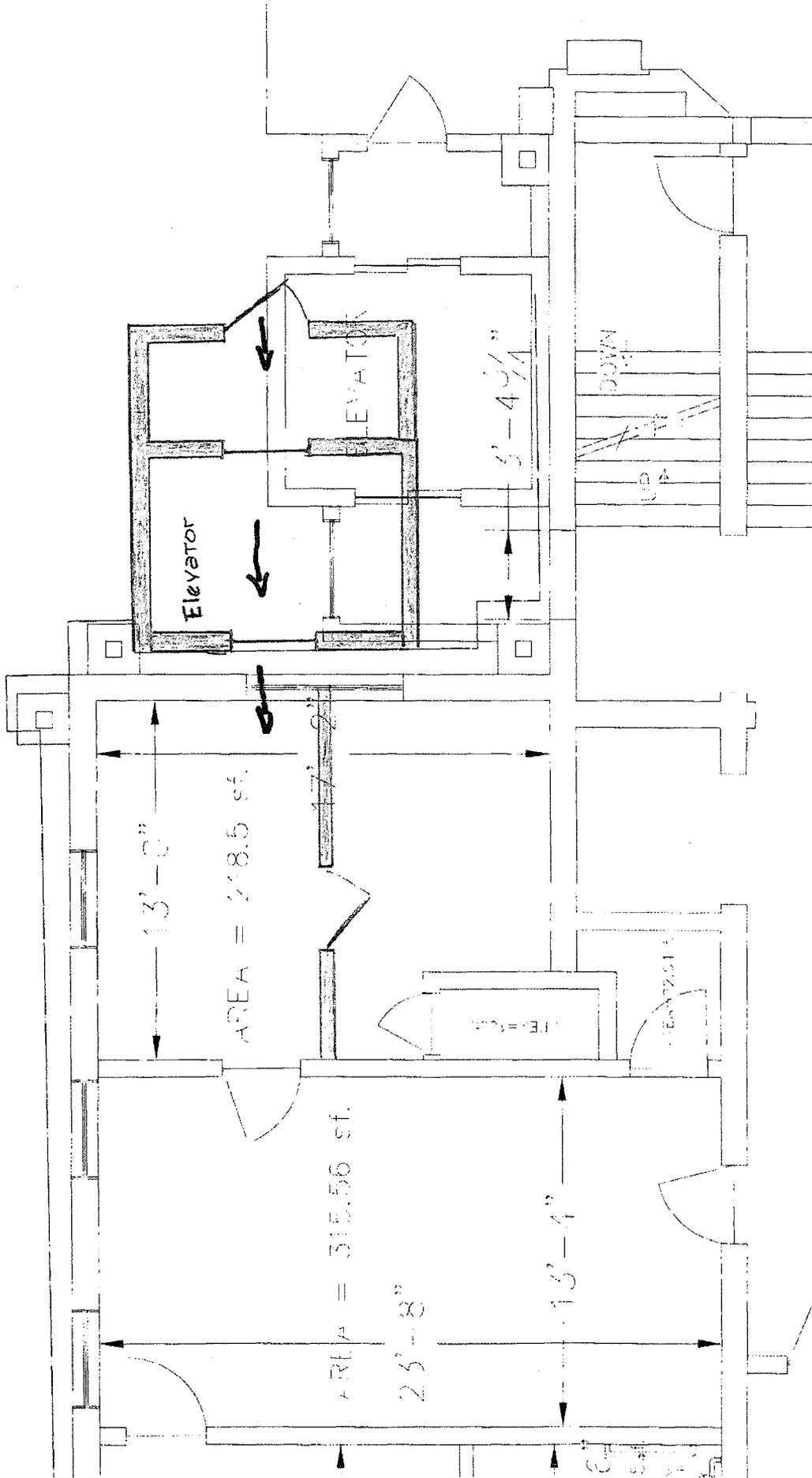
If you have any questions or need anything else, please let me or Dave Jones know.

ORIGINAL CONCEPT DESIGN
 ENTRY INTO 1ST Floor Hallway
OPTION 1



SKETCH OF PROPOSED REVISED FLOOR PLAN
ARMORY SENIORS PROJECT

OPTION 2



LEWISTON CITY COUNCIL

MEETING OF MAY 15, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Adoption of meeting schedule for the months of July and August.

INFORMATION:

Due to summer vacations and other commitments, it is recommended the City Council hold only one regular meeting during the month of July and one regular meeting during the month of August.

The Council has been following a summer meeting schedule of one meeting during the months of July and August for many years. It is recommended that the July meeting be held on Tuesday, July 17th at 7:00pm and the August meeting be held on Tuesday, August 14th at 7:00pm.

The above dates are subject to change should circumstances arise and the dates need to be adjusted.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/10mm

REQUESTED ACTION:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | M |
|---|---|---|---|---|---|---|---|

To suspend Section 1,(a) of the Rules Governing the City Council, and to only hold one regular meeting during the month of July, said meeting to be held on Tuesday, July 17th at 7:00pm and to hold only one regular meeting during the month of August, said meeting to be held on Tuesday, August 14th at 7:00pm.

LEWISTON CITY COUNCIL

MEETING OF MAY 15, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the State Candidate Primary Election to be held on Tuesday, June 12, 2012.

INFORMATION:

Recommendations on election related issues:

A. That the hours for acceptance of registrations in person only, prior to the June 12th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, May 23 through June 11, 2012; and additional hours until 7:00pm on Thursday, June 7, 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.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 4:00pm, 7:00pm and any and all remaining shall be processed at 8:00pm, if necessary.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | M |
|---|---|---|---|---|---|---|---|

A. That the hours for acceptance of registrations in person only, prior to the June 12th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, May 23 through June 11, 2012; and additional hours until 7:00pm on Thursday, June 7, 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.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 4:00pm, 7:00pm and any and all remaining shall be processed at 8:00pm, if necessary.

LEWISTON CITY COUNCIL
MEETING OF MAY 15, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Executive Session to discuss labor negotiations regarding the Maine Association of Police - Patrol Unit.

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 |
|---|---|---|---|---|---|---|---|

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Negotiations regarding the Maine Association of Police - Patrol Unit.