

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
JULY 17, 2012**

6:00 p.m. Workshop

- A. Update on Androscoggin Land Trust Greenway Plan - 30 minutes
- B. Kennedy Park Bandstand/Gazebo Update - 30 minutes

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Lewiston Youth Advisory Council Presentation - Introduction of New Members

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 6.

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

- * 1. Amendment to the Traffic Schedule to add a stop sign on Wilson Street.
- * 2. Amendment to the Traffic Schedule regarding loading zones on Ash Street and Lisbon Street.
- * 3. Order authorizing the City Clerk to cast the City's ballot for the Maine Municipal Association's election of the Executive Committee and Vice-President.

REGULAR BUSINESS:

- 4. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Acme Social Club, Inc., 255 Park Street.
- 5. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for The Androscoggin Bank Colisee, 190 Birch Street.
- 6. Public Hearing on a new liquor license application for Casa del Luna, 838 Lisbon Street.
- 7. Public Hearing on a renewal application for a Special Amusement Permit for Live Entertainment for She doesn't like Guthries, 115 Middle Street.
- 8. Public Hearing for approval of an outdoor musical event on Middle Street for the Grace Street Services Ride for Recovery fundraising event.
- 9. Public Hearing and Final Passage regarding amendments to the General Assistance Ordinance.
- 10. Condemnation Hearing for the building located at 159 Pine Street.
- 11. Condemnation Hearing for the building located at 226 Oak Street.
- 12. Report from the Police Department regarding the Special Amusement permit for Altera/Club Karma, 16-18 Park Street.

13. Resolve Adopting the 2012 Riverfront Island Master Plan and authorizing the Planning Board to oversee the implementation of the plan.
14. Resolve Authorizing the Lewiston Athletic Foundation Trustees to solicit and raise funds for future construction and maintenance of the Franklin Pasture Complex infrastructure and to utilize the municipal and school department's websites to provide project information.
15. Resolve opposing the Maine Turnpike Authority proposed toll rate increase.
16. Order to determine if amendments to the City Charter regarding various items should be considered and to establish a public hearing on the proposed charter amendments.
17. Reports and Updates.
18. Any other City Business Councilors or others may have relating to Lewiston City Government.
19. Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
20. Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
21. Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

Workshop A
material

LEWISTON CITY COUNCIL
WORKSHOP AGENDA
JULY 17, 2012
6:00 P.M.

- Workshop
A
1. Update on Androscoggin Land Trust Greenway Plan – 30 Minutes

Jonathan LaBonte of the Androscoggin Land Trust will update the Council on the Status of the Greenway Plan and discuss how this plan can integrate with and support the City's Riverfront Island Master Plan in regard to supporting enhanced use of the river; the potential for improved river access; and river and urban wayfinding signage.

- B
2. Kennedy Park Bandstand/Gazebo Update – 30 Minutes

The Kennedy Park Bandstand Restoration Committee is scheduled to report on its progress prior to July 31, 2012. Members of the Committee will be present to review status. Please see the attached information.

MEMORANDUM

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

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

RE: Kennedy Park Bandstand - Workshop Meeting of July 17, 2012

DT: July 3, 2012

In addition to this brief memorandum, I have also included the following documents as background information on this effort:

City Council Resolve dated November 1, 2011 establishing the Kennedy Park Bandstand Restoration Committee

Modified Kennedy Park Master Plan

Kennedy Park Bandstand Project

Kennedy Park Bandstand

Kennedy Park Bandstand Budget

On November 1, 2011, the City Council established the Kennedy Park Bandstand Restoration Committee which has been authorized to undertake fund raising efforts to accept donations, on behalf of the City, toward the restoration of the Kennedy Park Bandstand. The Council designated up to \$75,000 in Community Development Block Grant Funds previously appropriated for Kennedy Park improvements to be used to match donations received by the City for the restoration. The City will contribute \$1 for every \$2 received in cash or documented in-kind donations from private individuals and organizations.

The Kennedy Park Bandstand Restoration Committee received Council authorization on March 6, 2012 to expend up to \$4,000 of the \$75,000 allocated for the Bandstand to engage the services of Smith Reuter Lull Architects to undertake design activities and to develop a cost estimate for the restoration project. This work has been completed and the Kennedy Park Bandstand Restoration Committee is in the final stages of the development of a fundraising brochure. Fundraising activities will commence in the very near future. Given the condition of the Bandstand and the recommendation of the Architects, the Committee voted to demolish the existing Bandstand; however, the roof will be saved to be used for a new bandstand.

On May 3, 2012, the Historic Preservation Review Board granted a certificate of appropriateness to demolish the bandstand with the exception of the roof and to construct a new bandstand adjacent to the Bates Street and Walnut Street entrance to Kennedy Park. This location was chosen in part as it offers excellent handicapped accessibility without the use of a mechanical lift while preserving the height of the bandstand. I should note that it was a very difficult decision for the Historic Preservation Review Board to grant approval to demolish the Bandstand and to erect a new structure in a new location; however, given serious structural issues and the need to provide access to people with limited mobility, the decision was rendered.

William Clifford, Jr. Esq., Chair of the Bandstand Restoration Committee and I will attend your workshop of July 17th to discuss the status of the restoration and fundraising project.



**City of Lewiston Maine
City Council Resolve
November 1, 2011**



Resolve, Establishing Kennedy Park Bandstand Restoration Committee

Whereas, the bandstand in Kennedy Park is a historic structure closely tied to the history of this community; and

Whereas, in addition to numerous community events and celebrations, the bandstand was the site of speeches by John F. Kennedy on the eve of his election as President and of President Lyndon B. Johnson; and

Whereas, in recent years, the bandstand has suffered from age and deferred maintenance resulting in its closure in 2010; and

Whereas, after considering various options and hearing from members of the public, the City Council has determined that renovation or restoration of the bandstand is both appropriate and desired by the community; and

Whereas, given current financial realities, it is clear that such a project will require the combined resources of the City and of private individuals and organizations;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that

There is hereby established a Kennedy Park Bandstand Restoration Committee.

1. Purpose. The Committee is authorized to undertake fund raising efforts and to accept, on behalf of the City, donations toward the renovation/restoration of the Kennedy Park Bandstand. The Committee shall also make recommendations to the City Council on the scope of restoration/repair work to be undertaken and its estimated cost.
2. Composition. The Committee shall be appointed by the Mayor and shall be composed of representatives of the Historic Preservation Commission and others who have indicated support for this effort. The Mayor shall designate one of its members to serve as Chair. The Committee shall be comprised of seven members.

3. **Term.** The Committee shall submit a report to the City Council on or before July 31, 2012 summarizing the status of its fund raising efforts and, if available, the proposed scope of work and its estimated cost. The Committee shall be officially dissolved on September 30, 2012 unless its term is formally extended by the City Council after a finding that sufficient fund raising progress has been made to justify extending the Committee's term to allow it to complete the project.
4. **Staff Support.** The Planning and Code Enforcement Department shall provide logistical support to the Committee. Other members of the City Management Team shall cooperate with the Committee as required.
5. **Fund Raising Protocol.** All donations made for the purpose of renovating/restoring the Kennedy Park Bandstand shall be made to the City of Lewiston. The Finance Director or her designee shall establish the necessary and appropriate procedures and policies to govern the solicitation of funds and to provide assurance to donors that their contributions will be used for the stated purposes. In addition, the Finance Director shall take steps to put in place the necessary financial controls, including issuing receipts acknowledging all contributions, to ensure full accountability for donated funds accepted by the City for this purpose. In the event that sufficient funds are not raised to allow the project to be undertaken, contributed funds shall be returned to the donor. If funds are received from anonymous sources and cannot be refunded, these donations shall be used for other projects designed to repair or improve historic properties located in the City of Lewiston.
6. **Meetings and Reports.** The Committee shall meet as necessary at a time convenient to its members. Minutes of these meetings shall be kept and provided to the City Council.

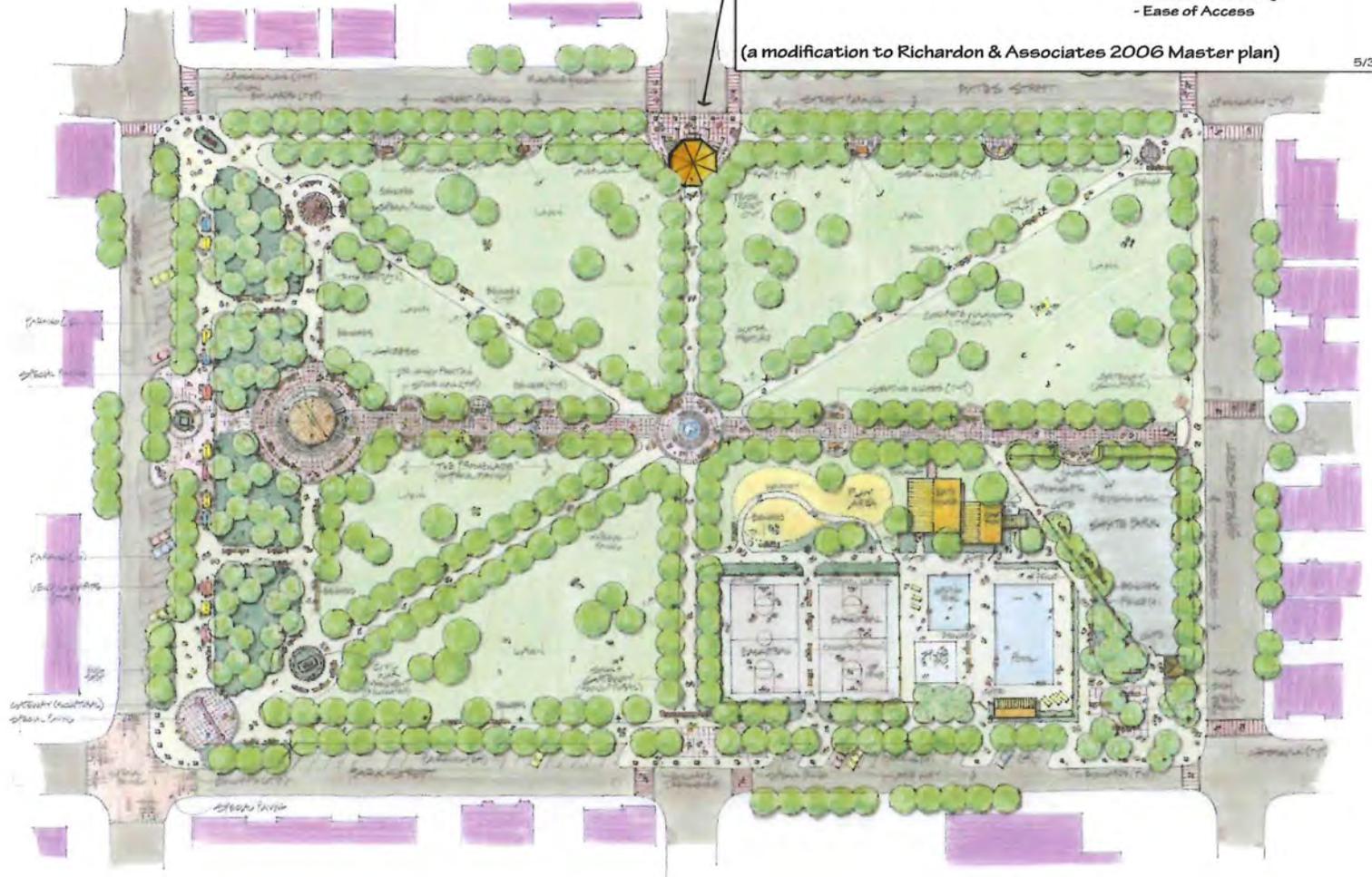
Be it Further Resolved, that the City Council hereby designates up to \$75,000 in Community Development Block Grant Funds currently appropriated for Kennedy Park improvements to be used to match donations received by the City for this restoration project. The City will contribute \$1 for every \$2 received in cash or documented in-kind donations from private individuals and organizations.

Smith Reuter Lull Architects
Recommended Gazebo Relocation

- Accessible w/out the need of a lift
- Increased Visibility
- Increased Security
- Ease of Access

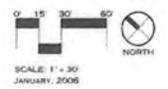
(a modification to Richardson & Associates 2006 Master plan)

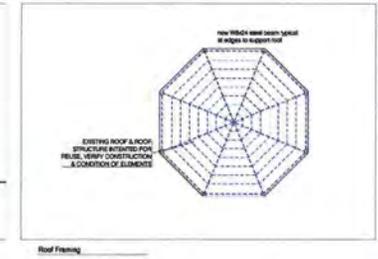
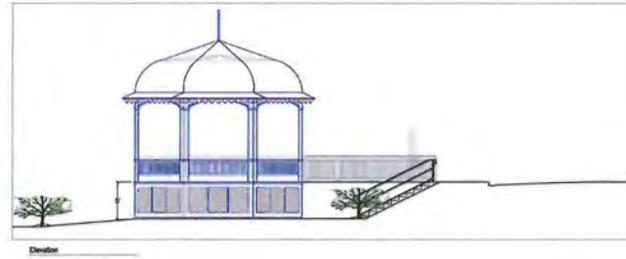
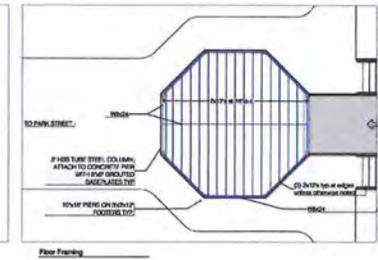
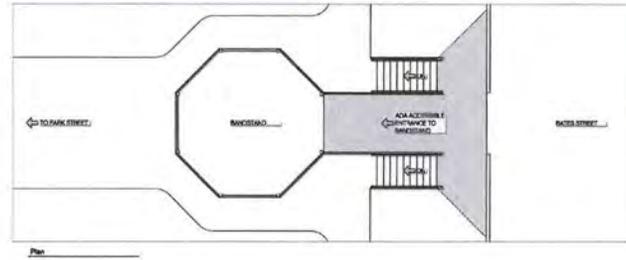
5/3/12



Richardson & Associates
Landscape Architects
11 MOORE STREET
LEWISTON, MAINE 04201
PH 207.256.9291
FAX 207.256.9432
WWW.RICHARDSONANDASSOCIATES.COM

KENNEDY PARK
LEWISTON, MAINE





New Location Provides:

- FULL ACCESSIBILITY WITHOUT MECHANICAL LIFT
- PROMINENT LOCATION
- IMPROVED SECURITY
- EASY ACCESS FOR LOADING



KENNEDY PARK PRIDE & HERITAGE BANDSTAND PROJECT LEWISTON - MAINE

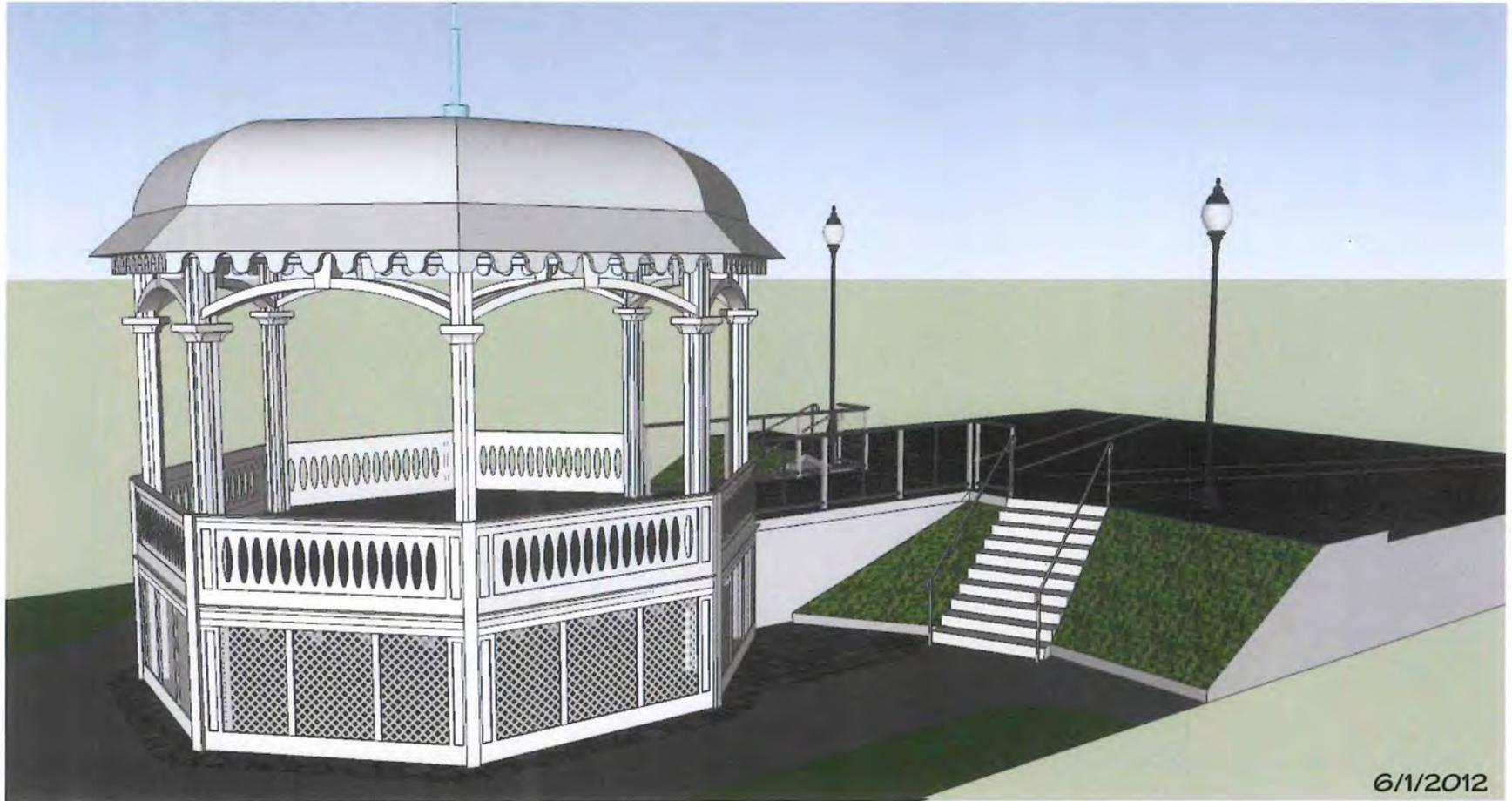
COPYRIGHT SMITH REUTER LULL ARCHITECTS 2012
179 LISBON STREET - LEWISTON



KENNEDY PARK PRIDE & HERITAGE BANDSTAND PROJECT - LEWISTON - MAINE

COPYRIGHT SMITH REUTER LULL ARCHITECTS 2012

179 LISBON STREET - LEWISTON



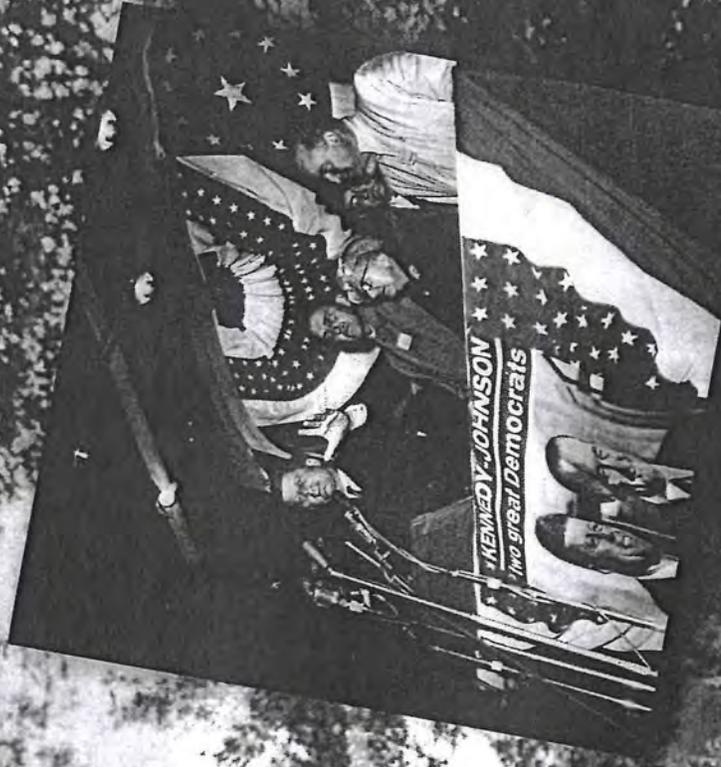
6/1/2012

Kennedy Park Bandstand Project Budget

6/5/2012

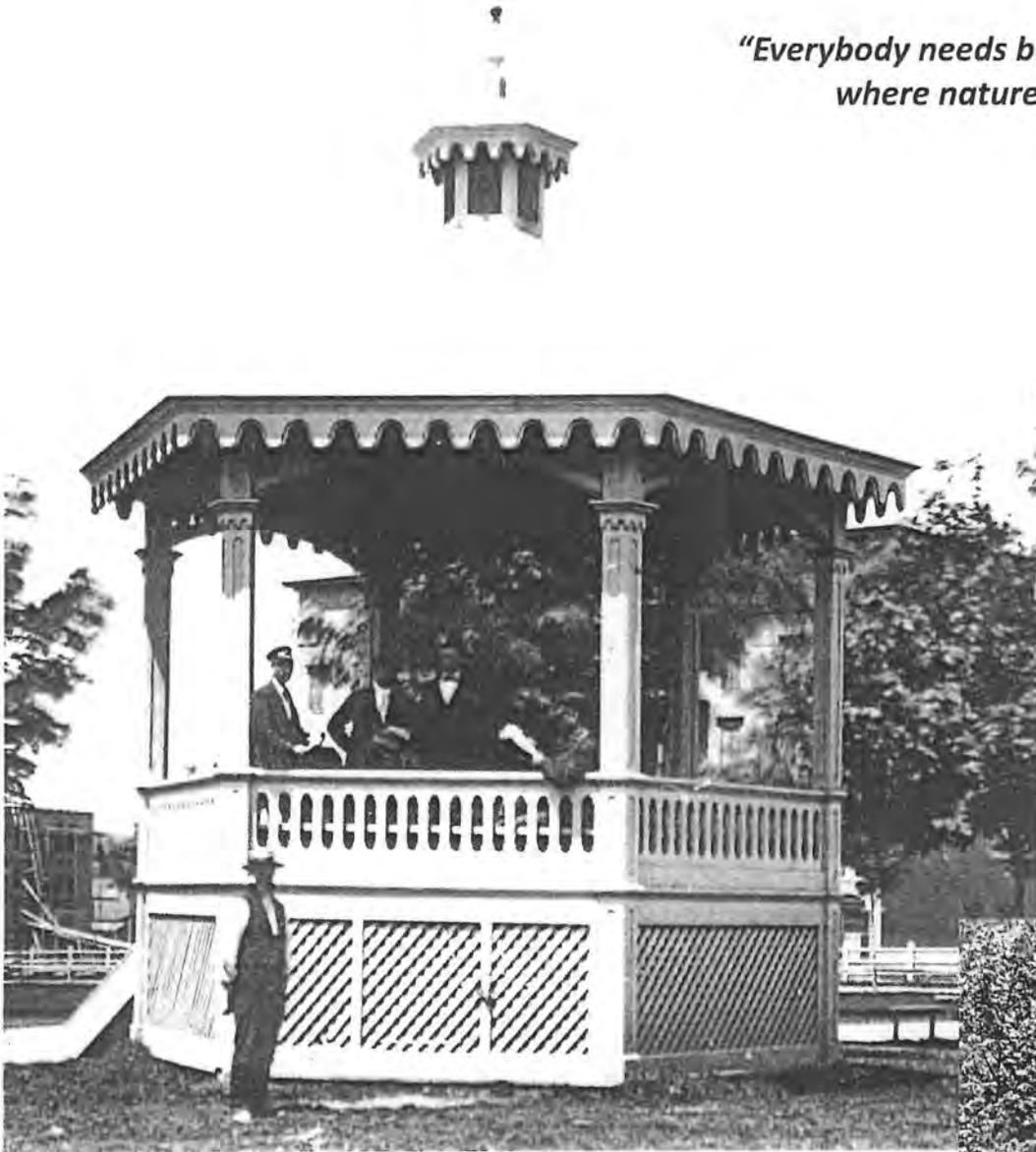
Task Description		Notes	Total
Removal of Gazebo Roof Structure	Cote Crane		\$5,000.00
Demolition of remaining elements			\$7,500.00
Sitework			\$20,000.00
Concrete			\$18,000.00
Hoist the roof onto the new structure	Cote Crane		\$4,000.00
Bridge - platform / railings	precast concrete slab, stainless cable type railing		\$6,500.00
Steel Structure	columns, beams, etc		\$26,000.00
New Wood Decking - lpe			\$7,800.00
New wood finish carpentry sim to 1925 version			\$15,000.00
Roof Repair & Maint.	high pressure wash and coat with rubberized membrane, 700 sf		\$5,000.00
Roof Decorations	iron		\$18,000.00
Paint			\$5,000.00
Exterior Stairs	Granite steps		\$5,200.00
Hardscape	brick herringbone hardscape, granite cobblestones close to Bandstand		\$9,900.00
Plantings, Landscape, Loam / Seed	ground cover on sloped areas, small plantings		\$5,000.00
Asphalt Walkway			\$1,200.00
Lighting / Power	2 street lights, architectural accent lighting, outlets, power for sound system		\$12,200.00
Sound System	budget		\$5,000.00
Design & Engineering			\$20,000.00
Roof Rebuild Contingency			\$17,500.00
Insurance / Bonds	included in GC / O+P		\$0.00
	SubTotal 1		\$213,800.00
	Contractors General Conditions (if hiring a GC)		\$19,020.00
	Contractors Overhead & Profit (if hiring a GC)		\$14,582.00
	SubTotal		\$247,402.00
	Contingency - 5%		\$12,370.10
	TOTAL		\$259,772.10
1	Davis Bacon Wages (if required)	5%	\$12,988.61

KENNEDY PARK BANDSTAND RESTORATION



“Everybody needs beauty as well as bread, places to play in and pray in, where nature may heal and give strength to body and soul alike.”

John Muir, *The Yosemite* (1912),



Above: People enjoy the beauty of Lewiston's Kennedy Park at the new bandstand built in 1868. Compilation by David Gudas and Ronald DeBlois of stereoviews from the collection of the Maine Historic Preservation Commission.

Right: Spring time in the park showing bandstand after it was rebuilt in 1925.

Cover postcard sketch of Kennedy Park. Cover inset: Presidential nominee John F. Kennedy visits Lewiston City Park, November 7, 1960, published in *Lewiston Evening Journal*. Images courtesy of Doug Hodgkin.

Kennedy Park has been one of Lewiston's places to play, pray and gather since the early 1800's. For much of the park's existence a bandstand has been the focal point for musical events, civic engagements and delight for the eye. The original structure was built in 1868. It was replaced several times since, with the last taking place in 1925.

For more than a century, residents flocked to the Bandstand for summer concerts, festivals and other community events. It was a place where you could connect with your neighbors -- A place where people would meet face-to-face to have important conversations, do business, and exchange ideas -- and a place to address the masses. From this stage, notable politicians stood to plead for support from the community.



President Lyndon B. Johnson visits Lewiston as part of a 5 state tour, August 20, 1966. Published in the *Lewiston Evening Journal*, courtesy of Doug Hodgkin.



Far right: The bandstand as it was in the mid 1970s. Photo courtesy of Lewiston Sun-Journal Archives.

Beyond the political rallies and musical events, the park was also home to festivals and celebrations. The long-running and popular Franco-American Festival used the Bandstand during the 1970s and 1980s. This leads us to the current Bandstand and maintaining its role as a focal point of Kennedy Park.

On November 1, 2011, the Lewiston City Council resolved that:

“the bandstand in Kennedy Park is a historic structure closely tied to the history of the community...that renovation or restoration of the bandstand is both appropriate and desired by the community.”

To demonstrate its support, the City Council designated up to \$75,000 in Community Block Grant Funds currently appropriated for Kennedy Park improvements to be used to match donations received by the City.

So, for every \$2 donated to the restoration project by individuals and organizations, the city will contribute \$1.

In addition to those seen here, many other Presidents, candidates for president, state and local politicians have used the Bandstand as a podium for their speeches: Presidential candidates: Henry Cabot Lodge at a rally on November 7, 1960; Hubert Humphrey on October 13, 1964; and Senator Edward Kennedy November 3, 1978.

It was home to many city activities





Our thanks to Smith Reuter Lull Architects for the design & renderings.

Downtown Lewiston is in the midst of a tremendous revitalization. New buildings going up, existing buildings being renovated or reconstructed, and at the center of all this activity sits a jewel in Kennedy Park. Aside from the pastoral elegance the bandstand brings to the space, it has the potential to serve for many more years as staging for music, arts and other civic activities. This effort will not only bring the 1925 Bandstand back to its former glory, it will position the structure for another 100 years of community use. Won't you please join your neighbors and contribute towards this effort?

Together, we can raise the funds needed to ensure our grandchildren – and their children as well – will have this legacy to enjoy during their time in Kennedy Park.

To make a donation, or obtain more information about this effort, call Bill Clifford at 207-784-3200 or send him an e-mail at: wclifford@3200.com

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Amendment to the Traffic Schedule to add a stop sign on Wilson Street.

INFORMATION:

Due to some recent development changes in the area, the Police Department is recommending the addition of a stop sign on Wilson Street at the corner of Lafayette Street. The Police Department believes this will assist with traffic flow issues and pedestrian safety.

Passage is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action .

EPB/kmm

REQUESTED ACTION:

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

To approve amendments to the Traffic Schedule to add a stop sign on Wilson Street at the intersection with Lafayette Street.



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



DATE: May 30, 2012

TO: Traffic Schedule Review

FROM: Sgt. David Chick, Inspector of Police

Subject: Traffic Schedule Amendment – Chapter 70 Section 43
Stop Signs

Per requests made coming through Police patrol the following changes are being proposed for amendment to the Traffic Schedule... With recent changes proposed by SMRHC placing an entrance/exit to parking from Lafayette St and Wilson St being a direct through from East Ave, a stop sign situated at this location is deemed desirable and prudent.

Accordingly the following amendment to the Traffic Schedule is forwarded for review to be offered to the Council for consideration.

Section 38 – Stop Signs

WILSON STREET 1 sign at Lafayette St (northeast corner).

NOTE: (Additions are underlined; deletions are ~~struck-out~~).

If this amendment is approved it will require the Public Works department to erect reflective red hexagonal sign(s) with white trim and lettering stating “Stop” on Wilson St where it intersects Lafayette St.

**David Chick
Inspector of Police**

**cc: Michael Bussiere, Chief of Police
Ed Barrett – City Hall; Kelly Mercier – Deputy City Clerk;**

This proposed amendment was reviewed by a committee concurring for presentation to be made to Council for passage.

**Reviewing Committee: Phil Nadeau – City Hall; Lincoln Jeffers – City Hall;
Steve Murch – Public Works; George Merrill – Fire**



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org

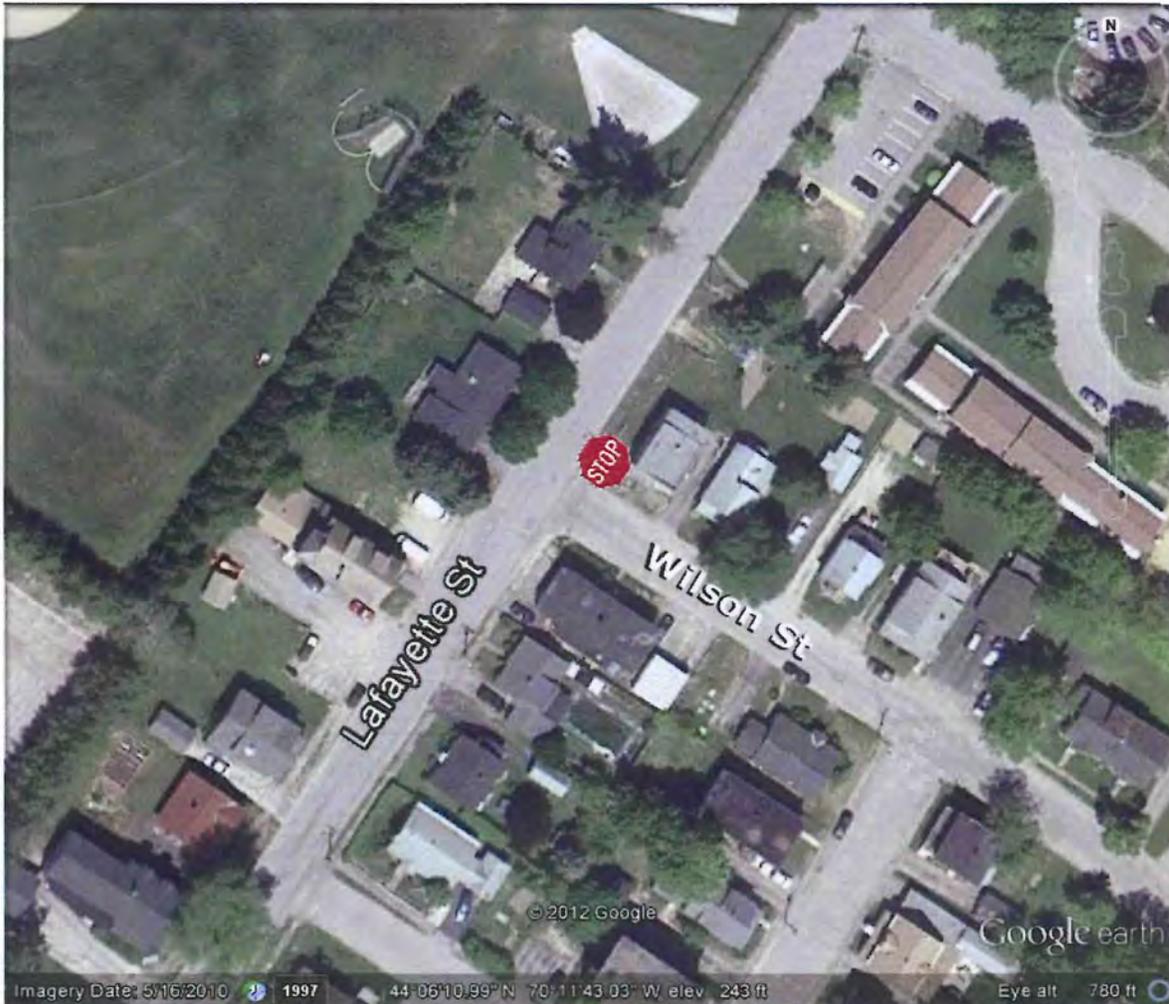


Professionalism Integrity Compassion Dedication Pride Dependability



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



Imagery Date: 5/16/2010 1997 44°06'10.99" N, 70°11'43.03" W, elev. 243 ft Eye alt. 780 ft



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism Integrity Compassion Dedication Pride Dependability

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Amendment to the Traffic Schedule regarding loading zones on Ash Street and Lisbon Street.

INFORMATION:

The proposed traffic schedule amendment will add a loading zone area on Lisbon Street and remove one on Ash Street. These changes will help FISC Solutions which receives regular deliveries to their office. The Police Department and Public Works Department support the request and recommend Council action.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAS/kmm

REQUESTED ACTION:

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

To approve an amendment to the Traffic Schedule to add a loading zone area on Lisbon Street and to eliminate a loading zone on Ash Street, as outlined in the attached memorandum.



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



DATE: May 23, 2012
TO: Traffic Schedule Review
FROM: Sgt. David Chick, Inspector of Police
Subject: Traffic Schedule Amendment – Chapter 70 Section 177
Loading Zones

Per request coming from FISC Solutions; seeking to confirm/correct/consolidate a situation where signs were no longer posted to indicate their (courier parking) “loading zones”. Site visit and interview was conducted to clarify the actual practiced use and requirement. The contested spaces were found to be recorded in the Traffic Schedule, but additional modifications could be made to limit the time restriction and return open spaces for public parking.

Accordingly the following amendment to the Traffic Schedule is forwarded for review to be offered to the Council for consideration.

Section 3 – Loading Zones

ASH STREET ~~Even numbered side, north side, beginning at a point 50’ from the northeasterly corner of Ash Street & Lisbon Street and extending easterly on Ash St a distance of 60’. 30 Minutes (Courier Parking) Monday-Friday 3:00 PM to 6:00 PM~~
~~ADDED by City Council 9/17/2002, Vote # 279~~

LISBON STREET Even numbered side, east side, beginning at a point 95’ 75’ from the southeasterly corner of Ash St. and Lisbon St. and extending southerly on Lisbon St. a distance of 68’ 60’; or (2) delineated parking spaces and angle indent (Restricted to commercial vehicles 6:00 AM to 6:00 PM except Sundays and Holidays) Monday-Friday 6:00 AM to 3:00 PM 30 Minutes – ~~TOW AWAY ZONE.~~
~~ADDED by City Council 12/11/2001, Vote # 18~~

NOTE: (Additions are underlined; deletions are ~~struck-out~~).

If this amendment is approved, this would require Public Works department to install sign(s) and marking(s) pertaining to the intended “Loading Zone” and time frame which it is in effect; as well as applying yellow paint to designate the 2-space area. The co-existing one-hour parking applies otherwise.



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org





POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



David Chick

David Chick
Inspector of Police

cc: **Michael Bussiere**
Ed Barrett – City Hall; Phil Nadeau – City Hall; Lincoln Jeffers – City Hall;
Kathy Montejo – City Clerk; Steve Murch – Public Works; Paul Ouellette – Fire



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism Integrity Compassion Dedication Pride Dependability

LEWISTON CITY COUNCIL
MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Order authorizing the City Clerk to cast the City's ballot for the Maine Municipal Association's election of the Executive Committee and Vice-President.

INFORMATION:

The Council is asked to review the list of candidates to serve on the MMA Executive Committee and to serve as the Association's Vice-President. There are three people running for three openings on the Executive Committee. There is one person running for the one position of Vice-President.

If the Council wishes to submit their vote, the Council is asked to approve the Order authorizing the City Clerk to submit the ballot to MMA.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy decision of the Council.

EAB/kmm

REQUESTED ACTION:

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

Be It Ordered by the City Council to authorize the City Clerk to cast the City's ballot for the Maine Municipal Association's Executive Committee and Vice-President.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 10, 2012



VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Peter Nielsen, Town Manager, Town of Oakland

DIRECTORS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

John Butler, Jr., Councilor, City of Lewiston

Michael Crooker, Town Manager, Town of Glenburn

Marianne Moore, Councilor, City of Calais

PLEASE NOTE: The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____ **Signature:** _____

Position: _____

OR Signed by a Majority of Municipal Officers **Current # of Municipal Officers:** _____

Print Names:	Signatures:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Sophia Wilson, MMA President
Town Manager, Town of Orono

DATE: July 3, 2012

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 10, 2012 by 12:00 noon

Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee is appointed to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President. The MMA Nominating Committee completed its task to put forth a Proposed Slate of Nominees for 2013. This information was mailed to member municipalities along with information on the petition process as established in the MMA Bylaws. ***It is now time for each member municipality to cast its official vote.***

Enclosed you will find the MMA Voting Ballot which includes the Slate of Nominees to serve on the MMA Executive Committee as proposed by the MMA Nominating Committee. There were no municipal officials nominated by petition. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association as noted above. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted and the election results confirmed under my direction as President of the Association.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Friday, August 10, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held ***Wednesday, October 3, at 1:45 p.m., at the Augusta Civic Center.*** Newly elected Executive Committee members will be introduced at the MMA Annual Business Meeting and formally take office on January 1, 2013.

If you have any questions on this information or the election process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.

**MAINE MUNICIPAL ASSOCIATION
EXECUTIVE COMMITTEE**

**BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2013**

MMA VICE PRESIDENT (1-Year Term)

PETER NIELSEN

- Town Manager, Town of Oakland (2008 – present)
- Town Manager, Town of Wilton (2002 – 2008)
- Town Manager, Town of Wayne (1996 – 2002)
- Town Manager, Town of Clinton (1990 – 1994)
- Member, Maine Town and City Management Association (1990-present)
- Councilor, Town of Winthrop (1985 – 1990)
- Member, Windham Zoning Board of Appeals (1975 – 1978)
- Member, Maine Municipal Association Executive Committee (2009 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2009 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2009 – present)
- Member, MMA Strategic & Finance Committee (2010); Chair (2011 – present)
- Member, MMA Legislative Policy Committee (2004 – 2008; 1998 – 2000; 1992 – 1994)
- Member, MMA Legislative Policy Committee – Subcommittee for Natural Resources
- Member, MMA Legislative Policy Committee – Subcommittee for State & Local Government
- Member, MMA Legislative Policy Committee – Ad Hoc Committee on Forestry Initiatives
- Member, Kennebec County Budget Committee (2010-present)
- Member, First Park Legal and Finance Committee (2009-present)
- Member, Wayne Cemetery Committee (1998 – 2002)
- Helen Hicks Healy Award, Wayne Maine (2000)
- Barry Blunt Award, University of Maine at Orono (2001)
- BA, Political Science, University of Maine at Orono (1974)
- MPA, University of Maine at Orono (2001)
- 26 years as seasonal boat and car storage and service business (1982-2008)

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

JOHN BUTLER, JR.

- Councilor, City of Lewiston (2009 - present)
- Member, Lewiston School Board (16 years)
- Member, Maine Municipal Association Executive Committee (2011 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2011 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2011 – present)
- Member, MMA Strategic & Finance Committee (present);
- Outside Salesperson, Butler Brothers (local family industrial distribution business that has been in business since 1952)
- Saint Michaels College graduate (1981) - Majored in political science
- Lewiston High School graduate (1977)

MICHAEL CROOKER

- Town Manager/Treasurer/Road Commissioner, Town of Glenburn (2006 - present)
- Town Manager, Town of Bradley (1998 – 2004)
- Member, Maine Municipal Association Legislative Policy Committee (2002-2004; 2004-2006; 2010-2012)
- Adjunct Professor, University of Maine Department of Public Administration (2003 – present)
- Executive Director, River Coalition, Inc. (2004 – 2006)
- Graduate Teaching Assistance (1998)
- Substitute Teacher, Maine School Administrative District 22 (1994 – 1998)
- Projectionist and Supervisor, Bangor Mall Cinemas (1988 – 1998)
- Masters in Public Administration, University of Maine
- BA in Political Science, University of Maine
- AS in Legal Technology, University of Maine
- Member, Maine Town and City Management Association; 2002 “Rookie Manager of the Year”
- Barrie E. Blunt Outstanding Graduate Student Memorial Award
- Edward F. Dow Scholarship Recipient
- Pi Sigma Alpha (National Political Science Honor Society)
- Presidential Achievement Award for Academic Excellence
- Maine Criminal Justice Academy’s Pre-service/Part-time Law Enforcement Training
- State of Maine Animal Control Officer Training
- Graduate of The Grant Institute
- President, Penobscot Valley Council of Governments
- Board Member, Eastern Maine Development Corporation
- Member, State of Maine Animal Welfare Advisory Council
- Member, Governor’s Interagency Task Force on Invasive Aquatic Species
- Board Member, Penquis CAP
- Advisory Board Member, Penquis CAP
- Board of Directors, Maine Resource Recovery Association
- Board Member, Penobscot River Tourism Association
- Board Member, Bangor Region Partners for Health
- Vice President, Penobscot Health Communities Board of Directors
- President, Graduate Association of Public Administrators (GAPA)
- Notary Public, State of Maine

MARIANNE MOORE

- Councilor, City of Calais (2002 – 2008; 2009 – present)
- Owner/Manager, Calais Curves for Women Fitness Center (2004 – present)
- Leader, Weight Watchers, Inc., Calais (August 2001 – present)
- Member, Maine Municipal Association Executive Committee (2011 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2011 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2011 – present)
- Instructor, Washington Community College (2001 – 2004)
- Adjunct Instructor, Washington Community College (2005 - present)
- Interim Dean, CEIS (Fall, 2002)
- Board of Trustees, St. Croix Valley Healthy Communities
- Washington One: One Community Health & Wellness Co-Chair
- Executive Board, St. Croix Valley Chamber of Commerce
- Executive Board (Vice-President), Washington Hancock Community Agency
- Executive Board, Washington County Development Authority

MARIANNE MOORE *(continued)*

- Executive Board, Washington County Extension Association
- Board of Managers, St. Stephen's Presbyterian Church
- Climbed to summit of Mt. Kilimanjaro in Africa (June 2002)
- Climbed to Base Camp o Mt. Everest (October 2004)
- Moved to Calais, Maine (April 2001)
- Retired from Southwestern Bell Telephone Company (November 2000)
- Managerial positions, Southwestern Bell Telephone Company; San Antonio/Austin/Dallas, Texas (1969 - 2000);
- Cleveland Clinic Exercise Science and Weight Management Certification (September 2011)
- Cooper Institute Circuit Training and Weight Management Certification (June 2005)
- Masters of Business Administration, Southern Methodist University; Major in Management Information Systems (1998)
- Bachelor of Applied Arts & Sciences, Dallas Baptist University; Major in Computer Science/Business Management (1992 Magna Cum Laude);
- Graduate, High School in San Antonio, Texas (1970)

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Acme Social Club, Inc., 255 Park Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from the Acme Social Club, Inc., 255 Park Street.

The Police Department has reviewed and approved the application.

There was no reference to the business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EPB / KMM

REQUESTED ACTION:

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

To grant a Special Amusement Permit for Live Entertainment to the Acme Social Club, Inc., 255 Park Street.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 6-15-12 Expiration Date: 7-3-2013 License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
 Class B - lounges/bars with entertainment, which does not have dancing
 Class C - either restaurants or lounges/bars with entertainment, including dancing
 Class D - function halls with entertainment, including dancing
 Class E - dance hall or nightclub that admits persons under the age of 21
 Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: ACME SOCIAL CLUB INC Business Phone: 207-782-9309

Location Address: 255 PARK ST LEWISTON, ME 04240

(If new business, what was formerly in this location: _____)

Mailing Address: 255 PARK ST LEWISTON, ME 04240

Contact Person: MARC LEE MASON Home Phone: 207-576-4657

Owner of Business: MEMBER OWNED SOCIAL CLUB Date of Birth: _____

Address of Owner: _____

Manager of Establishment: MARC LEE MASON Date of Birth: 02-09-1951

Owner of Premises (landlord): MARC LEE MASON

Address of Premises Owner: 60 LAFAYETTE ST. - LEWISTON ME 04240

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): ACME SOCIAL CLUB INC. - 255 PARK ST. - LEWISTON, ME 04240

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: ACME SOCIAL CLUB INC

Corporation Mailing Address: 255 PARK ST. LEWISTON, ME 04240

Contact Person: MARC LEE MASON Phone: 207-782-9309

Do you permit dancing on premises? Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? _____

Please describe the type of proposed entertainment:

- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above license and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: Marc Lee Mason Title: TREASURER Date 6-15-12

Printed Name: MARC LEE MASON

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

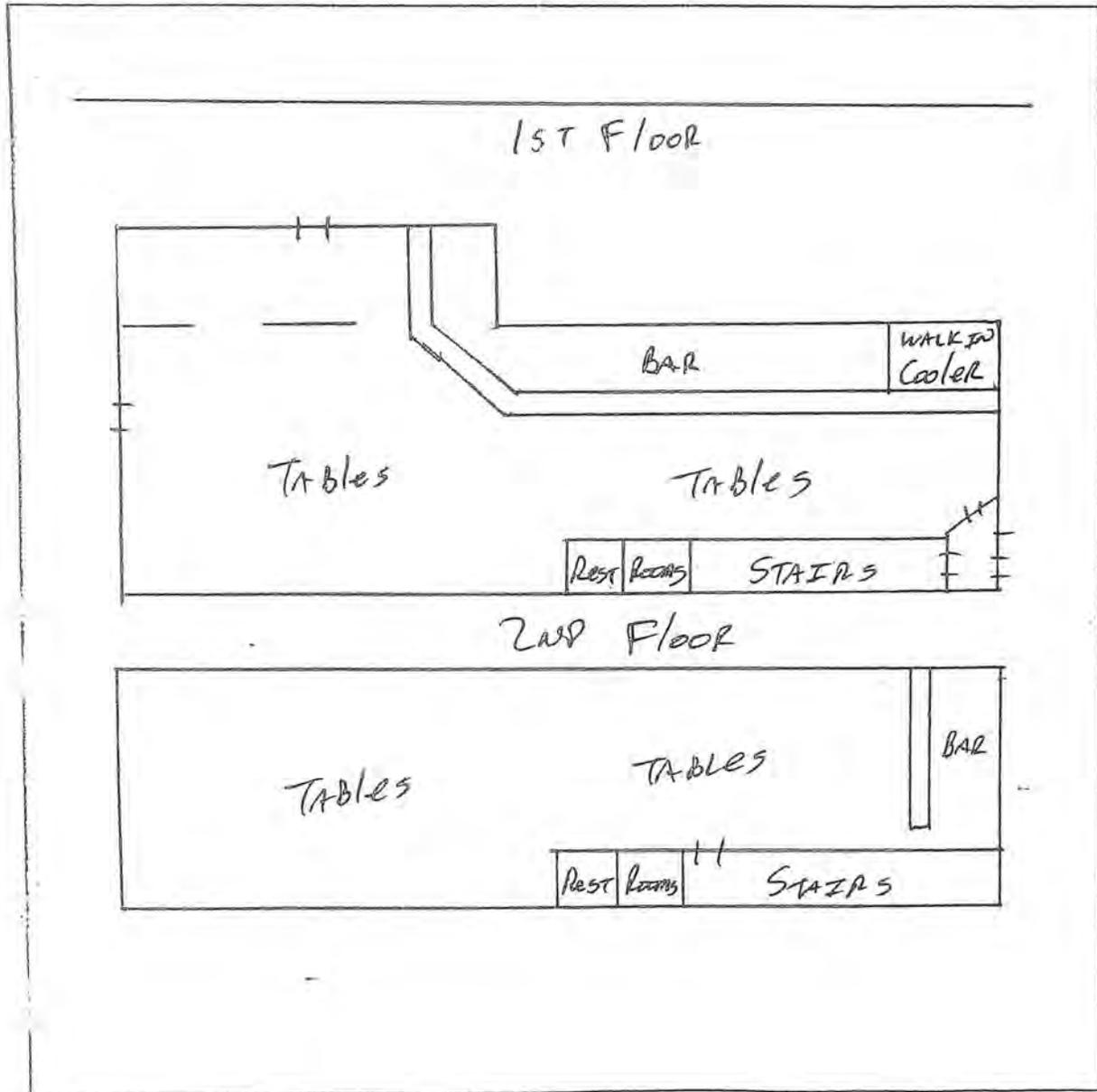
Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

**SPECIAL AMUSEMENT PERMIT
SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your licensed premise and areas that the entertainment is allowed, the City of Lewiston is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram showing where in the facility the entertainment will be, the direction of any speakers and where the dance floor, if any will be located.



CITY OF LEWISTON, MAINE
Department of City Clerk

Supplementary Questionnaire for Corporate Applicants

1. Exact corporate name: ACME SOCIAL CLUB INC

2. Date of incorporation: 1937

3. State in which you are incorporated: MAINE

4. If not a Maine corporation, date corporation was authorized to transact business within the State of Maine: _____

5. List the names, addresses previous 5 years, birth dates, title of all officers, directors, and % of stock owned:

NAME	ADDRESS. PREVIOUS 5 YEARS	BIRTH DATE	% OF STOCK	TITLE
GARY GIBSON	14 REJANE AVE	1/6/73	0	PRES
MARC LEE MASON	60 LAFAVETTE ST	2/9/51	0	TREAS
BELINDA ALLEN	208 EAST AVE - LEWISTON	2/2/50	0	SEC

6. What is the amount of authorized stock? ^{1 PER} MEMBER Outstanding stock? 1238

7. Is any principal officer of the corporation a law enforcement official?
No

Dated at LEWISTON on _____ Date 2012
City or Town

SIGNATURE OF DULY AUTHORIZED OFFICER



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: May 23, 2012

RE: Liquor License/Special Amusement Permit – **Acme Social Club**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Acme Social Club
255 Park Street



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

ACME CLUB

Apt #	Year MM DD Time	Reason	Action	Call #	Vicinity
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	2011 07 30 0101	POL-DISTURBANCE - DISORDERLY	Arrest(s) Made	11-65036	N
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	POL-Domestic	[REDACTED]	[REDACTED]	N
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	2011 06 25 2200	POL-Assault	Report Taken	11-53681	N
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	2011 05 28 0118	POL-DISTURBANCE - DISORDERLY	Arrest(s) Made	11-44427	N
	2011 05 28 0105	POL-DISTURBANCE - DISORDERLY	Arrest(s) Made	11-44420	N

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for The Androscoggin Bank Colisee, 190 Birch Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from The Androscoggin Bank Colisee, 190 Birch Street.

The Police Department has reviewed and approved the application.

There was no reference to the business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

ERB/kmm

REQUESTED ACTION:

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

To grant a Special Amusement Permit for Live Entertainment to The Androscoggin Bank Colisee, 190 Birch Street.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 7-2-12 Expiration Date: 7-30-2013 License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
- Class B - lounges/bars with entertainment, which does not have dancing
- Class C - either restaurants or lounges/bars with entertainment, including dancing
- Class D - function halls with entertainment, including dancing
- Class E - dance hall or nightclub that admits persons under the age of 21
- Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: The Androscooggin Bank Colisee Business Phone: 2077832009

Location Address: 190 Birch St - Lewiston ME

(If new business, what was formerly in this location: _____)

Mailing Address: _____

Contact Person: James Cair Home Phone: 6302426643

Owner of Business: Ferland Management Date of Birth: Jan 14 / 1958

Address of Owner: 190 Birch St Lewiston ME 04240

Manager of Establishment: James Cair Date of Birth: 01/14/58

Owner of Premises (landlord): _____

Address of Premises Owner: _____

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: Lucee

Corporation Mailing Address: 190 Birch st. Lewiston Me 04240

Contact Person: Michael (Cain) Phone: 207 783 2009

Do you permit dancing on premises? Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 320'

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list _____
- live band/singers
- magician
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: GM Date: July 2 2012

Printed Name: Michael Cain

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

CITY OF LEWISTON, MAINE
Department of City Clerk

Supplementary Questionnaire for Corporate Applicants

1. Exact corporate name: Lewiston Urban Civic Center Enterprises
2. Date of incorporation: _____
3. State in which you are incorporated: Maine
4. If not a Maine corporation, date corporation was authorized to transact business within the State of Maine: _____
5. List the names, addresses previous 5 years, birth dates, title of all officers, directors, and % of stock owned:

NAME	ADDRESS. PREVIOUS 5 YEARS	BIRTH DATE	% OF STOCK	TITLE
Michael Carr	17 Richmond Ave. Lewiston ME	05/03/75	30%	GM
Kelly Kryukov	42670 Explorer Dr Branford VA	05/11/75	20%	Finance
James Carr	604 Morrisons Beach Rd Del Canada	01/14/52	50%	CEO

6. What is the amount of authorized stock? 100% outstanding stock? _____
7. Is any principal officer of the corporation a law enforcement official? _____

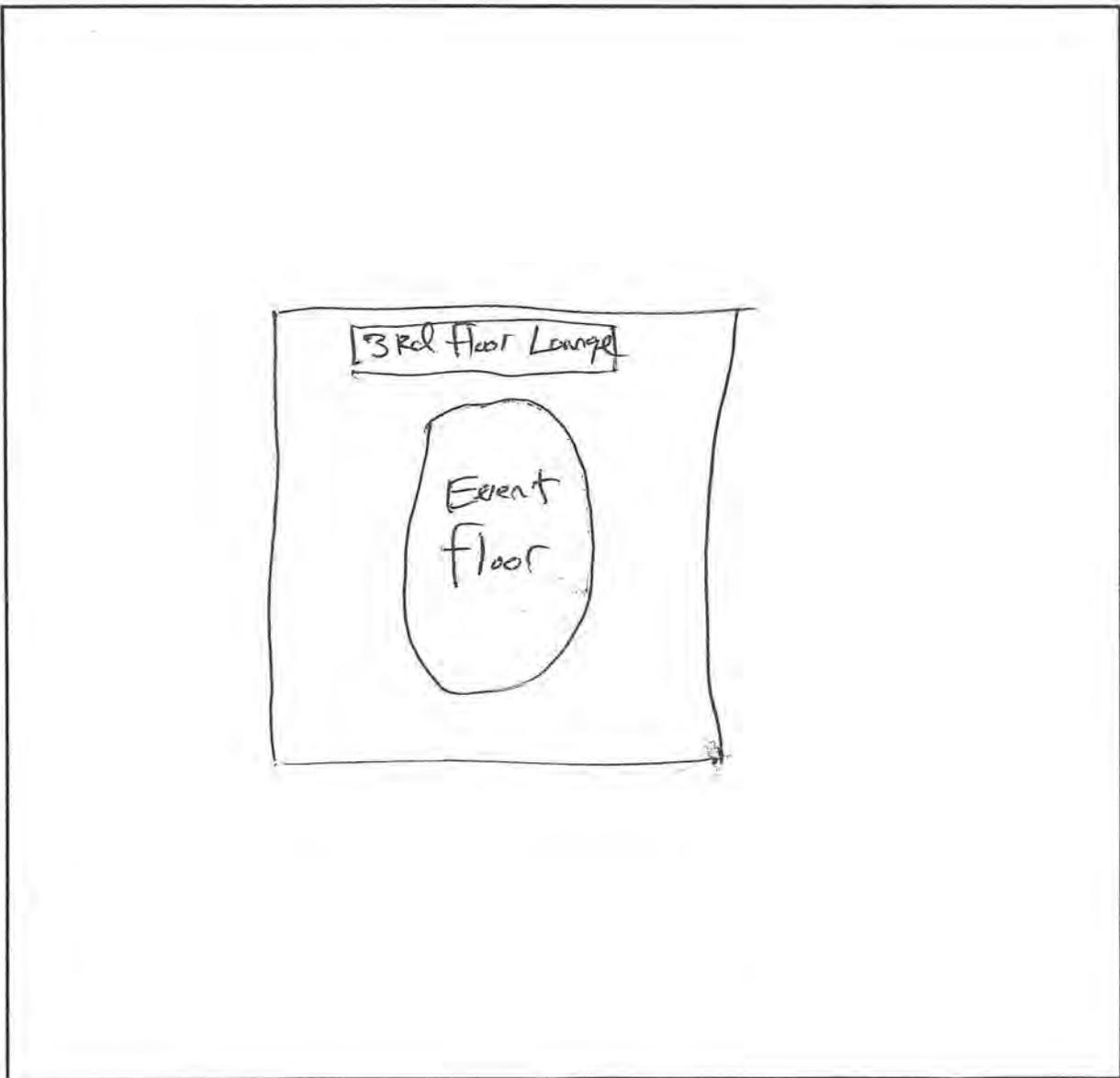
Dated at Lewiston Me. on July 2/2012.
City or Town Date


SIGNATURE OF DULY AUTHORIZED OFFICER

**SPECIAL AMUSEMENT PERMIT
SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your licensed premise and areas that the entertainment is allowed, the City of Lewiston is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram showing where in the facility the entertainment will be, the direction of any speakers and where the dance floor, if any will be located.





POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: May 23, 2012

RE: Liquor License/Special Amusement Permit – **Androscoggin Bank Colisee**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Androscoggin Bank Colisee
190 Birch Street



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL
MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing on a new liquor license application for Casa del Luna, 838 Lisbon Street.

INFORMATION:

We have received a new liquor license application from Casa del Luna, 838 Lisbon Street. The liquor license application is for malt, spiritous & vinous.

The police department has reviewed and approved the application.

The business owner has been notified of the public hearing and requested to attend.

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 authorize the City Clerk's Office to approve a new liquor license application for Casa del Luna, 838 Lisbon Street.

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

RESTAURANT (Class I,II,III,IV)

RESTAURANT/LOUNGE (Class XI)

HOTEL-OPTIONAL FOOD (Class I-A)

HOTEL (Class I,II,III,IV)

CLASS A LOUNGE (Class X)

CLUB-ON PREMISE CATERING (Class I)

CLUB (Class V)

GOLF CLUB (Class I,II,III,IV)

TAVERN (Class IV)

OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) —(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
DOB: _____			CASA de LUNA		
302 Acquisition Co. LLC DOB: _____			Location (Street Address)		
DOB: _____			838 LISBON		
Address			City/Town	State	Zip Code
PO BOX 388			LEWISTON	ME	
			Mailing Address		
			PO BOX 388		
City/Town	State	Zip Code	City/Town	State	Zip Code
WINNHAM	ME	04062	WINNHAM	ME	04062
Telephone Number	Fax Number		Business Telephone Number	Fax Number	
207-894-5730					
Federal I.D. #			Seller Certificate #		
27-3640480					

3. If premises are a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ N/A FOOD \$ N/A LIQUOR \$ N/A

5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire, If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO

7. If manager is to be employed, give name: _____

8. If business is NEW or under new ownership, indicate starting date: 7-1-12

Requested inspection date: ASAP Business hours: UNDETERMINED

9. Business records are located at: ON SITE

10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
JAMES LINDVALL	7-2-1952	WATERVILLE ME
ANTHONY LINDVALL	10-14-1986	PORTLAND ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)

PORTLAND, ME y PORTLAND, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
Offense: _____ Location: _____
Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) A free standing comm. building in the Lewiston Mall, with 600 SF. Recently used as a restaurant.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: 5-22-12

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? _____ Which of the above is nearest? _____

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: WINDHAM, ME on 6-5, 2012
Town/City, State Date

X [Signature]
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

[Signature]
Signature of Applicant or Corporate Officer(s)

STATE OF MAINE
Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: 302 Acquisition Company LLC
 Business D/B/A Name: CASA del Luna
2. Date of Incorporation: 9-10-2010
3. State in which you are incorporated: MAINE
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
JAMES LINDVALL	PORTLAND ME	7-2-1953	90	member
ANTHONY LINDVALL	PORTLAND ME	6-14-1986	10	member

6. What is the amount of authorized stock? 100 Outstanding Stock? _____
7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.
9. If yes, please complete the following: Name: _____

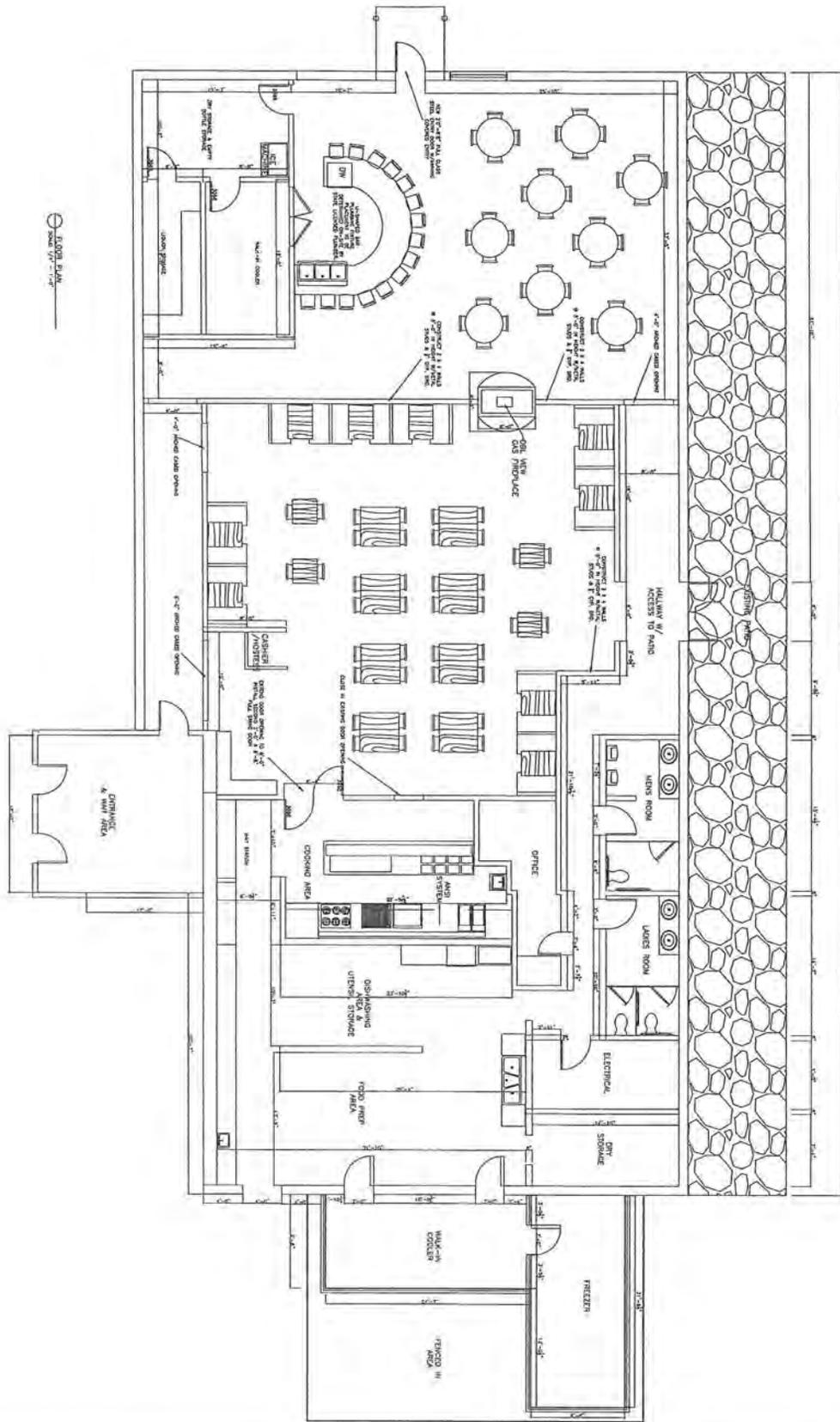
Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ City/Town _____ On: _____ Date _____

 _____ Date: _____
 Signature of Duly Authorized Officer

 Print Name of Duly Authorized Officer



CASA DEL LUNA RESTAURANT LEWISTON, MAINE PRELIMINARY FLOOR PLAN



LITTLEFIELD & SON CONSTRUCTION, LLC
714 TOWN FARM ROAD
BOXTON, MAINE 04003
TEL: 858-1844

No.	Revision/Issue	Date

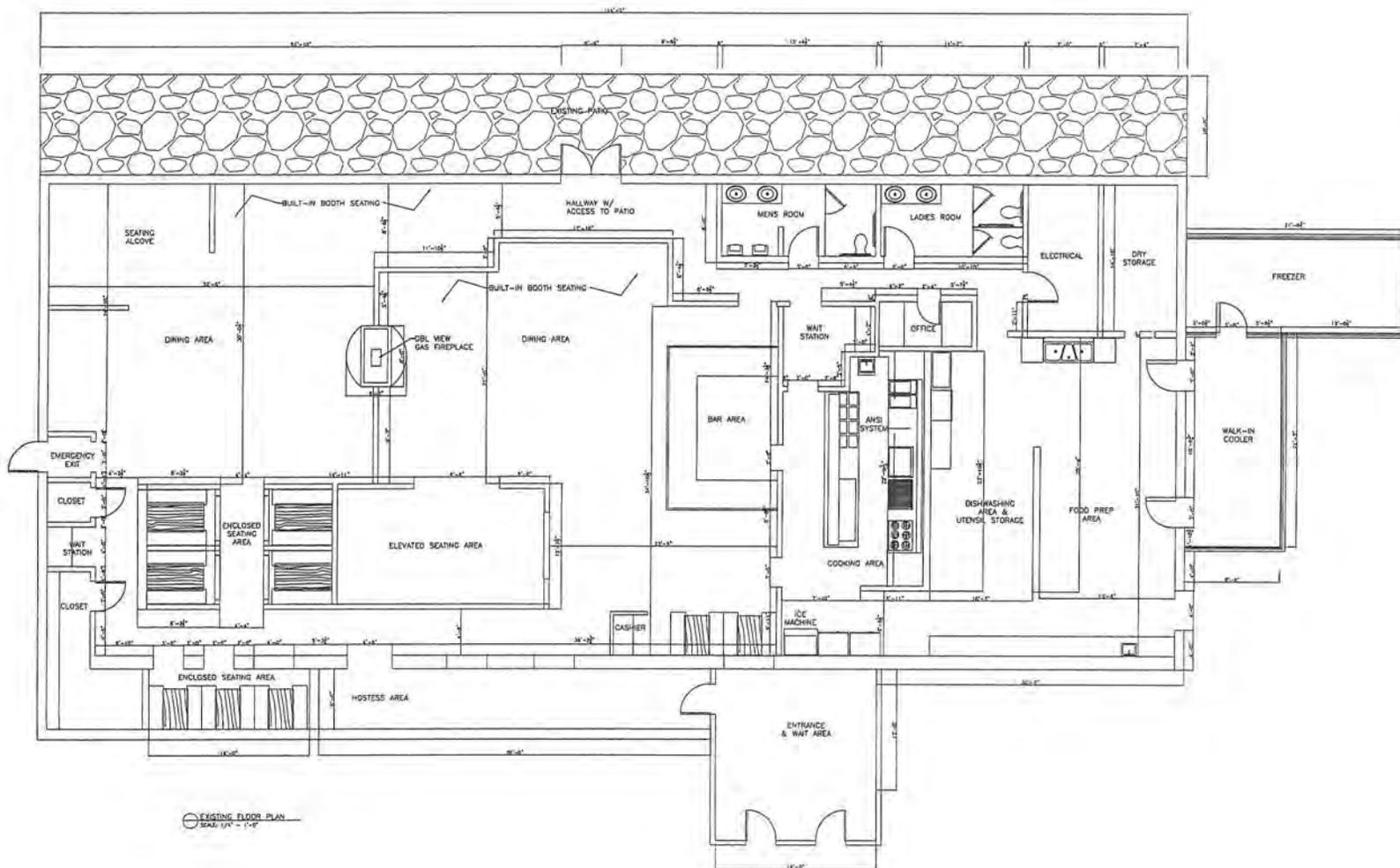
Sheet Title		Scale
FLOOR PLAN		
Date	06-25-12	Sheet #
Drawn by	JLB	
Checked by	JLB	A3



LITTLEFIELD & SON CONSTRUCTION, LLC
 79 TOWN FARM ROAD
 BUXTON, MAINE 04093
 207-929-0040

GENERAL NOTES:

1. NONE OF THE MODIFICATIONS AFFECT STRUCTURAL INTEGRITY.
2. ALL TRAVEL PATHS AND EXIT PATHS ALL MEET OR EXCEED ALL STATE AND LOCAL CODES.
3. ALL EXITS HAVE WORKING EXIT LIGHTS.
4. ALL GLAZING MEETS OR EXCEEDS EGRESS REQUIREMENTS.
5. CONTRACTOR WILL STRIVE TO RE-USE/RECYCLE MATERIALS OR ANY EXISTING EQUIPMENT.



EXISTING FLOOR PLAN
 SCALE 1/4" = 1'-0"

CASA DEL LUNA RESTAURANT
 LEWISTON, MAINE

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

No.	Revision/Issue	Date

Sheet Title
EXISTING FLOOR PLAN

Date: 06-25-12 Sheet #
 Scale: 1/4" = 1'-0" A1
 Drawn by: *SLB*



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: July 6, 2012

RE: Liquor License/Special Amusement Permit – **Casa Del Luna**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Casa Del Luna
838 Lisbon Steet



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

CITY OF LEWISTON

PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on ***Tuesday, July 17, 2012, at 7:00 p.m.***, or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Casa del Luna

838 Lisbon Street

James & Anthony Lindvall, owners

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

Kathleen Montejo, MMC
City Clerk
Lewiston, Maine

PUBLISH ON: July 11, 12 & 13, 2012

Please bill the City Clerk's Dept. account. Thank you.

LEWISTON CITY COUNCIL
MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Public Hearing on a renewal application for a Special Amusement Permit for Live Entertainment for She doesn't like Guthries, 115 Middle Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from She doesn't like Guthries, 115 Middle Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

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 grant a Special Amusement Permit for Live Entertainment to the She doesn't like Guthries, 115 Middle Street.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 7-10-12 Expiration Date: 7-9-12 License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
- Class B - lounges/bars with entertainment, which does not have dancing
- Class C - either restaurants or lounges/bars with entertainment, including dancing
- Class D - function halls with entertainment, including dancing
- Class E - dance hall or nightclub that admits persons under the age of 21
- Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: She doesn't like Guthries **Business Phone:** 207-376-3344

Location Address: 115 ~~Taylor~~ Middle St. Lewiston, ME 04240

(If new business, what was formerly in this location: _____)

Mailing Address: 115 Middle St. Lewiston ME 04240

Contact Person: Randy Letourneau **Home Phone:** 786-4747

Owner of Business: Randy + Heather Letourneau **Date of Birth:** 8/29/1977 } 1/6/1979

Address of Owner: 5 Taylor Hill Rd. Lewiston, ME 04240

Manager of Establishment: — **Date of Birth:** —

Owner of Premises (landlord): Coastal Enterprises

Address of Premises Owner: PO Box 268 Wiscasset, ME 04578

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): -this one-

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: Both Heather + Randy OVI's
Heather 2002 Randy 1999

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: She doesn't like Guthrie's

Corporation Mailing Address: 115 Middle St. Lewiston, ME 04240

Contact Person: Randy Letourneau Phone: 376-3344

Do you permit dancing on premises? ___ Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? ___ Yes ___ No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? ~ 100 ft

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list _____
- live band/singers
- magician
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: OWNER Date: 7-10-12

Printed Name: Randy Letourneau

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

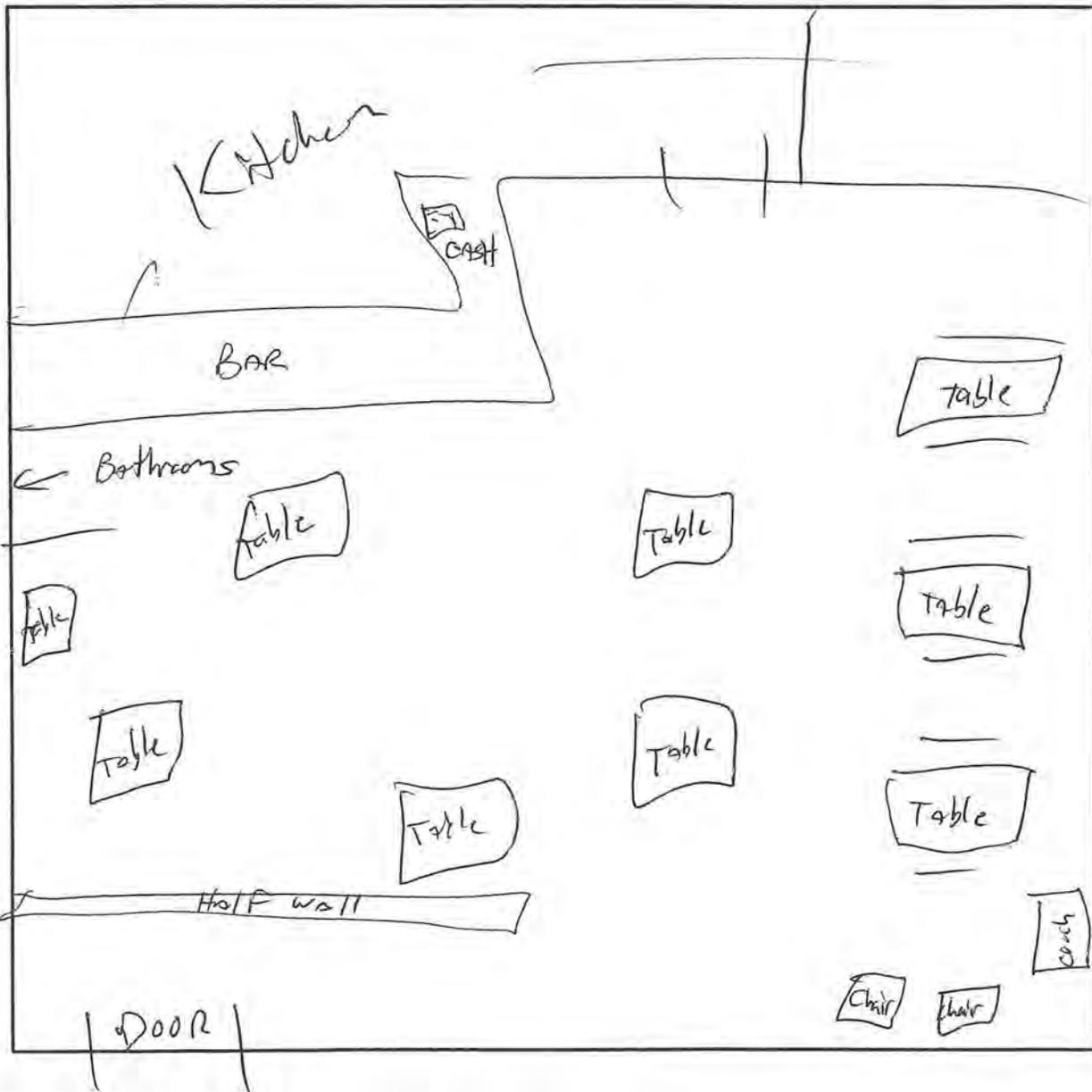
Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

**SPECIAL AMUSEMENT PERMIT
SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your licensed premise and areas that the entertainment is allowed, the City of Lewiston is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram showing where in the facility the entertainment will be, the direction of any speakers and where the dance floor, if any will be located.



CITY OF LEWISTON, MAINE
Department of City Clerk

Supplementary Questionnaire for Corporate Applicants

1. Exact corporate name: She doesn't like Guthries
2. Date of incorporation: 2007
3. State in which you are incorporated: MAINE
4. If not a Maine corporation, date corporation was authorized to transact business within the State of Maine: _____
5. List the names, addresses previous 5 years, birth dates, title of all officers, directors, and % of stock owned:

NAME	ADDRESS . PREVIOUS 5 YEARS	BIRTH DATE	% OF STOCK	TITLE
Randy Letourneau	5 Taylor Hill Rd. Lewiston ME	8/24/1977	50%	Treasurer
Heather Letourneau	" " "	11/6/1979	50%	President

6. What is the amount of authorized stock? 100 Outstanding stock? 0
7. Is any principal officer of the corporation a law enforcement official?
NO

Dated at Lewiston on 7-10-12
City or Town Date


SIGNATURE OF DULY AUTHORIZED OFFICER



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: May 23, 2012

RE: Liquor License/Special Amusement Permit – **She Doesn't Like Guthries**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

She Doesn't Like Guthries
115 Middle Street



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Public Hearing for approval of an outdoor musical event on Middle Street for the Grace Street Services Ride for Recovery fundraising event.

INFORMATION:

Grace Street Services LLC has submitted an application requesting permission to hold an outdoor music event (DJ) on city property as part of their July 28 Ride for Recovery Block Party fund raising event. Live musical entertainment will be held on Saturday, July 28 from 1pm - 4pm along Middle Street.

Per the City Code, an outdoor concert cannot be held on city property without approval by a majority of the Council after a public hearing. Staff recommendations are being sought from the Recreation Department, Police Department, Fire Department, Code Enforcement/Health Officer and the Land Use Code Officer for compliance.

The Fire Department and Police Department do not have any concerns regarding this event.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA BK mm

REQUESTED ACTION:

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

To conduct a public hearing on an application from Grace Street Services LLC for an outdoor music event to be held along Middle Street on Saturday, July 28, and to authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to Grace Street Services LLC for the outdoor music event, contingent upon positive recommendations from the Recreation Department, Police Department, Fire Department, Code/Land Use Officer and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances.

THANK YOU

CITY OF LEWISTON Special Event Applicati

Applications must be submitted at least 14 days prior to the event to the permit type. *Application must be turned in 30 days prior to hearing requirement.

Application Date 4-24-12

SPONSOR INFORMATION

Name of Sponsoring Organization: Grace Street Services LLC

Name of Contact Person for Event: Kienneth Allen

Title of Contact Person: event Coordinator

Mailing Address: P.O. Box 1161, Lewiston, ME 04240

Daytime Telephone: 207-_____ Cell Phone: 207-713-8367

Email Address: hen355819@aol.com

Contact Name and Cell Phone Number DURING the Event: Kenneth Allen - 207-713-8367

Is your organization incorporated as a non-profit organization? Yes No

Non-Profit Number: _____

EVENT INFORMATION

Name of Event: 2nd Annual Ride for Recovery

Type of Event (walk, festival, concert, etc.): Benefit for JORDAN Flynn

Date of Event: 07-28-12 Rain Date: 08-04-12

Times of Event: Start Time including set-up: 8:00 AM Ending time including clean up: 5:00 pm

Actual Event Start Time: 9:00 AM Actual Event End Time: 4:00 pm

Estimated Attendance: 100+ 100-150 people

Location of Event: Middle street, Lewiston ME 04240

If location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved? Yes No Pending

Date request submitted to the Recreation Department: _____

9am-1pm - bike ride
1pm-4pm - event

9am-1pm street set up

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Separate fee and permit possible	FOOD – Will food or beverages be sold or given away? If yes, list what types of food or beverages: Hot dogs, Hamburgers, BarBQue ribs Beans Note - A food service license may be required.	✓		
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, cds, etc.)? If yes, list what items: T-Shirts ARS, Crafts Recovery material, Note- A peddling permit may be required.	✓		
\$11	*LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: D.J. Table set up in parking lot	✓		
\$16/day	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound? yes There will from 1pm-4pm	✓		
Separate fee and permit required	ALCOHOLIC BEVERAGES – Will alcoholic beverages be served?		✓	
Separate fee and permit required	*CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.		✓	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.		✓	
N/A	PARADE – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.		✓	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:		✓	
Separate permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity: Note - A permit from the Fire Department is required.		✓	
N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes:			✓
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: Middle St we would like to blockoff	✓		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, etc.? This is a mandatory requirement for this application and must be included with the application form.	✓		

N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? Motorcycles will go in the trolley building, and along the street with other vehicles.	✓		
N/A	TOILETS – Please list amount at event and/or nearest location: Their are facilities at Grace Street	✓		
N/A	WASTE DISPOSAL – Please list process and location: Dumpster on Site.	✓		
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: GRACE Street Recovery serv Their doot To Their facilities - will be open	✓		
N/A	POTABLE WATER – Please list amount at event and location: Church of L/A is supplying water Bottled for free	✓		
N/A	FIRST AID FACILITIES – Please list location at event: First aid kit, in main area of event, CMMC is also across the st.	✓		
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to “City of Lewiston”			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc. the City requires insurance coverage – general liability. The City of Lewiston needs to be named as additionally insured in regards to the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received before the event permits can be issued. Please have “City of Lewiston” listed as additionally insured on the Certificate of Insurance (minimum coverage \$1,000,000) and have your insurance company fax a copy to: City Clerk 207-777-4621

DESCRIPTION OF EVENT – Please describe what will occur during your event

Block Party / D.J. Music / Vendors - Church of L/A
Bluewillow counseling center, Kaplan univ, Patti Gagne INS. Agency INC
Rhonda Lavoie Scentsy, Salvation Army Canteen Truck,
Hof Dog Stand, Portland Recovery, St. Francis House

Signature of Applicant:

Printed Name:

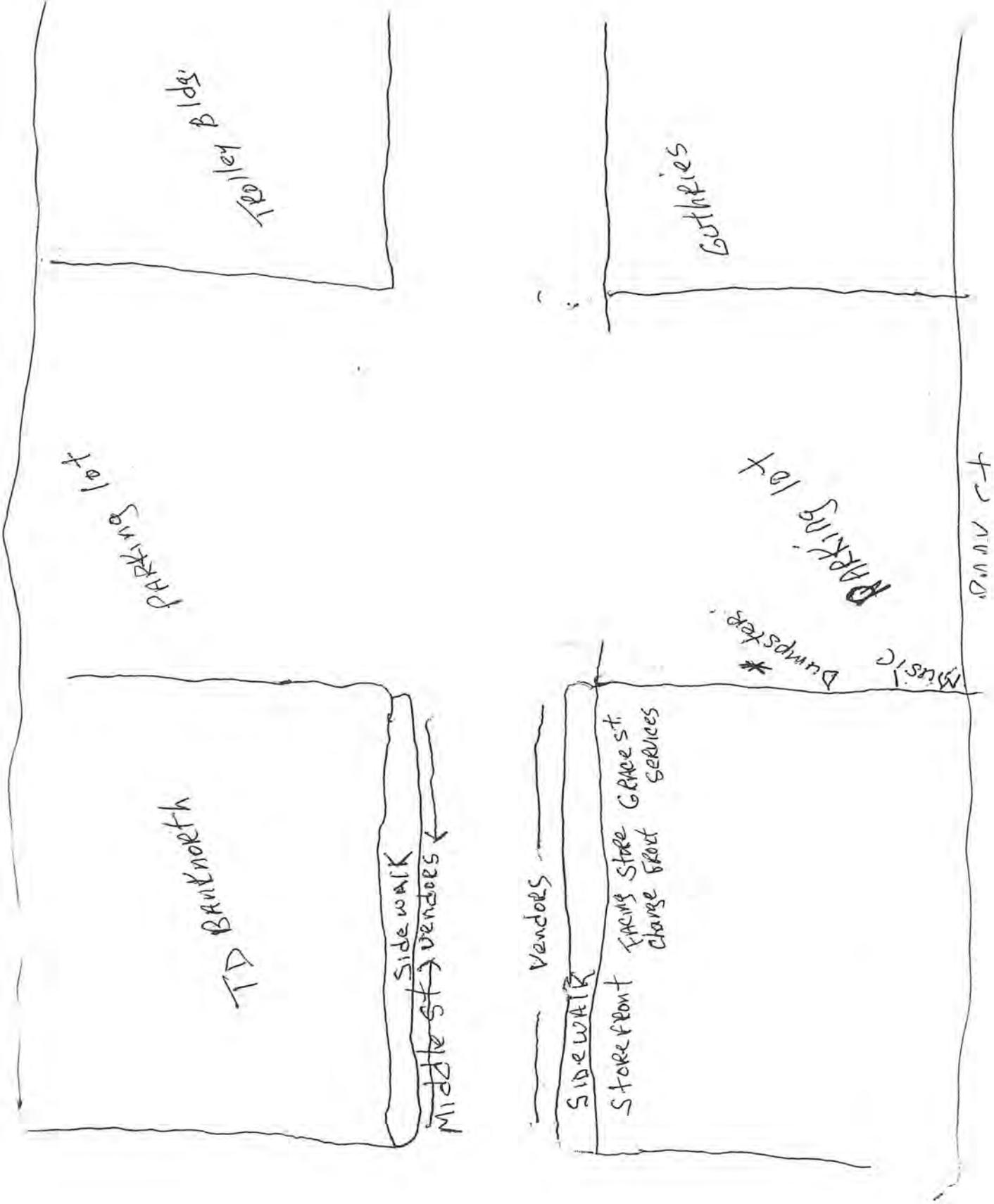
Date Submitted:

Kenneth A. Allen

Kenneth A. Allen

Please note that you will be contacted by City Staff if you require additional permitting.

Main St



6-19-2012

“We are the face of Recovery; giving back to the community we live and work in”

To: City of Lewiston, Permit Council

The L/A Biker's Recovery Group is applying for a Block Party Permit to benefit a 15 year old girl, whose name is Jordan Flynn. Jordan is suffering from Fanconi Anemia- a rare blood disorder. Jordan has twin sisters; Julia and Jorganna who are age 7 and they also suffer from Fanconi Anemia.

As of today, we have raised over \$1700.00 for the Flynn Family. All proceeds and donations from this event are going to the Flynn Family.

Our Permit Request information:

Date- July 28th, rain date August 4th.

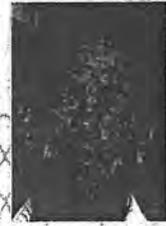
Time- 8am-5pm

Place- Middle Street Lewiston, Maine

Owners and representatives from local businesses are here today and are prepared to speak on behalf of L/A Biker's Group Block Party Permit Request.

Sincerely,

L/A Biker's Recovery Group



Ride for Recovery

Benefit Ride for Jordan Flynn
To Fight Against Fanconi Anemia

JULY 28, 2012

In Memory Of Andy Williams,
100% of proceeds will go to Jordan's Care



105 MIDDLE STREET
8:30 ARRIVAL
9:00 LEAVE
1:00 RETURN

SUGGESTED DONATION
\$20
RECOVERY EVENTS
BEGIN AT 1:00

**105 MIDDLE STREET
LEWISTON, ME.**

ALL AFTERNOON EVENTS  COOKOUT | VENDORS | AA MEETING |
A RECOVERY EVENT ANCHORED IN THE HEART OF COMMUNITY



LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Public Hearing and Final Passage regarding amendments to the General Assistance Ordinance.

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. These amendments would change the ordinance regarding overall maximum levels of assistance granted, housing limits, hardship exceptions, changes required by state statute regarding emergency situations and amendments regarding misconduct, housing safety standards and transportation.

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 for additional information.

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
---	---	---	---	---	---	---	---

That the proposed amendments to the City Code of Ordinances, Chapter 46 "General Assistance", Article I "General", Article II "Application Procedure", Article III "Eligibility Factors", Article IV "Determination of Eligibility", and Article VI "Recovery of Expenses", receive final passage by a roll call vote.

AN ORDINANCE PERTAINING TO GENERAL ASSISTANCE

THE CITY OF LEWISTON HEREBY ORDAINS:

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

ARTICLE I. IN GENERAL

Sec. 46-1. Introductory provisions.

(c) The general assistance program will place no restrictions on the personal rights of the applicant or recipient, nor will there be any unlawful discrimination based on ~~sex~~, gender, age, race, religion, disability or political affiliation. The applicant or recipient will be informed of his rights and responsibilities under the general assistance program.

(g) The general assistance administrator will refer to and abide by any other city ordinance to define a condition, area or situation. The administrator will not pay rent to a building owner or landlord when that building, or any unit in that building, has been placarded, condemned, unlicensed, or is known to be in violation of any other municipal ordinance.

Sec. 46-2. Definitions.

General assistance administrator means a municipal official designated to receive applications, make decisions concerning an applicant's right to receive assistance, and prepare records and communications concerning assistance. ~~He~~ The administrator may be an overseer or an authorized agent such as a town manager, welfare director, or caseworker.

In determining need, the period of time used as a basis for the calculation shall be a 30-day period commencing on the date of application. This prospective calculation shall not disqualify an applicant who has exhausted income to purchase basic necessities, provided that the income does not exceed the income standards established by the municipality.

Notwithstanding this prospective calculation, if any applicant or recipient receives a lump sum payment prior or subsequent to applying for assistance, that payment must be prorated over future months.

Lump sum payment means a one-time or typically nonrecurring sum of money issued to an applicant or recipient ~~after an initial application~~. "Lump sum payment" includes, but is not limited to, retroactive or settlement portions of social security benefits, workers' compensation payments, unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. A lump sum payment includes only the amount of money available to the applicant after payment of required deductions has been made from the gross lump sum payment. A lump sum payment does not include conversion of a nonliquid resource to a liquid resource if the liquid resource

has been used or is intended to be used to replace the converted resource or for other necessary expenses.

Misconduct means ~~conduct evincing such willful or wanton disregard of an employer's interest as is found in deliberate violations or disregard of standards of behavior which the employer has a right to expect of his employee, or in carelessness or negligence of such degree or recurrence as to manifest equal culpability, wrongful intent or evil design, or to show an intentional and substantial disregard of the employer's interests or of the employee's duties and obligations to his employer.~~ shall have the same meaning as misconduct defined in 26 MRS §1043 (23). Generally, employees are guilty of misconduct when the employee violates his or her duties or obligations to the employer. Employees who engage in a pattern of irresponsible behavior to the detriment of the employer's interests may also be found guilty of misconduct.

Resources means and includes any program, service, or other sources of support which are an alternative to or supplement for general assistance. There are two kinds of resources: available and potential.

(2) Potential resources. Potential resources are programs, services, nonliquid assets, or trusts which typically require people to apply in writing and/or wait a period of time before eligibility is determined or the potential income is released. Potential resources include but are not limited to any state or federal assistance program, employment benefits, governmental or private pension program, available trust funds, support from legally liable relatives, child support payments, and jointly held resources where the applicant or recipient share may be available to the individual. Potential resources include AFDC TANE, food stamps supplement, fuel assistance (HEAP), subsidized housing, and similar programs.

ARTICLE II. APPLICATION PROCEDURE

Sec. 46-31. Right to apply.

(d) Applications accepted; posted notice. Applications ~~forms~~ will be available processed during regular business hours at the municipal office and when the general assistance administrator is conducting interviews with applicants. Notice will be posted stating when and where people may apply for assistance, and will include the name of information on the administrator emergency contact available to take emergency applications at all other times. Completed applications will be accepted and interviews given only during the regular hours established and posted by the administrator; however, in an emergency, the administrator will be available to accept applications for assistance whenever necessary.

Sec. 46-34. General assistance administrator's responsibilities at time of application.

(b) Application requirements. The administrator will ~~help the applicant~~ fill out the application ~~form~~ as described in section 46-33, with information and documentation provided by the applicant. The administrator will inform the applicant of any other information or documentation that the applicant will have to provide in order for the administrator to evaluate the applicant's eligibility for assistance. The administrator will

fully explain the purpose of any release of information form or reimbursement agreement before seeking to obtain the applicant's signature or written authorization.

(d) Applicant rights. The administrator will inform all applicants of their rights to, review this chapter and the state general assistance law, apply for assistance, receive a written decision concerning eligibility within 24 hours of applying for assistance, confidentiality, contact the department of health and human services, and challenge the administrator's decision by requesting a fair hearing.

State law references: Similar provisions, 22 M.R.S.A. §§ 4318, 4319.

Sec. 46-36. Action on applications.

(b) Content of decision. The written decision on the application will contain the following information:

(5) The applicant's right to notify the department of health and human services if he believes the municipality has acted illegally.

Sec. 46-39. Emergencies.

An emergency is considered to be any life threatening situation or a situation beyond the control of the applicant which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of the applicant or a member of the household.

Although ~~they~~ applicants may be considered otherwise ineligible to receive general assistance, persons ~~people~~ who apply for assistance to alleviate an emergency will be granted assistance, except as provided below, if they do not have sufficient income and resources to meet an actual emergency need and have not had sufficient income and resources to avert the emergency. The following exceptions and conditions apply when determining eligibility for emergency assistance.

(4) Limitation on emergency assistance. Applicants are not automatically eligible for emergency assistance. If applicants had income which could have been used to prevent all or part of an emergency, but they spent that income on items which are not basic necessities, they will not be eligible to receive general assistance to replace that money. Applicants have the responsibility to provide the administrator with verifiable documentation demonstrating that the applicant did not have sufficient income to avert the emergency situation.

According to the following criteria, the administrator may limit emergency assistance to cover only the difference between the amount of money necessary for the household to avoid the emergency and the amount of income available to the household during the applicable time period.

a. The applicable time period shall be the 30 days preceding the application for emergency assistance, except in those cases where the emergency was created by a negative account balance for a commodity or service (such as rent, mortgage or utility payments), and the negative account balance was created over a longer period of time. In such cases, the applicable time period shall be the consecutive length of time the account balance has been in the negative.

b. The administrator shall seek from the applicant all information pertinent to the applicant's ability to provide for his basic necessities for the applicable time period, including evidence of all income and resources for the applicable time period.

- c. The administrator shall compute all costs for the household's basic necessities during the applicable time period, per month, in accordance with the maximum levels established by this chapter for the specific basic necessities or the actual monthly cost, whichever is less, including all costs associated with averting the particular emergency situation for which the applicant is seeking assistance.
- d. From the total household costs for basic necessities during the applicable time period, the administrator shall subtract the total income and lump sum payments available to the household for the applicable time period as well as the total general assistance actually received during the applicable time period.
- e. The administrator may restrict the issuance of emergency assistance to the difference yielded by the computation in subsection (4) d, above, even when such a grant will not totally alleviate the emergency situation.
- f. The administrator may waive this limitation on emergency assistance in life threatening situations or for first time applicants, that is, persons who have never before applied for general assistance.
- g. Nothing in these criteria may be construed as prohibiting a municipality from electing to alleviate an emergency situation in the most cost-effective manner available, provided such a determination of eligibility for emergency assistance is in conformance with general assistance law.

A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs.

The household of an initial applicant that is otherwise eligible for emergency assistance may not be denied emergency assistance to meet an immediate need solely on the basis of the proration of a lump sum payment. Upon subsequent applications, that household's eligibility is subject to all the standards established by this chapter.

State law references: Similar provisions, 22 M.R.S.A. §§ 4301(4), 4308, 4308(2)(A), 4308(3), 4309(3), 4310.

ARTICLE III. ELIGIBILITY FACTORS

Sec. 46-64. Personal property.

(c) Automobile ownership. Ownership of one automobile per household will not make a person ineligible for assistance, if such vehicle is essential for transportation to employment, medical care, rehabilitation or training facilities, or if it is essential to the maintenance of the applicant and his family. Recipients of general assistance who own an automobile with a market value greater than \$5, 8000.00. may be required, with written, 30-day notice, to make a good faith effort to trade that automobile in to a reputable automobile dealer for an automobile with a market value of less than \$5, 8000.00. Any income received by the applicant by virtue of such a trade-down must be used for his basic necessities. Failure to liquidate or trade down the excess value of an automobile asset can result in disqualification. The municipality will neither pay, nor consider as necessary expenses, any car payment for which the applicant is responsible.

General assistance for travel-related needs shall be computed in accordance with section 46-98, regarding work related expenses.

Sec. 46-66. Work requirement.

All general assistance recipients are required to work, look for work, and fulfill the work requirements, unless they are exempt as provided in this section.

(2) Verification. Unemployed applicants or applicants employed on a part-time basis will be required to provide verifiable documentation of their pursuit of employment at the time of each application. At a minimum, such documentation shall consist of a list of the employers contacted, the date and time of the application contact, and the name of the employer representative contacted. If employment is pursued online, an actual application must be completed, and a receipt for the completed application must be provided. Pursuit of employment means actually submitting a written application or applying for a job in person when reasonable, or submitting a written application or letter of inquiry to employers an online application. For the duration of any repeat applicant's period of unemployment or partial employment, each recipient will be responsible for providing documentation of their pursuit of employment applying for no less than five jobs per day according to the conditions set forth by the administrator. Fulfillment of these requirements will not be expected at the time of the initial application, but will be a condition of eligibility for subsequent assistance.

ARTICLE IV. DETERMINATION OF ELIGIBILITY

Sec. 46-97. Income.

(c) Types of income. Income which will be considered in determining an applicant's need includes:

(2) Income from other assistance or social services programs. State/federal categorical assistance benefits, SSI payments, social security payments, VA benefits, unemployment insurance benefits, and payments from other government sources will be considered as income, unless expressly prohibited by federal law or regulation. Federal law prohibits food stamps and fuel assistance payments made by the home energy assistance program (HEAP ~~and ECIP~~) from being considered income. The value of the food stamps or fuel assistance will not be used to reduce the amount of general assistance the applicant is eligible to receive, although applicants may have only a limited or reduced need for general assistance for heating fuel or electricity if a recently received HEAP/~~ECIP~~ benefit has sufficiently credited their account or otherwise obliterated an actual fuel-related cost over the prospective 30-day period. The administrator's obligation is to always compute the heating needs of an applicant who has received HEAP ~~or ECIP~~ as if that applicant paid for his total fuel costs. Accordingly, in such cases, the administrator will budget for the household's heating energy needs according to actual usage, up to the ordinance maximums, but the administrator may, with written notice to the applicant, hold in reserve the heating energy portion of the applicant's deficit until such a time during the period of eligibility that the applicant has a demonstrable need for the disbursement of heating energy assistance; that is, the applicant's fuel tank can accept a minimum fuel delivery or the applicant no longer has a positive credit balance with his utility company. The municipality is not obligated to divert any recipient's heating energy allowance toward nonheating purposes solely on the basis of the recipient's receipt of HEAP/~~ECIP~~.

(8) Lump sum income. A lump sum payment received by a household in the 30-day period prior to the date of application for general assistance an applicant or recipient, prior to or subsequent to applying for assistance shall be considered as income available to the household, with the exception of any required payments (i.e., any third party payment which is required as a condition of receiving the lump sum payment, or any payments of bills earmarked for the purpose for which the lump sum payment was made) and any amount of the lump sum payment which the applicant or recipient can document was spent on basic necessities, as described below. ~~In the case where a lump sum payment was received by a household at any time prior to the date of application for general assistance, the administrator may also assess the possibility of prorating an applicant's eligibility for general assistance~~ The lump sum payment must be prorated over future months according to the following criteria:

The period of proration is determined by disregarding any portion of the lump sum payment that the applicant or recipient has spent to purchase basic necessities, including but not limited to: all basic necessities provided by general assistance; reasonable payment of funeral or burial expenses for a family member; reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities; repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid. All income received by the household between the receipt of the lump sum payment and the application for assistance is added to the remainder of the lump sum. The period of proration is then determined by dividing the remainder of the lump sum payment by the greater of the verified actual monthly amounts for all of the household's basic necessities or 150% of the applicable federal poverty guidelines. That dividend represents the period of proration determined by the administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

- a. — Identify the date the lump sum payment was received;
- b. — Subtract from the lump sum payment all required payments;
- c. — Subtract from the lump sum any amount the applicant can demonstrate was spent on basic necessities, including all basic necessities provided by general assistance in reasonable conformance with the specific maximum levels of assistance, per month, provided in this chapter; any reasonable payment of funeral or burial expenses for a family member; any reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities.
- d. — Divide the remaining amount by the applicant's maximum monthly allocation of general assistance.
- e. Add to the remainder all income received by the household between the date of receipt of the lump sum payment and the date of application for general assistance.

~~f. — Divide the sum created by subsection (8)e of this section by the aggregate maximum monthly allocation of general assistance available to the household pursuant to 22 M.R.S.A. § 4305(3-B).~~

~~The dividend remaining after following the above guidelines represents the number of months from the receipt of the lump sum payment that the applicant(s) will not be eligible for general assistance, except that no proration of eligibility can extend longer than 12 months from the date of application. Applicants who have been declared ineligible for reasons of lump sum proration will not be eligible for emergency general assistance during the period of proration.~~

~~State law references: Similar provisions, 22 M.R.S.A. § 4301(7), (8-A), (12-A), 4308.~~

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

(a) Overall maximum levels of assistance. Notwithstanding any of the maximum levels of assistance for specific basic necessities listed in this section, an applicant's eligibility for general assistance will be first determined by subtracting his income from the overall maximum level of assistance, established in Title 22, section 4305, subsection 3-C, as set in the general assistance policy for the applicable household size. The difference yielded by this calculation shall be the applicant's deficit. Applicants will be eligible for general assistance up to the calculated deficit to the extent the applicant is unable to otherwise provide the basic necessities essential to maintain themselves or their families. Applicants with no deficit shall be found ineligible for general assistance unless they are in an emergency, in which case eligibility for emergency general assistance will be determined according to section 46-39.

(b) Maximum levels of assistance for specific basic necessities. The municipality will grant assistance to eligible applicants for basic necessities according to the maximum levels for specific types of assistance as set forth in the general assistance policy. The administrator, in consultation with the applicant, may apply the amount of the applicant's deficit toward assistance with any one or combination of necessities not to exceed the total deficit. These maximum levels will be strictly adhered to unless the administrator determines that there are exceptional circumstances and an emergency is shown to exist, in which case these absolute levels will be waived in order to meet immediate needs (*Glidden v. Town of Fairfield, et al, CV79-17, Somerset County Superior Court*). In all cases, either the actual expenses the applicant incurs for basic necessities or the maximum amount allowed in each category, whichever is less, will be used in determining need. The applicant's need for common living expenses for food, rent, fuel, etc., will be presumed to be reduced by an amount equal to the other household members' proportionate fair share of the common living expenses. This presumption may be rebutted by evidence that the other household members had no income with which to pay their share of common expenses. No applicant will be allowed to claim a need for any expense which has been or will be paid by another person, or which has been incurred in another person's name.

(2) Housing. The administrator will provide assistance with rent or mortgage payments that are reasonable and within the allowed maximum levels established by the city council in the general assistance policy, and in accordance with the housing assistance limits provided in Title 22, section 4308, subsection 1-A; and in accordance with the housing exceptions provided in Title 22, section 4308, subsection 1-B. It is the applicant's responsibility to find suitable housing, although the administrator may help the applicant find housing when appropriate. The administrator will inform the applicant of the allowed

housing maximums to assist the applicant in his search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level for the number of rooms actually needed. Single individuals will be required to live in rooms, boardinghouses or shelters when such housing is available. Persons will be required to find rooms or apartments that have utilities furnished, unless they are residing in subsidized housing. Persons will be required to apply for, and accept, subsidized housing. The municipality will not pay security deposits or back bills, except in an emergency as provided in section 46-39.

(13) Other basic necessities. Expenses falling under this subsection may be granted when they are deemed essential to an applicant's or recipient's health and safety by the general assistance administrator and, in some cases, upon verification by a physician. Assistance will be granted only when these necessities cannot be obtained through the utilization of available resources.

f. *Work-related expenses.* In determining need, reasonable and actual work-related expenses will be deducted from earned income. These expenses include child care costs, work clothes, and supplies and transportation (if it is not available by the local bus service or car pooling) at the actual costs, not to exceed \$0.22 per mile the ordinance maximum as established by the city council in the general assistance policy. ~~child care costs, work clothes and supplies.~~ The applicant is required to provide documentation substantiating the costs and that the expenses were necessary.

g. *Burial, cremations.*

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 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.

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.

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 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 cremation 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.

State law references: Similar provisions, 22 M.R.S.A. §§ 4301(6), (7-A), 4305, 4308(2), 4309, 4313(2), 4319(2), 4320, 36 M.R.S.A. § 841(2).

ARTICLE VI. RECOVERY OF EXPENSES

Sec. 46-147. Relatives.

The spouse of an applicant and the parents of any applicant under the age of 25 years are liable for the support of the applicant. In addition, children, grandchildren, ~~siblings~~, parents and grandparents are liable for the burial costs of each other. The municipality considers these relatives to be available resources and liable for the support of their relatives in proportion to their respective ability. The municipality may complain to any court of competent jurisdiction to recover any expenses made on the behalf of a recipient if the relatives fail to fulfill their responsibility.



**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: G.A. Maximums and Ordinance Changes

DT: June 19, 2012

Enclosed is material related to the general assistance overall maximums; housing limits; hardship exception; other changes required by Statute (lump sum and emergencies); changes that are consistent with the majority of the municipalities (misconduct, safety code and transportation); and housekeeping items.

Enclosed are the MMA General Assistance Overall Maximums (Appendix A-Lewiston/Auburn MSA), effective July 1, 2012- June 30, 2013. The overall maximums are 90% of the maximum levels in effect on April 1, 2012. These maximums will be amendments to the General Assistance Policy.

This reduction only applies to the overall maximums, it does not affect the current categorical maximums. The food, rental, utility and personal maximums are the same amounts that were adopted for the period of 10/1/2011-9/30/2012. However, it is important to note that, all assistance authorized for categorical maximums cannot exceed the overall maximums, unless there is an emergency situation.

Also enclosed is the amended language for 22 MRSA §4305, sub- §3-C, pertaining to the reduction in the overall maximums; and the language for 22

*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**



MRSA §4308, sub-§§1-A and B, pertaining to the 9 month housing limit and the hardship exception.

Below are the ordinance revisions reflecting the amendments to 22 MRSA §4305, sub- §3-C, 22 MRSA §4308, sub-§§1-A and B.

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

(a) Overall maximum levels of assistance. Notwithstanding any of the maximum levels of assistance for specific basic necessities listed in this section, an applicant's eligibility for general assistance will be first determined by subtracting his income from the overall maximum level of assistance, established in Title 22, section 4305, subsection 3-C, as set in the general assistance policy for the applicable household size.

(2) Housing. The administrator will provide assistance with rent or mortgage payments that are reasonable within the allowed maximum levels established by the city council in the general assistance policy, and in accordance with the housing assistance limits provided in Title 22, section 4308, subsection 1-A; and in accordance with the housing exceptions provided in Title 22, section 4308, subsection 1-B.

Enclosed are sections of the ordinance reflecting recent law changes regarding lump sum and emergencies; and changes that are consistent with policies that are in effect in other municipalities; as well as some housekeeping changes.

The new transportation rate and associated language will be an amendment to the General Assistance Policy.

*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, June 19, 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

These amendments would change the ordinance language regarding overall maximum levels of assistance granted, housing limits, hardship exceptions, changes required by state statute regarding emergency situations and amendments regarding misconduct, housing safety standards and transportation.

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

Kathleen M. Montejo, MMC
City Clerk

LEGAL AD - SUN JOURNAL - Friday, June 15, 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 JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Condemnation Hearing for the building located at 159 Pine Street.

INFORMATION:

The City has begun the process for condemnation of the property at 159 Pine Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection by city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

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
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 159 Pine Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 159 Pine Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

159 Pine Street

Ownership Documents

WARRANTY DEED

RONALD J. BERUBE and MARIA I.C. MATSON, with a mailing address of P.O. Box 16, Sabattus, Maine 04280 for consideration paid, grant to KBK INVESTMENTS LLC, a Maine limited liability company with a place of business in Falmouth, Maine and a mailing address of 3 Dale Street, Falmouth, Maine 04105, with Warranty Covenants, the land and buildings with any improvements thereon located at 159 Pine Street, in the City of Lewiston, County of Androscoggin and State of Maine, more particularly bounded and described on Exhibit A.

Meaning and intending to convey and hereby conveying the property described in a deed from Robert D. Lipham and Sheila Lipham to the Grantors, which deed is dated November 10, 2004 and recorded in the Androscoggin County Registry of Deeds in Book 6139, Page 310.

18th IN WITNESS WHEREOF, the Grantors have executed this deed this day of August, 2006.

MAINE REAL ESTATE
TRANSFER TAX PAID

[Signature]
Witness DAVID E. CURRIER

[Signature]
Ronald J. Berube

[Signature]
Witness DAVID E. CURRIER

[Signature]
Maria I.C. Matson

State of Maine
County of Comberland, ss

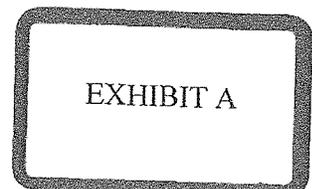
Date: August 18, 2006

The personally appeared above-named Ronald J. Berube and Maria I.C. Matson and acknowledged the foregoing instrument to be their free act and deed.

Before me, [Signature]

Notary Public

DAVID E. CURRIER
Printed Name



Ronald J. Berube and Maria I.C. Matson to KBK Investments LLC
Exhibit A

Beginning at the southwesterly corner of Shawmut and Pine Streets; thence running southerly on Shawmut Street one hundred (100) feet; thence at a right angle westerly fifty (50) feet; thence at a right angle northerly one hundred (100) feet to Pine Street; thence easterly by said Street fifty (50) feet to the point of beginning.

Subject to the restriction that no building erected on said premises shall be nearer the line of Pine Street than twelve (12) feet, nor nearer the line of Shawmut Street than ten (10) feet.

Also one other certain parcel of land being a one inch strip adjoining the above parcel and being the same parcel conveyed to Leo J. Madore and Lucienne Madore by deed of Henry G. Giguere et ux dated July 3, 1973 and recorded in the Androscoggin County Registry of Deeds in Book 1078, Page 760.

Being the same premises described in a deed from Eric E. Ackerly and Mark P. Bouchard to Robert D. Lipham and Sheila Lipham dated December 21, 1987 recorded in the Androscoggin County Registry of Deeds in Book 2193, page 217.

ANDROSCOGGIN COUNTY
Tina A. Charnock
REGISTER OF DEEDS

Notice of Hearing
Certificates of Service

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

KBK Investments LLC
c/o David E. Carrier, Registered Agent
57 Exchange Street
Portland, ME 04101

Bayview Loan Servicing, LLC
c/o CT Corporation System
One Portland Square
Portland, ME 04101

159 PINE STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

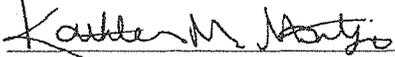
July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

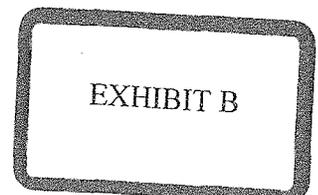
This hearing is to determine whether the residential structure at 159 Pine Street, Lewiston, Maine, identified as Lot 296 on Tax Map 195, and further described in a Warranty Deed recorded in the Androscoggin County Registry of Deeds at 6871, Page 257 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012


Kathleen M. Montejo, City Clerk



STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

SEAL

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 6-14, 2012 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Bayview Loan Servicing, LLC, as follows:

Bayview Loan Servicing LLC
c/o CT Corporation System
One Portland Square
Portland, ME 04101

*1/2 William Richardson
Admin Asst*

Costs of Service:

Service:	\$ <u>16.00</u>
Travel:	\$ <u>8.40</u>
Postage:	\$ <u>6.00</u>
Other:	\$ <u>5.00</u>
TOTAL:	\$ <u>30.00</u>

Samuel R. ...
Signature

D. Skeliff
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

KBK Investments LLC
c/o David E. Currier, Registered Agent
57 Exchange Street
Portland, ME 04101

Bayview Loan Servicing, LLC
c/o CT Corporation System
One Portland Square
Portland, ME 04101

159 PINE STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

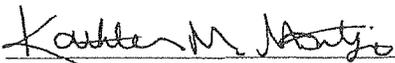
July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 159 Pine Street, Lewiston, Maine, identified as Lot 296 on Tax Map 195, and further described in a Warranty Deed recorded in the Androscoggin County Registry of Deeds at 6871, Page 257 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

RETURN

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 6-14, 2012 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on KBK Investments LLC as follows:

KBK Investments LLC
c/o David E. Currier, Registered Agent
57 Exchange Street
Portland, ME 04101

Costs of Service:

Service:	\$ <u>16.00</u>
Travel:	\$ <u>8.40</u>
Postage:	\$ <u>60</u>
Other:	\$ <u>5.00</u>
 TOTAL:	 \$ <u>30.00</u>

Seamus P. Currier
Signature

D/ Currier
Agency

EXHIBIT D

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

KBK Investments LLC
c/o David E. Currier, Registered Agent
57 Exchange Street
Portland, ME 04101

Bayview Loan Servicing, LLC
c/o CT Corporation System
One Portland Square
Portland, ME 04101

159 PINE STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

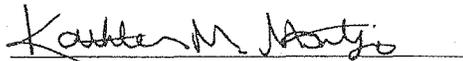
July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 159 Pine Street, Lewiston, Maine, identified as Lot 296 on Tax Map 195, and further described in a Warranty Deed recorded in the Androscoggin County Registry of Deeds at 6871, Page 257 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

City
Correspondence

CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3226

NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE

February 17, 2012

Bernard J. Echavarri
Katherine T. Echavarri
3 Dale Street
Falmouth, Maine 04105

RE: 159 Pine Street

Dear Mr. & Mrs. Echavarri:

It has come to the attention of this office that the building at 159 Pine Street is vacant, without heat, hot water, and has suffered severe deterioration making it unfit for occupancy due to violation(s) of the following provisions of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). Due to obsolescence of the mechanical systems, dilapidation and deterioration of structural elements, substantial rehabilitation is required for re-occupancy or the building must be demolished.

I hereby condemn and placard the building and property at 159 Pine Street as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, IPMC-108.1 et seq, IPMC-109.1 et seq, IPMC-110.1 et seq, , IPMC-302.1 et seq, IPMC-304.1 et seq, IPMC-305.1 et seq, IPMC-306.1 et seq, IPMC-402.2 et seq, IPMC-504.1 et seq, IPMC-505.1 et seq,, IPMC-506.1 et seq, IPMC-602.1 et seq, IPMC-603.1 et seq, IPMC-604.1 et seq, IPMC-605.1 et seq, IPMC-703.1 et seq and PMC-704.1 et seq of the Code of Ordinances of the City of Lewiston. You are hereby ordered to immediately ensure this building is secured from unauthorized entry. You are to make substantial repairs, with all appropriate permits issued by this office, or to demolish this building, leaving the property in manner to the satisfaction of this office by no later than May 1, 2012.

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section § 2851, if the building is not maintained secured or is a threat to public safety and a nuisance.

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section IPMC-108.4.1 stating "the code official shall remove the

EXHIBIT E

condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.”

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City’s favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City’s legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollar (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

Thomas E. Maynard
Code Enforcement Officer

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

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

Photographs



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

EXHIBIT F

6



5



3



4



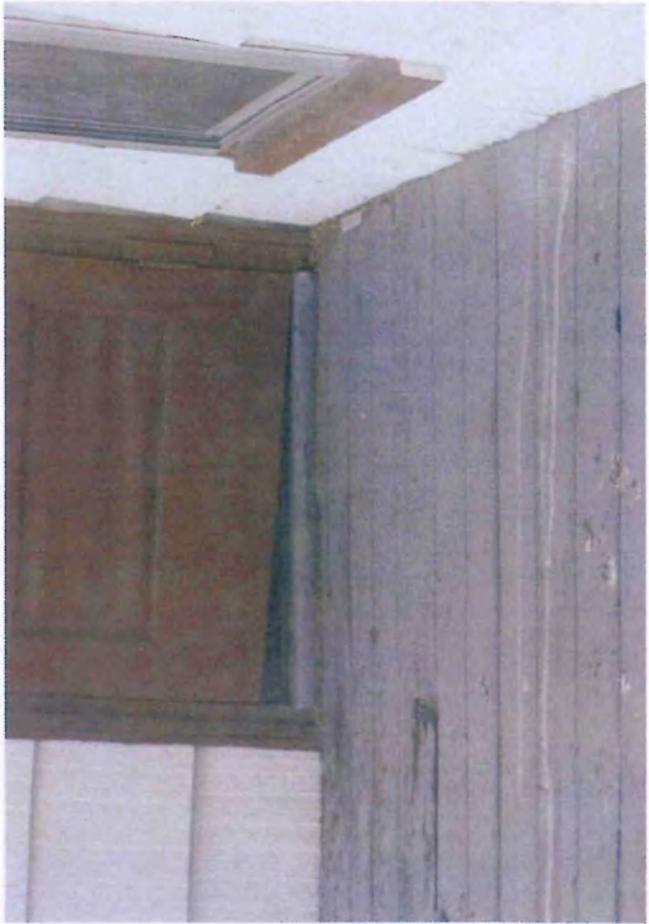
R. E. N. N. N.

159 Pine St.
5-10-12 10:00 AM

10



9



7



8

159 Pine
5-10-12 10:00am R. E. Howard

14



13



11

159 Pine 000016



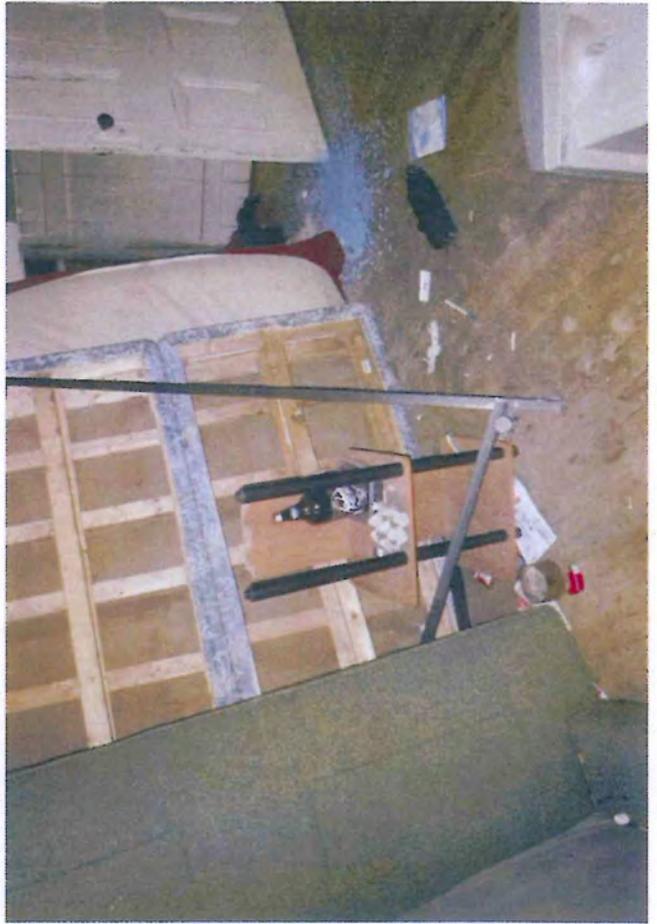
12

159 Pine
5-10-12 10:00am
Theresa E. Meyers

18



17



15



16



159 Pine
5-10-12 10:00 AM
A. S. H. G. M.

20



21



19



20

159 Pine 000018

159 Pine
5-10-12 10:00am P. J. Johnson

26



25



23



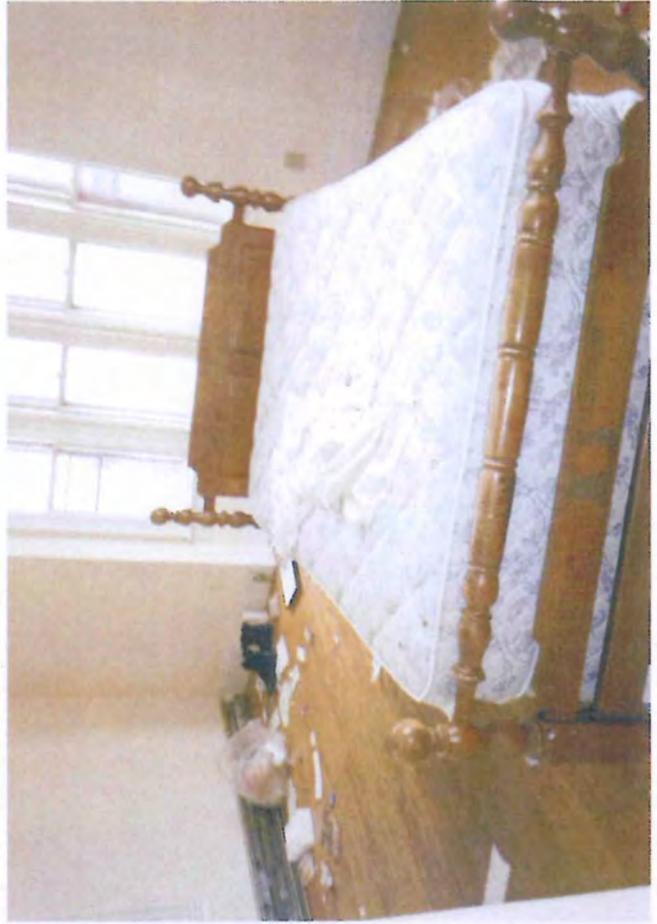
24

159 Pine
5-10-12 10:00 AM L E E-Mc 1

30



29



27



28



159 Pine
 5-10-12 10:00AM R.F. Merrill

34



33



31

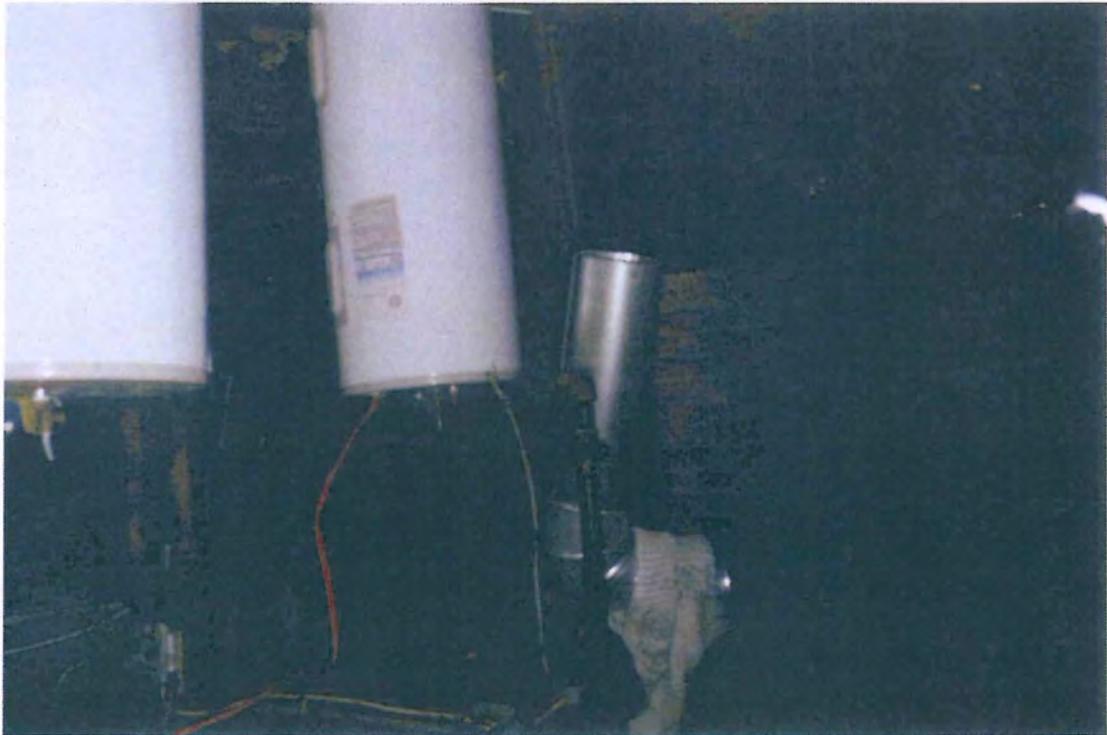


32

159 Pine
 5-10-12 10:00AM R - E. Raymond



36



35

159 Pine
5-10-12 10:00 AM R. E. M. H. M.

37



39



37



38



159 Pine
5-10-12 10:10am & 5:11 1

41



42



41

159 Pine 000024

42

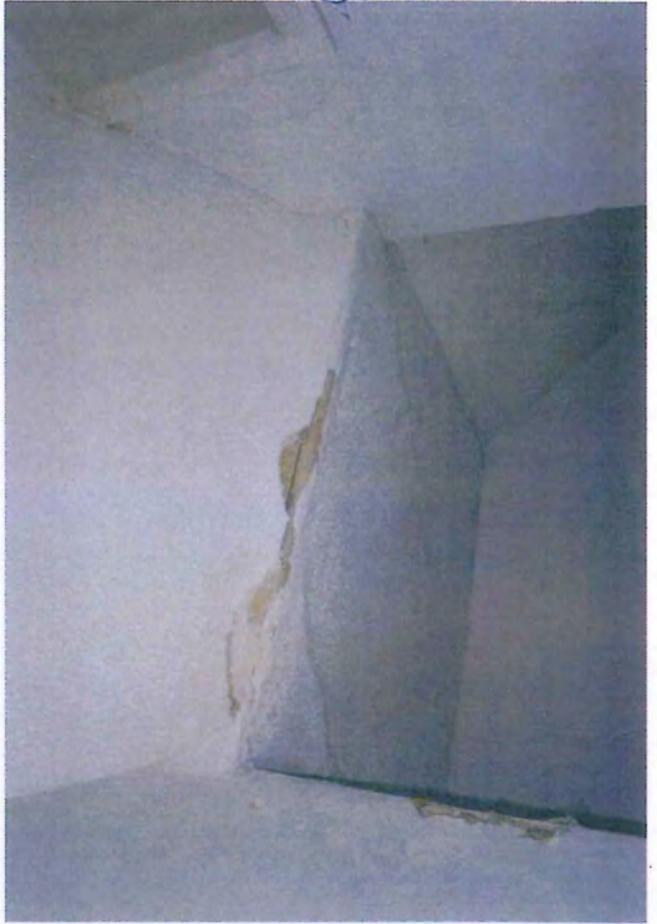


159 Pine
5-10-12 10:00 AM R-E Man 1

24



27



15



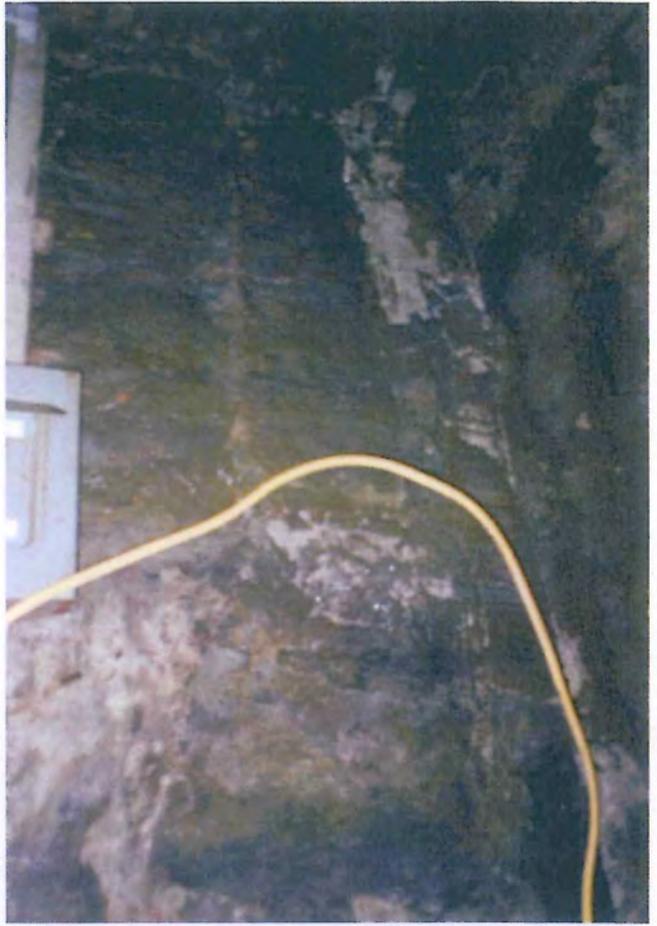
16

159 Pine St
5-18-12 10:00 AM
R - Elm. 1

15



15

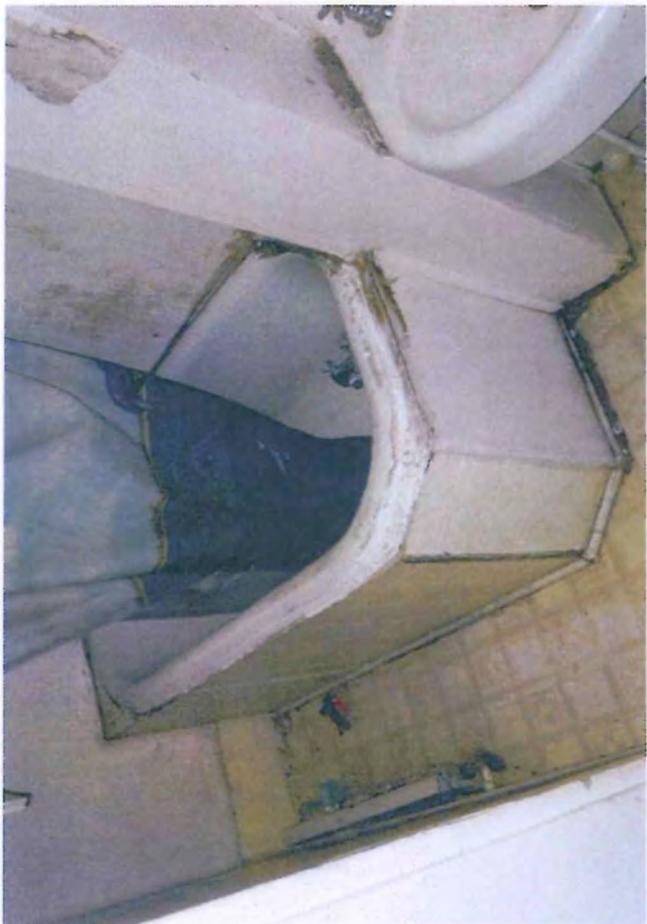


159 Pine -
5-10-12 10:00 AM for E/M/and

14

15

15



55



13



15

159 Pine 000027

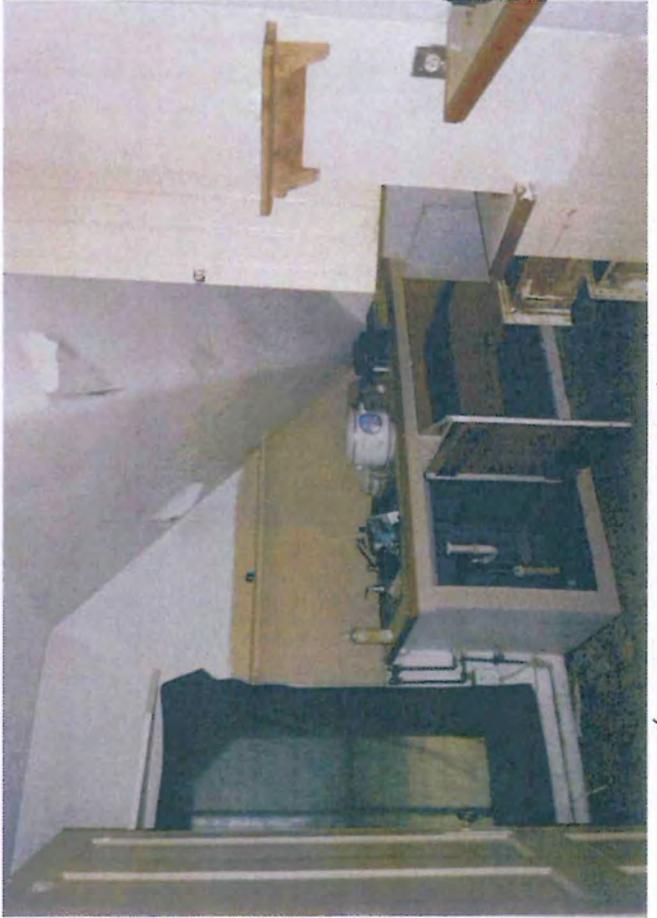
159 Pine
5-10-12 10:00AM
D. E. Johnson

56



57

159 Pine 000028



58

159 Ave St
5-10-12 10:00 AM A. C. III.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Condemnation Hearing for the building located at 226 Oak Street.

INFORMATION:

The City has begun the process for condemnation of the property at 226 Oak Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection by city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/1/1/11

REQUESTED ACTION:

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

1) To conduct a hearing to determine if the building located at 226 Oak Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 226 Oak Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

226 Oak Street

Ownership Documents

WARRANTY DEED

Know All Men By These Presents That I, Stephen J. Morgan
of 260 South Avenue, Lewiston,
County of Androscoggin and State of Maine,
for consideration paid, grant to Harvey Miller
of 17 Gay Drive, Freeport,
County of Cumberland and State of Maine

with WARRANTY COVENANTS:

A certain lot or parcel of land together with any buildings thereon situated in
Lewiston County of Androscoggin
and State of Maine, more particularly described in Exhibit A attached hereto and
incorporated herein by reference.

In Witness Whereof, I have hereunto set my hand(s) this 30th day of
June, 2006.

Bonnie L. Campbell
Witness

Stephen J. Morgan
Stephen J. Morgan

State of Maine
County of Cumberland ss.

On this 30th day of June, 2006, personally appeared before me the
above named

Stephen J. Morgan
and acknowledged the foregoing to be his/her/their free act and deed.

Bonnie L. Campbell
Notary Public, Attorney at Law

Return to: Harvey Miller

BONNIE L. CAMPBELL
NOTARY PUBLIC MAINE
MY COMMISSION EXPIRES FEBRUARY 14, 2008

MAINE REAL ESTATE
TRANSFER TAX PAID

EXHIBIT A

File No: 06030857

Exhibit A - Deed

A certain lot or parcel of land, with any buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows: Commencing at an iron pin driven into the ground on the northerly line of Elm Street, at a point one hundred and sixty-five (165) feet from the easterly line of Main Street; thence at a right angle from said Elm Street eighty-three and one-half (83 1/2) feet to the southerly line of land now or formerly of the heirs of Alice M. Frye to a pin driven into the ground; thence easterly along the line of land of said Frye forty (40) feet to an iron pin driven into the ground; thence southerly about eighty-five (85) feet to an iron pin drive into the ground on the northerly line of said Elm Street at a point sixty (60) feet from the point begun at; thence along the northerly line of said Elm Street to the point begun at retaining and reserving, however, to Lydia B. White, her heirs and assigns forever, the right of way across the above lot for a sewer existing for the drainage of the lots westerly into the Oak Street sewer, and the right to maintain said sewer across the land conveyed forever, and the right to enter upon said land to keep the sewer and drain in repair. The buildings on said premises are presently numbered 62 Elm Street and 226 Oak Street, being located at the corner of Elm and Oak Streets, in said Lewiston, Maine. Being the same premises conveyed to Stephen J. Morgan by deed from Marie Anita Ouellette recorded in the Androscoggin County Registry of Deeds in Book 6175, Page 45.

Reference is hereby made to a deed from Stephen J. Morgan dated January 4, 2005 to Steven J. Morgan and recorded in the Androscoggin County Registry of Deeds in Book 6203, Page 75

Reviewed/Initialed SLM

ANDROSCOGGIN COUNTY
Tina A. Chouard
REGISTER OF DEEDS

Return to:
Stewart Title Guaranty Company
165A. South River Road
Bedford, New Hampshire 03110
Claim #: S023-0170567-11

CORRECTIVE AND CONFIRMATORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, SJM Properties, LLC, A Maine Limited Liability Company, having a place of business of 260 South Avenue, Lewiston, State of Maine, for consideration paid, grants to Harvey Miller, of 226 Oak Street / 62 Elm Street, Lewiston, State of Maine, with WARRANTY COVENANTS, the following described premises:

A certain lot or parcel of land, with any buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows: Commencing at an iron pin driven into the ground on the northerly line of Elm Street, at a point one hundred and sixty-five (165) feet from the easterly line of Main Street, thence at a right angle from said Elm Street, eighty-three and one-half (83 ½) feet to the southerly line of land now or formerly of the heirs of Alice M. Frye to a pin driven into the ground; thence easterly along the line of land of said Frye forty (40) feet to an iron pin driven into the ground; thence southerly about eighty-five (85) feet to an iron pin driven in the ground on the northerly line of said Elm Street at a point sixty (60) feet from the point begun at; thence along the northerly line of said Elm Street to the point begun at retaining and reserving, however, to Lydia B. White, her heirs and assigns forever, the right of way across the above lot for a sewer existing for the drainage of the lots westerly into the Oak Street sewer, and the right to maintain said sewer across the land conveyed forever, and the right to enter upon said land to keep the sewer and drain in repair. The buildings on said premises are presently numbered 62 Elm Street and 226 Oak Street, being located at the corner of Elm and Oak Streets, in said Lewiston, Maine. Being the same premises conveyed to Stephen J. Morgan by deed from Marie Anita Ouellette recorded in the Androscoggin County Registry of Deeds at Book 6175, Page 45.

Reference is hereby made to a deed from Stephen J. Morgan dated January 4, 2005 to SJM Properties, LLC and recorded in the Androscoggin County Registry of Deeds at Book 6203, Page 75.

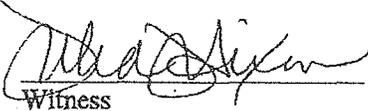
Meaning and intending to describe and convey the same that was conveyed to SJM Properties, LLC by Warranty Deed of Stephen J. Morgan dated January 4, 2005, and recorded in the Androscoggin County Registry of Deeds at Book 6203, Page 75.

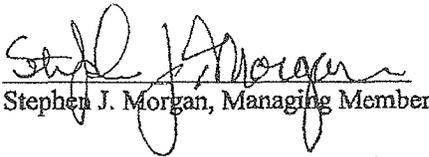
The property hereby conveyed is not the homestead of the grantor(s) or their spouse(s).

This deed is intending to correct and replace an earlier Warranty Deed from Stephen J. Morgan to Harvey Miller, dated June 30, 2006, and recorded in the Androscoggin County Registry of Deeds at Book 6826, Page 191. The aforementioned Warranty Deed incorrectly set forth the grantor's name as Stephen J. Morgan rather than the true owner of record, SJM Properties, LLC.

EXECUTED this 21 day of July, 2011.

SJM Properties, LLC

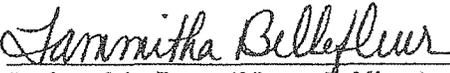

Witness


Stephen J. Morgan, Managing Member

STATE OF MAINE
COUNTY ANDROSCOGGIN

On this 21 day of July, 2011, personally appeared, before me, Stephen J. Morgan, Managing Member of SJM Properties, LLC, known to me or proven to be the person(s) whose names(s) is/are subscribed to the foregoing instrument, and acknowledged that he executed the same of his free act and deed.

TAMMITHA BELLEFLEUR
NOTARY PUBLIC
My Commission Expires July 20, 2013


Justice of the Peace / Notary Public
Printed Name: _____
My Commission Expires: _____

SEAL

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Notice of Hearing
Certificates of Service

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Harvey Miller
15 State Route 121
Otisfield, ME 04270

SunTrust Mortgage, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, ME 04330

MERS for SunTrust Mortgage, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

226 OAK STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 226 Oak Street, Lewiston, Maine, identified as Lot 76 on Tax Map 194, and further described in a Corrective and Confirmatory Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 8211, Page 219, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012

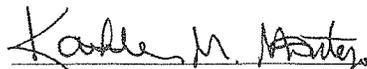

Kathleen M. Montejo, City Clerk

EXHIBIT B

STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

SEAL

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

AFFIDAVIT

City of Lewiston vs: Harvey Miller

I, Linda A. Hooker, Deputy Sheriff of the Oxford County Sheriff's Office, State of Maine, do hereby certify that I received the within Notice of Hearing by City of Lewiston and have attempted to effect personal service of said paperwork on the within named Defendant (s), as follows:

DATE	TIME	LOCATION
<u>6-17-12</u>	<u>7:31 PM</u>	<u>15 State Route 121, Otisfield</u>
<u>6-18-12</u>	<u>5:10 PM</u>	<u>" "</u>
<u>6-19-12</u>	<u>6:30 PM</u>	<u>" "</u>
<u>6-25-12</u>	<u>6:34 PM</u>	<u>Posted - Requested by attorney's office.</u>

REMARKS:

Each time went to residence, 2 trucks in yard, car plate one listed to Harvey Miller. Left cards (business), phone messages. Refused to come to door. Lights were on in house. Wind was open, dogs barking, could see people. Refused to answer door. Called attorney said to post!

That after reasonable diligence, I was unable to effect personal service on said Defendant (s).

DATED: 6-26-12

BY: Linda A. Hooker
Linda A. Hooker
Deputy Sheriff
O.C.S.O.

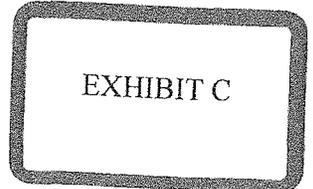
STATE OF MAINE
OXFORD, ss

Personally appeared the above named Linda Hooker and made oath that the foregoing Affidavit is true and correct to the best of her knowledge and belief.

TERRI LITTLEHALE
Notary Public

DATED: 6/27/12

TERRI L. LITTLEHALE
A Notary Public Of Maine
My Commission Expires September 23, 2018



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On June 25, 2012 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Harvey Miller as follows:

Harvey Miller
15 State Route 121
Otisfield, ME 04270

Costs of Service:

Service:	\$ <u>16.-</u>
Travel:	\$ <u>15.00</u>
Postage:	\$ <u>2.00</u>
Other:	\$ <u>6.23</u>
 TOTAL:	 \$ <u>39.23</u>

[Handwritten Signature]
Signature

[Handwritten Agency Name]
Agency

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Harvey Miller
15 State Route 121
Otisfield, ME 04270

SunTrust Mortgage, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, ME 04330

MERS for SunTrust Mortgage, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

226 OAK STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

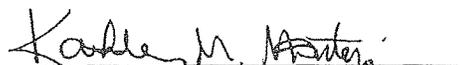
July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 226 Oak Street, Lewiston, Maine, identified as Lot 76 on Tax Map 194, and further described in a Corrective and Confirmatory Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 8211, Page 219, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

Chris Mason

From: Phet Walker
Sent: Wednesday, June 27, 2012 4:53 PM
To: Anne M. Torregrossa
Cc: Chris Mason
Subject: FW: Notice of hearing for 226 Oak St Lewiston
Attachments: 1068698-1[1].pdf

FYI.

Phet

From: Sandra Bruno [<mailto:sbruno@sunjournal.com>]
Sent: Wednesday, June 27, 2012 4:35 PM
To: Phet Walker
Subject: Notice of hearing for 226 Oak St Lewiston

Good afternoon Mr. Walker,
Attached is a proof of your notice that we will publish on June 28th; July 5th; and July 12th. The cost will be \$ 542.70.
Thank you for choosing the Sun Journal.
Sandy

Sandra Bruno
Customer Service Manager
Sun Journal
104 Park Street, Lewiston, ME 04240
207.689.2981 or 800.482.0759 x1181
A Sun Media Group Publication

NOTICE OF HEARING

**Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings**

Harvey Miller SunTrust Mortgage, Inc.
15 State Route 121 c/o Corporation
 Service Company
Otisfield, ME 04270 45 Memorial Circle
 Augusta, ME 04330

MERS for SunTrust Mortgage, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

226 OAK STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

July 17, 2012
7:00 pm

Lewiston City Hall, 27 Pine Street,
Lewiston, Maine

This hearing is to determine whether the residential structure at 226 Oak Street, Lewiston, Maine, identified as Lot 76 on Tax Map 194, and further described in a Corrective and Confirmatory Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 8211, Page 219, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012

Kathleen M. Montejo, City Clerk
STATE OF MAINE

ANDROSCOGGIN, ss June 12, 2012
Before me this day personally appeared
Kathleen M. Montejo who acknowledges
the foregoing instrument to be her free act
and deed.

AUDRA FLEURY
Notary Public, Maine
My Commission Expires
December 16, 2018

Tear Sheet from Paper
To be inserted here

June 26, 2012

Anne Torregrossa
Brann & Isaacson
184 Main Street
Lewiston, Me 04243

Re : City of Lewiston and 226 Oak Street, Lewiston, Me

When I filed for Bankruptcy in May of 2011, the building located at 226 Oak Street / 62 Elm Street was included in the proceedings. At that time SunTrust Mortgage, Inc was notified by my attorney, (Rebecca Brochu from Shankman and Associate). Informing SunTrust that I did not want to keep the building.

When my Bankruptcy was discharged in July of 2011, my responsibility and liability to said building located at 226 Oak Street / 62 Elm Street ended. When Lender Processing Services (LPS) (their # 440-633-4201) changed locks, boarded and secured said building located at 226 Oak Street / 62 Elm Street in July 2011, they assumed full responsibility and Liability of said property. Therefore, any questions or concerns should be refer to LPS at 440-633-4201 or SunTrust Mortgage, Inc.

Harvey Miller
15 State Route 121
Otisfield, Me 04270

McLorn

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On JUN 26 2012, 2012 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on SunTrust Mortgage, Inc. as follows:

SunTrust Mortgage, Inc.
c/o Corporation Service Company, *Agent*
45 Memorial Circle
Augusta, ME 04330

Costs of Service:

Service:	\$ _____
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
 TOTAL:	 \$ _____

[Handwritten Signature]

 Signature

[Handwritten Signature]

 Agency

HARRY MCKENNEY
 Chief Civil Deputy
 KENNEBEC COUNTY
 Sheriff's Office

EXHIBIT D

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Harvey Miller
15 State Route 121
Otisfield, ME 04270

SunTrust Mortgage, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, ME 04330

MERS for SunTrust Mortgage, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

226 OAK STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

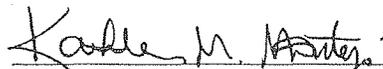
July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 226 Oak Street, Lewiston, Maine, identified as Lot 76 on Tax Map 194, and further described in a Corrective and Confirmatory Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 8211, Page 219, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On June 18th, 2012 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on MERS for SunTrust Mortgage, Inc. as follows:

MERS for SunTrust Mortgage, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

Costs of Service:

Service:	\$	<u>59⁰⁰</u>
Travel:	\$	_____
Postage:	\$	_____
Other:	\$	_____
TOTAL:	\$	<u>59⁰⁰</u>

DL Britt
Signature DENNIS BRITT

Agency Grandjain Process Servers
P.O. Box 1360
Wilmington, DE 19899-1360



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Harvey Miller
15 State Route 121
Otisfield, ME 04270

SunTrust Mortgage, Inc.
c/o Corporation Service Company
45 Memorial Circle
Augusta, ME 04330

MERS for SunTrust Mortgage, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

226 OAK STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

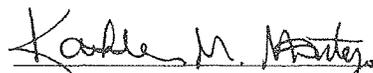
July 17, 2012
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 226 Oak Street, Lewiston, Maine, identified as Lot 76 on Tax Map 194, and further described in a Corrective and Confirmatory Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 8211, Page 219, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: June 12, 2012


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

June 12, 2012

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

AUDRA FLEURY
Notary Public, Maine
My Commission Expires December 16, 2018

City
Correspondence

CITY BUILDING
27 PINE STREET
LEWISTON, ME 04240-7201
VOICE (207) 513-3125
TTY/TDD (207) 513-3007

1/4/2011

~~2008~~

SOLID WASTE CIVIL PENALTY
Lewiston Code of Ordinances Chapter 62
Solid Waste

HARVEY MILLER
PO BOX 7313
LEWISTON, ME 04243

Dear Property Owner(s):

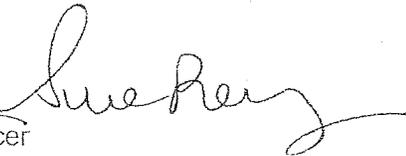
On 1-4-2011, ~~2008~~ ²⁰¹¹, at approximately 9:02 a.m., it was determined by Lewiston code enforcement official ~~SUE Remy~~ SUE Remy that solid waste material was located at 226 OAK ST. Lew in violation of Chapter 62, Article 1, Section 13-B-F of the Code of Ordinances of the City of Lewiston (hereinafter referred to as the "Code"). Specifically, the waste material was located AT CURBSIDE ON AFTER SCHEDULED PICK and it has been determined by the above named official that a penalty of 210.00 is appropriate for the offense.

Pursuant to Section 62-13 (j) and 62-16 (C) of the Code, this violation is punishable by a fine. In accordance with 62-16 (c), "Penalties. Violators of any provisions of this Chapter shall for the first offense receive a fine equal to twice the current disposal charge for the disposal of the waste material (including all costs of collection and transportation). The minimum fine is \$210.00, plus accrued interest, attorney's fees and court costs. A second violation or any subsequent violations occurring within two years of a previous violation shall result in a fine equal to three times the disposal fee for disposal of the waste material (including all costs of collection and transportation). The minimum fee is \$420.00, plus accrued interest, attorney's fees and court costs." Such fines shall be charged each time the City determines there is a violation of Section 62-13 (b), (h), and (i), whether or not additional notice has been given.

Please note that, because of the nature of this violation, the City of Lewiston is not required to provide you with notice of your violation prior to issuing a civil penalty or summons and imposing a fine pursuant to 62-16 (b) of the Code.

Sincerely,

~~Thomas E. Maynard~~
Code Enforcement Officer



C: Gildace Arsenault, Director of Planning & Code Enforcement

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

EXHIBIT F

CODE ENFORCEMENT CITATION FORM

ADDRESS OF PROPERTY: ST. NO. 226 OAK STREET: OAK

OWNER'S NAME #1 HARVEY MILLER

OWNER'S NAME #2 _____

STREET PO BOX 7313

CITY LEWIS STA

STATE MA ZIP 04243

NATURE OF VIOLATION TRASH ON CURBSIDE DAY AFTER
SCHEDULED PICK-UP

	DATE	FINE	COMPL. DATE	FEE DATE	FEE COLL'D
NOTICE					
1ST CITATION	<u>1/4/11</u>	<u>210.00</u>	_____	_____	_____
2ND CITATION	_____	_____	_____	_____	_____
3RD CITATION	_____	_____	_____	_____	_____
4TH CITATION	_____	_____	_____	_____	_____

319-4503 hmiller1234@aol.



226 Oak St @ 9hr 142011 @ 9:06

226 Oak St @ 9:02 AM
1-4-11

HARRY MILLER

PO BOX 7313

LEWIS ME 04243



CITY BUILDING
27 PINE STREET
LEWISTON, ME 04240-7201
VOICE (207) 513-3125
TTY/TDD (207) 513-3007

January 5, 2011

SOLID WASTE CIVIL PENALTY

*Lewiston Code of Ordinances Chapter 62
Solid Waste*

Harry Miller
PO Box 7313
Lewiston Maine 04243

Dear Property Owner(s):

On January 4, 2011, at approximately 9:02 a.m. it was determined by Lewiston code enforcement official Sue Reny that solid waste material was located at 226 Oak Street in violation of Chapter 62, Article I, Section 13-B-I of the Code of Ordinances of the City of Lewiston (hereinafter referred to as the "Code"). Specifically, the waste material was located on curbside day after scheduled pick up and it has been determined by the above named official that a penalty of \$210.00 is appropriate for the offense.

Pursuant to Section 62-13 (j) and 62-16 (C) of the Code, this violation is punishable by a fine. In accordance with 62-16 (c), *"Penalties. Violators of any provisions of this Chapter shall for the first offense receive a fine equal to twice the current disposal charge for the disposal of the waste material (including all costs of collection and transportation). The minimum fine is \$200.00, plus accrued interest, attorney's fees and court costs. A second violation or any subsequent violations occurring within two years of a previous violation shall result in a fine equal to three times the disposal fee for disposal of the waste material (including all costs of collection and transportation). The minimum fee is \$400.00, plus accrued interest, attorney's fees and court costs."* Such fines shall be charged each time the City determines there is a violation of Section 62-13 (b), (h), and (i), whether or not additional notice has been given.

Please note that, because of the nature of this violation, the City of Lewiston is not required to provide you with notice of your violation prior to issuing a civil penalty or summons and imposing a fine pursuant to 62-16 (b) of the Code.

Sincerely,

Sue Reny
Code Enforcement Officer

C: Gildace Arsenault, Director of Planning & Code Enforcement

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 ethnic origin, color, religion, gender, sexual orientation, age, physical or mental disability, veteran status, or inability to speak English. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-513-3412, (TTY) 207-513-3007, or email mparadis@ci.lewiston.me.us.



City of Lewiston
 Treasurer's Office
 27 Pine Street
 Lewiston, ME 04240

INVOICE: 4241000372 Page 1
 Date: Jan 05, 2011 of 1
 Service: PROTECTIVE INSPECTION

Total Invoice: 210.00
 Payments/Adjustments: 0
 Total Due: 210.00

Due Date: Feb 09, 2011

Cust No: 0000001807

Service Address:

HARVEY MILLER
 PO BOX 7313
 LEWISTON, ME 04243

HARVEY MILLER
 PO BOX 7313
 LEWISTON, ME 04243

Description	Qty	Unit Price	Total Price	Tax
SOLID WASTE CIVIL PENALTY 226 OAK STREET CODE VIOLATIONS	1.00	210.00	210.00	N



SERVICE WILL STOP IF UNPAID BY DUE DATE

Total Charges:	210.00	Payments:	0.00
Total Tax:	0.00	Adjustments:	0.00
Total Invoice:	210.00	Total Due:	210.00

Account Number: 0000001807
 Account Name: HARVEY MILLER
 Signature: _____

Credit Card #: _____
 Credit Card Type: _____
 Expiration Date: _____
 Amount Paid: _____



CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3226

NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE

April 26, 2011

Harvey Miller
P.O. Box 7313
Lewiston, Maine 04243-7313

RE: 226 Oak Street

Dear Owner(s):

It has come to the attention of this office that the building at 226 Oak Street has suffered sufficiently severe deterioration making it unfit for occupancy due to violation(s) of the following provisions of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, Article VI, Sections 18-200 & 18-201, as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). The building's three rear apartments have a failing sanitary drainage system which is continually blocked, flooding and in need of replacement. The front building has suffered an electrical malfunction resulting in half of the unit being without electrical service. The exterior is severely deteriorated and needing substantial repairs. Additionally, you have stated that you will be allowing your mortgager to foreclose due to your inability to make you mortgage payments and continue to maintain the property. You have taken the responsibility to take the necessary actions required by law to vacate the property and it is my understanding the date for the removal of the remaining tenants is May 5, 2011.

I hereby condemn and placard the building at 226 Oak Street as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, PM 105.1, PM-105.2, PM 105.3, PM 105.4, PM-105.6, PM 107.1, PM 107.2, PM-107.3, PM-504.1 et seq, PM-903.1 of the Code of Ordinances of the City of Lewiston. You are hereby ordered to immediately ensure this building is secured from unauthorized entry. You are to make substantial repairs, with all appropriate permits issued by this office, or to demolish this building, leaving the property in manner to the satisfaction of this office by no later than July 30, 2011.

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section 2851, if the building is not maintained secured or is a threat to public safety and a nuisance.

EXHIBIT H

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section PM 107.3 stating "the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code."

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

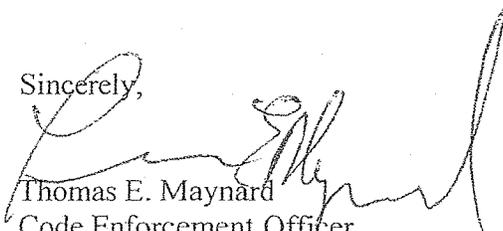
In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and five dollar (\$105.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section PM-106.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,


Thomas E. Maynard
Code Enforcement Officer

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

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

Lewiston



2007

CITY OF LEWISTON
Planning & Code Department
FAX MEMORANDUM



Documentation included in this telecopier transmission may be in the nature of confidential communications which are subject to certain privileges against disclosure recognized by law. The use of telecopier transmission as a means of communications is not intended to waive or abrogate any such privilege. Please be sure to deliver this transmission to the recipient as soon as it is received. If there is any problem or question with respect to the transmission of these documents, please contact Cathy Lekberg at 513-3126.

To: LHA BARBARA
From: TOM MAYNARD
Date: 4-26-11
Subject: CONDEMNATION 226 OAK
Pages: ___ including Cover Sheet
Fax#: 783 - 8648

Kel# 783-1423

(207) 513-3126; TTY/TDD (207) 513-3008; FAX (207)795-5071; www.ci.lewiston.me.us



CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125

copy

NOTICE OF VIOLATION
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CODE-1395-2011

October 28, 2011

Chase ATTN: Property Preservation Group
800 Brooksedge Blvd, Westerville, OH 43081

RE: 226 OAK ST
LEW, ME 04240
ACC# 001-551-8277 Former Owner: Harvey Miller

Dear Sir/Madam:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Lewiston, hereafter referred to as the (Code), exist at:

226 OAK ST
LEW, ME 04240
PID#: RE00007670

Violation: IPMC-301.3

Description: Vacant structures

Revision: 301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Corrective Action: Secure entire building (building is wide open)--clean up yards, weeds are growing on public walkways. Weeds cannot be more than 10" in length.

Compliance Date: 10/28/2011

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

13

EXHIBIT I

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and fifteen dollars (\$215.00), the third is four hundred and twenty-five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days receipt of this order for violations of the International Property cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.5 of the International Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Please contact this office or me should you have any questions or concerns.

Sincerely,

Susan Reny, Code Enforcement Officer

Cc: Gildace J. Arsenault, Director of Planning & Code Enforcement

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

Lewiston



CITY OF LEWISTON
Planning & Code Department
FAX MEMORANDUM



Documentation included in this telecopier transmission may be in the nature of confidential communications which are subject to certain privileges against disclosure recognized by law. The use of telecopier transmission as a means of communications is not intended to waive or abrogate any such privilege. Please be sure to deliver this transmission to the recipient as soon as it is received. If there is any problem or question with respect to the transmission of these documents, please contact Cathy Leberg at 513-3126.

SUE RENEY 513-3105

To: CHASE ATTN:
From: SUSAN RENEY CEO
Date: 10-28-11
Subject: 226 OAK ST LEWISTON, MAINE
Pages: 3 including Cover Sheet
Fax#: 1-614-776-8685

VIOLATIONS on
PROPERTY

(207) 513-3126; TTY/TDD (207) 513-3008; FAX (207) 795-5071; www.ci.lewiston.me.us



CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
37 PINE STREET
LEWISTON, ME 04240
(207) 513-3125, ext. 3228

FIRST CITATION
NOTICE OF CIVIL PENALTY

November 10, 2011

Chase
Attention: Property Preservation Group
800 Brooksedge Boulevard
Westerville OH 43081

Dear Property Owner(s):

This office sent you a Notice of Violation regarding 226 Oak Street dated October 28, 2011 ordering you to correct violations of the Property Maintenance Code of the City of Lewiston by no later than October 28, 2011. An inspection on this date revealed that these violations still exist. Therefore, in accordance with Chapter 50, Article II, Sections 50—36 thru 50—51 of the aforementioned Code of Ordinances you are hereby ordered to pay a civil penalty in the amount of one hundred and ten dollars (\$110.00) to the City of Lewiston. **This penalty amount must be received by this office by no later than September 21, 2011.**

You are further ordered to correct the violations as noted on the Notice of Violation issued on October 28, 2011 by no later than 4:00 p.m. on November 18, 2011. Failure to correct the violations by the compliance date may result in the issuance of a second citation with a civil penalty in the amount of two hundred and fifteen dollars (\$215.00). If necessary a third and fourth citation may be issued carrying civil penalties in the amount of four and twenty five dollars (\$425.00) for the third and eight hundred and fifty dollars (\$850.00) for the fourth and subsequent citations. In addition, failure to abate the violation and/or to pay the required penalties when due may result in the initiation of a law suit.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollar (\$150.00) appeal fee.

Sincerely,


Susan Reny
Code Enforcement Officer

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

EXHIBIT J

CODE ENFORCEMENT CITATION FORM

ADDRESS OF PROPERTY: ST. NO. 226 STREET: OAK ST JEWISTON

OWNER'S NAME #1 CHASE Property Preservation Group

OWNER'S NAME #2 _____

STREET 800 BROOKEDGE BLVD.

CITY Westerlyville ~~OH~~ STATE OH ZIP 43081

NATURE OF VIOLATION Building Unsecured + ^{over} Weeds 10" Long

	DATE	FINE	COMPL. DATE	FEE DATE	FEE COLL'D
NOTICE					
1ST CITATION	<u>11-10-11</u>	<u>110.00</u>	<u>11-18-11</u>	_____	_____
2ND CITATION	_____	_____	_____	_____	_____
3RD CITATION	_____	_____	_____	_____	_____
4TH CITATION	_____	_____	_____	_____	_____

Lewiston



CITY OF LEWISTON
Planning & Code Department
FAX MEMORANDUM



Documentation included in this telecopier transmission may be in the nature of confidential communications which are subject to certain privileges against disclosure recognized by law. The use of telecopier transmission as a means of communications is not intended to waive or abrogate any such privilege. Please be sure to deliver this transmission to the recipient as soon as it is received. If there is any problem or question with respect to the transmission of these documents, please contact Cathy Lekberg at 513-3126.

To: KESHA
From: SUE RENVY, CEO
Date: 11-15-11
Subject: 226 OAK VIOLATIONS
Pages: ___ including Cover Sheet
Fax#: 1-614-388-8600

Re: 226 OAK ST.
LEWISTON, MAINE 04240
VIOLATIONS

(207) 513-3126; TTY/TDD (207) 513-3008; FAX (207) 795-5071; www.ci.lewiston.me.us





City of Lewiston
 Treasurer's Office
 27 Pine Street
 Lewiston, ME 04240

INVOICE: 4241000497 Page 1
 Date: Nov 10, 2011 of 1
 Service: PROTECTIVE INSPECTION

Total Invoice: 110.00
 Payments/Adjustments: 0
 Total Due: 110.00

Due Date: Dec 15, 2011

Cust No: 0000002962

Service Address:

CHASE
 PROPERTY PRESERVATION GROUP
 800 BROOKSEGE BLVD
 WESTERVILLE, OH 43081

CHASE
 PROPERTY PRESERVATION GROUP
 800 BROOKSEGE BLVD
 WESTERVILLE, OH 43081

Description	Qty	Unit Price	Total Price	Tax
FIRST CITATION 226 OAK STREET CODE VIOLATIONS	1.00	110.00	110.00	N

INTEREST ASSESSED ON DELINQUENT BALANCES

Total Charges:	110.00	Payments:	0.00
Total Tax:	0.00	Adjustments:	0.00
Total Invoice:	110.00	Total Due:	110.00

Account Number: 0000002962

Credit Card #: _____

Account Name: CHASE

Credit Card Type: _____

Signature: _____

Expiration Date: _____

Amount Paid: _____



Photographs



L



2

226 Oak St
5-11-12 11:00 AM P. 9/11/1

EXHIBIT L

3



4



226 Oak St.
 5-10-12 11:00am P. E. 1/16.

8



7



226 Oak St
5-10-12 11:00am R L-116 1

5

6

12



11



7



10



226 Oak st
 5-17-17 11:30 AM
 A. E. M.



3



16



A



15

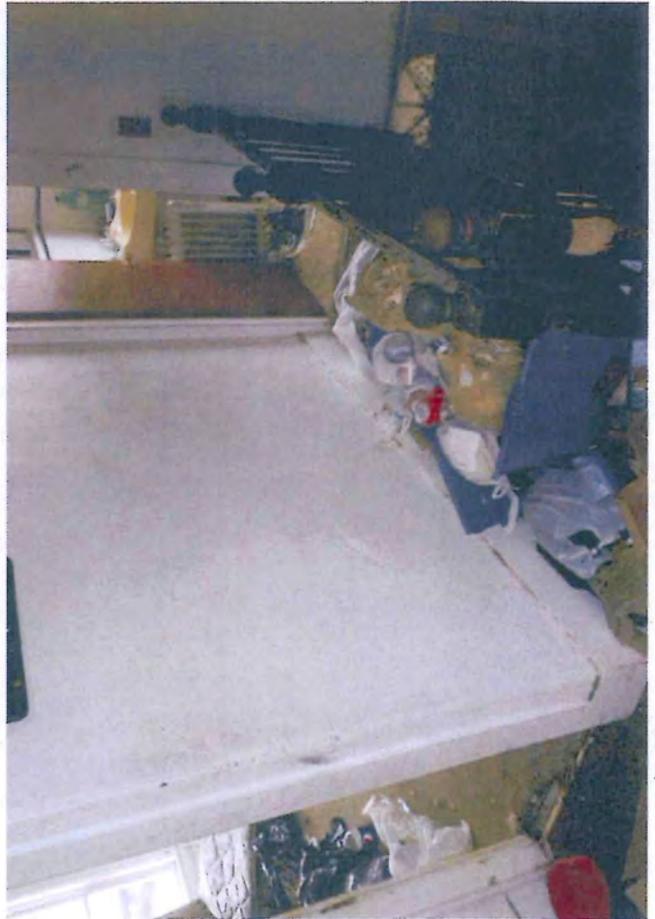
226 Oakst
A. E. Mack



17



18



19



20

226 Oak St
5-10-12 11:00 AM
Theresa E. Mann

24



23



21



22



226 Oak St
 5-16-12 11:00 AM
 F. J. McManis

25



27



25

226 Oak 000042



26

226 Oak St
 5-10-12 11:00 AM
 R. J. Mc...

28



31



29



30



226 Oak St
 5-10-12 11:00am R. E. E. and



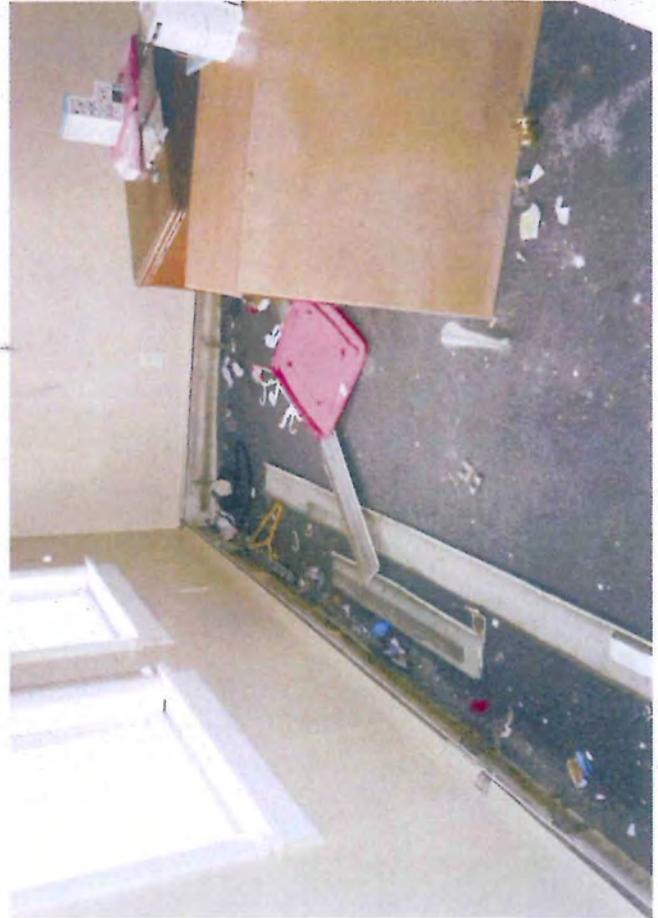
36



35



33



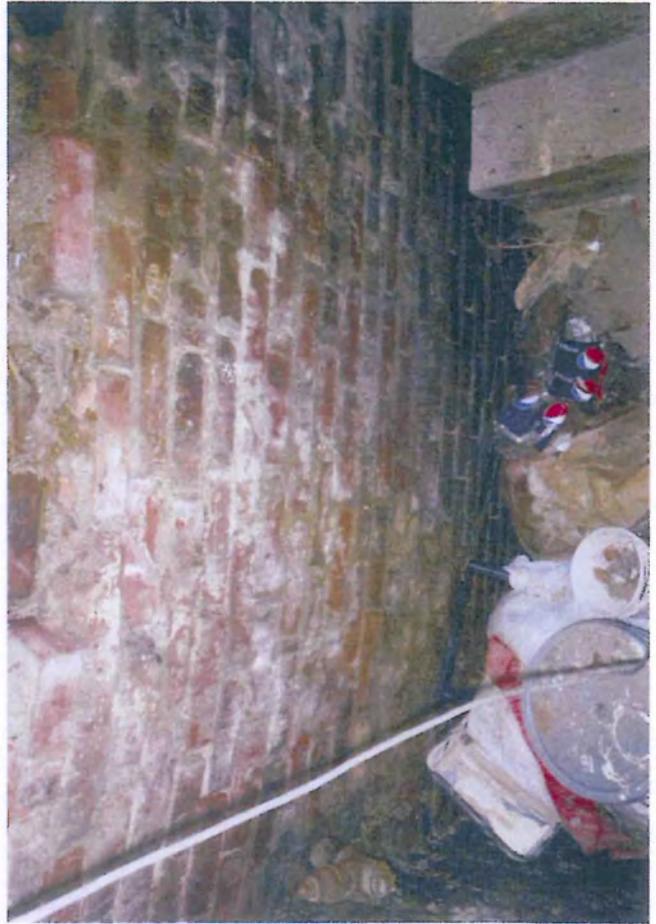
34

226 Oak St.
5-10-17 11:00am
R. E. Mendel

40



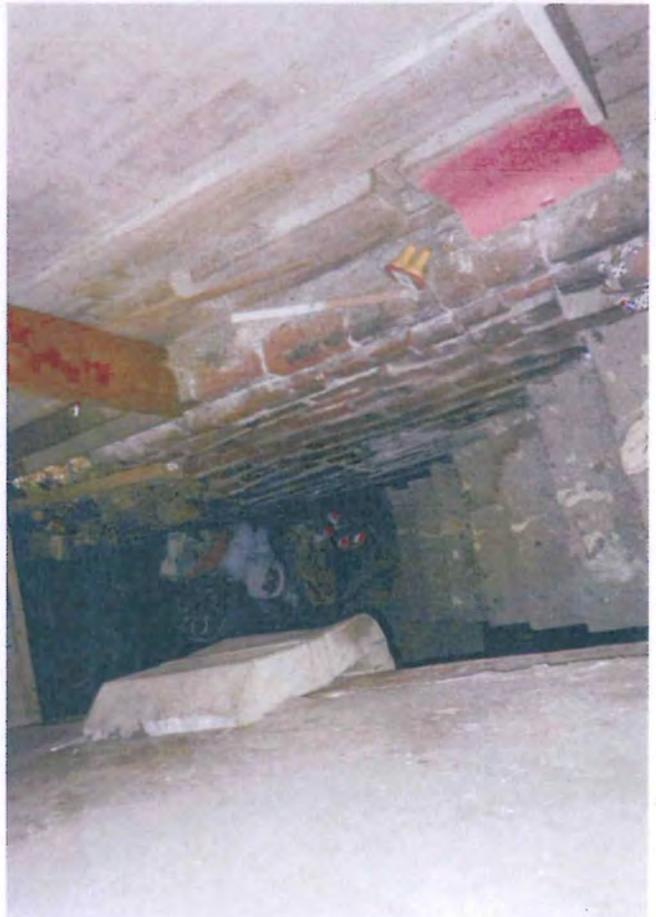
39



37



38



226 Oak 000045

226 Oak St
5-10-12 11:40 AM R P. M. - 1

44



43



41

226 Oak 000046



42

226 Oak St
5-10-12. 11:00 AM
L. Bellman



75

226 Oak 000047



76

226 Oak St
5-10-12 11:00AM R. E. M. L.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Report from the Police Department regarding the Special Amusement permit for Altera/Club Karma, 16-18 Park Street.

INFORMATION: At the June 19 Council meeting, the Council held a revocation hearing regarding the special amusement (live entertainment) license for Altera/Club Karma at 16-18 Park Street. Per state statutes and city code, the municipal officers are responsible for issuing special amusement permits and also have the authority to revoke, suspend or amend an existing special amusement permit. The Police Department has concerns with the operations of this business and suggested on June 19 the revocation of the Special Amusement permit for this establishment. The business opened in January 2012 and there have been numerous police calls regarding underage drinking, disorderly complaints, disorderly arrests, assault cases, and indecent exposure.

At the June 19 meeting, the Council voted to place the business on probation and adopted the following five point plan:

- 1) The business owner must meet with the Police Department to gain a full understanding of all of the concerns and complaints regarding this business.
- 2) The business owner must create a written Mitigation Plan outlining how he will be addressing and handling all of the Police concerns. This must be presented to the Police Department for their review and approval.
- 3) The owner must create written security plan (most likely a part of the above Mitigation Plan) and present this to the Police Department.
- 4) The business owner and Police Department must meet with residents of Oak Park to understand their concerns.
- 5) The Police Department shall report back to the Council at the July 17 meeting the results of the above items and their recommendation regarding the permit.

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
---	---	---	---	---	---	---	---

To receive the report from the Police Department regarding their recommendation of the status of the Special Amusement permit for Altera/Club Karma located at 16-18 Park Street and to determine a course of action.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Resolve Adopting the 2012 Riverfront Island Master Plan and authorizing the Planning Board to oversee the implementation of the plan.

INFORMATION:

In the fall of 2011, the City contracted with a consulting firm to create a long term vision and plan for the city's riverfront area. After several public input sessions and committee meetings, the Riverfront Master Plan was created. The Planning Board and Council have held a workshop regarding the Plan's details and proposals. The Planning Board recently voted to adopt the Plan and the Council is asked to do the same at this Council meeting. The Planning Board will be designated as the entity responsible for providing oversight of the implementation of the plan.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

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

To approve the Resolve adopting the 2012 Riverfront Island Master Plan and authorizing the Planning Board to oversee the implementation of the Plan.



**City of Lewiston Maine
City Council Resolve
July 17, 2011**



Resolve, Adopting 2012 Riverfront Island Master Plan and Authorizing the Planning Board to Oversee the Implementation of the Plan

Whereas, with the assistance of Goody Clancy, the selected consultant for this effort, the City embarked on a comprehensive planning process for Riverfront Island in the fall of 2011; and

Whereas, a wide variety of stakeholders and citizens were involved in this effort which included a series of well attended public sessions, frequent meetings of an appointed advisory committee, and meetings and interviews with individuals and organizations with a particular interest in this area; and

Whereas, as a result of this effort, a variety of alternatives were analyzed and discussed and a final plan was presented that distilled the best ideas advanced during this process and built upon a growing consensus among participants on a future vision for this area; and

Whereas, the Council and Planning Board met in joint workshop session to review the final plan; and

Whereas, the Planning Board has unanimously recommended that the Plan be adopted and that the Board be authorized to oversee its implementation; and

Whereas, to be successfully implemented, it is essential that this plan not only be approved by the City Council but that a group be designated to monitor its progress and oversee its implementation;

Now, therefore, be it Resolved by the City Council of the City of Lewiston that

the 2011 Riverfront Island Master Plan as presented in May 2012 by the consulting firm of Goody Clancy is hereby adopted. Further, the Planning Board is designated as the entity responsible for providing oversight of the plan's implementation and ensuring its sustainability by periodically reviewing progress and recommending changes and modifications as necessary throughout the implementation period.



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: City Clerk's Office
City Council Members

From: David Hediger

Date: June 27, 2012

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on June 25, 2012 regarding the adoption of the 2012 Riverfront Plan.

The following motion was made:

MOTION: by **Walter Hill** pursuant to Article VII, Section 4(b) of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration adoption of the 2012 Riverfront Master Plan with the condition that the Planning Board have purview over implementation and sustainability of the plan. Second by **Trinh Burpee.**

VOTED: 7-0 (Passed)

The Planning Board noted during their discussion the need for the continued support of elected officials and the community for the successful implementation of the plan over the next 10 or more years. The Board noted the time and effort placed into the plan, the current enthusiasm and momentum in the community for revitalizing Lewiston, and the need to keep this energy moving forward. The Board felt their ability to have an active role in the implementation of said plan will assist in keeping the plan relevant and pertinent, recognizing the plan provides guidance and vision for the community while remaining flexible and adaptable.

c: Ed Barrett, City Administrator
Planning Board Members

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



riverfront island master plan



City of Lewiston, ME
Riverfront Island Master Plan Committee
Goody Clancy
May 2012

acknowledgements

The City of Lewiston wishes to acknowledge the contributions of the many members of the Lewiston-Auburn community who participated in this process through interviews, meetings, workshops, tours, the project website and email.

The City thanks US Senator Susan M. Collins, her staff, and the entire Maine congressional delegation for assisting in the funding of this project.

The City thanks the Franco-American Heritage Center, the Bates Mill Complex, and Museum L-A for their generosity in hosting public meetings.

The City also wishes to thank those who provided several of the photographs found within this document: Daniel J. Marquis Photography, Christina Epperson, Dave Gudas, the Androscoggin Land Trust, the Franco-American Heritage Center, Museum L-A, and Lyme Properties.

RIVERFRONT ISLAND MASTER PLAN ADVISORY COMMITTEE

Robert Macdonald, City of Lewiston-Mayor 2012-2014

Larry Gilbert, City of Lewiston-Mayor 2007-2012

Paul Robinson, City of Lewiston-Planning Board

Eric Potvin, City of Lewiston-Planning Board, YPLAA

Steve Morgan, City of Lewiston-City Council

Chip Morrison, Chamber of Commerce

Tom Platz, Platz Associates

Paul Roy, LA Magazine

Jonathan Labonte, Androscoggin Land Trust

Bob Thompson, Androscoggin Valley Council of Governments

Jim Lysen, St. Mary's Regional Medical Center

Len Tracy, Continental/Hill Mills

Ray Lagueux, Franco-American Heritage Center

Rachel Desgrosselliers, Museum L-A

Hillary Dow, YPLAA, Future Forum

Mark Lee, Harriman Associates and YPLAA

Steve Costello, Sun Journal

Michael Dostie, Dostie Jewelers

Mark Cayer, City of Lewiston-City Council

CONSULTANT TEAM

Goody Clancy

W-ZHA

Desman Associates

Smart Mobility

ORW Landscape Architects & Planners

Woodard & Curran



TABLE OF CONTENTS

1 Introduction	
Overview	3
Process	6
How to use this plan	9

2 Lewiston Today	
Economic context and market potential	13
Planning context	16

3 The Plan	21
Tap the power of the River	26
Attract a vital mix of new uses	34
Make the district more walkable	42
Insist on quality	52

4 Implementation	53
-------------------------	----

riverfront island master plan

1 Introduction

riverfront island master plan

OVERVIEW



A quiet renaissance is underway along Lewiston's downtown riverfront. Over the last ten years, both Lewiston and Auburn's central areas have begun to reorient themselves to face the Androscoggin River. A great river, once harnessed to produce the power that drew industry to the twin cities, can now again be the spark that defines the communities. The riverfront can become the region's great urban destination, a place for recreation, cultural activities, work and urban living.

RECENT SUCCESSES

Despite severe economic headwinds, much has been accomplished in recent years. Collaborative partnerships involving public, private and non-profit entities—and a shared commitment to supporting reinvestment in the community—have drawn new businesses and destinations to Lewiston-Auburn.

Riverfront Island, a pivotal area within the city's downtown riverfront, has come to host more than 1,000 jobs within the Bates Mill Complex, where high-quality restoration has attracted major office uses, destination restaurants, a brewery, a medical office, and new loft-style housing now under construction.

At the same time, new cultural destinations and outdoor spaces are also bringing activity to the

Riverfront Island area. A former church now houses the Franco-American Heritage Center, a performance venue that draws thousands to the area each year. Museum L-A, a dynamic non-profit devoted to telling the 200 year story of work and community in Lewiston-Auburn, has begun to design their new home—a modern museum space on the River's edge that will incorporate portions of a former mill building. Once an abandoned rail yard, Simard-Payne (Railroad) Park is now a major public space along the River, and home to the annual Great Falls hot air Balloon Festival. A former rail bridge is now a pedestrian and bike bridge, linking Simard-Payne Park in Lewiston to Bonney Park in Auburn, and providing striking views of the River. A Lewiston-Auburn Riverwalk has begun to take shape on the Auburn side of the River, and paths have been established along portions of the Lewiston riverfront as well.

riverfront island master plan

Redevelop Bates Mill #5 site with a new Canal Park, retail and possible civic uses

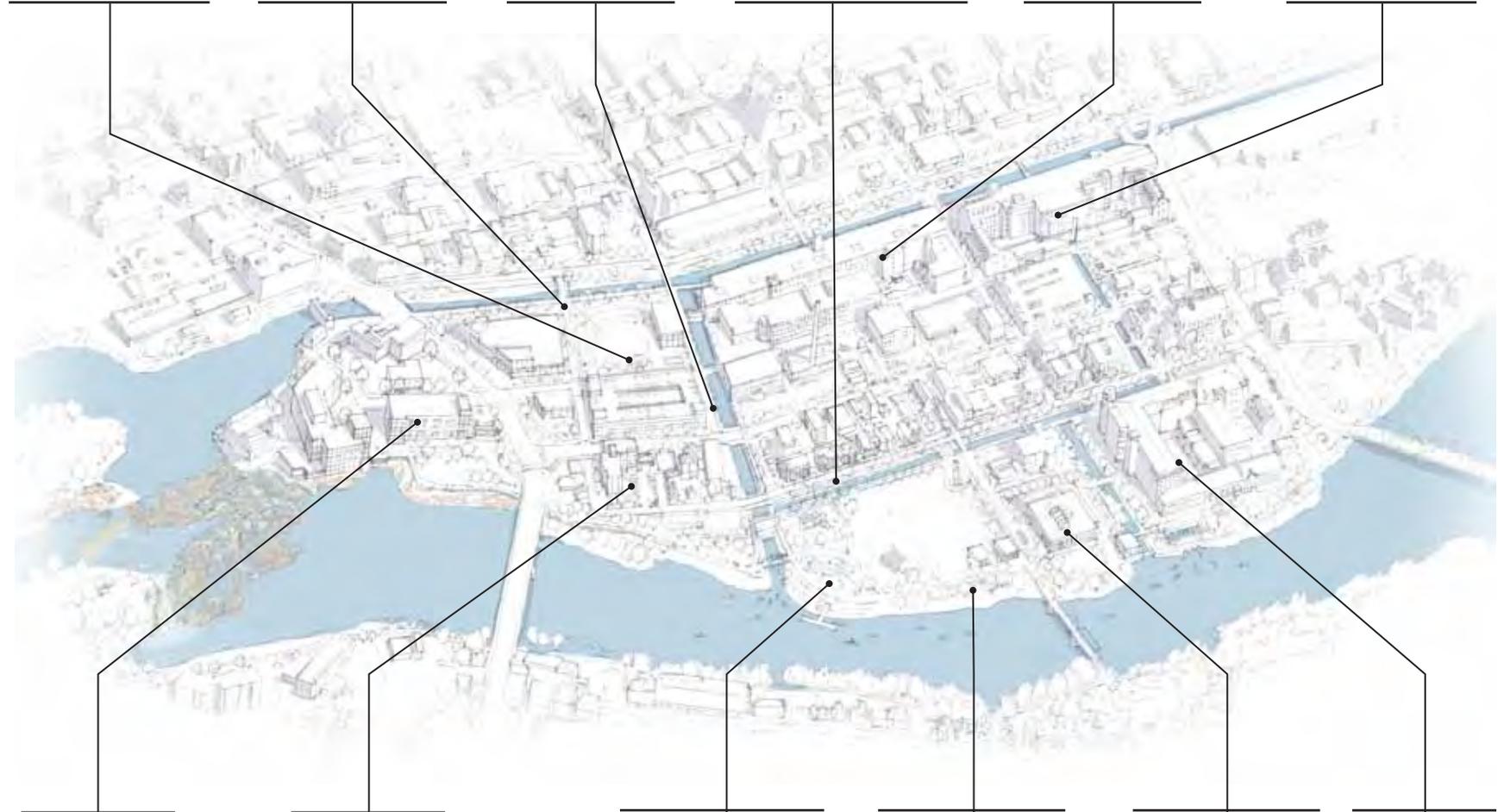
Improve connections between Lisbon Street and the riverfront

Create a Canal Walk linking downtown and the riverfront

Improve streetscape along the canals and promote housing development along Oxford Street

Continue to add housing and other uses within the Bates Mill Complex

Add new workplaces to Hill Mill, reflecting its current diverse mix of businesses



Redevelop Island Point for office, institutional and related uses

Move forward with a new waterfront hotel

Create a new amphitheatre at the water's edge, and a dock for small boats at Simard-Payne Park

Create a Riverwalk along the entire downtown waterfront

Advance development of the Museum L-A facility on the waterfront

Reuse Continental Mill for loft housing



Waterfront access at Simard-Payne Park creates a new community destination.



The canal can become a true amenity along Oxford Street, attracting new people and residential development to the edges of the park.

A few blocks from the riverfront, new businesses and restaurants have begun to appear on Lisbon Street, Lewiston’s “Main Street.”

ONGOING CHALLENGES

The success of recent years has created a solid foundation for the area, but not yet a strong, vibrant urban riverfront destination. The downtown riverfront needs a critical mass of more housing, public amenities, and jobs—both to improve quality of life and to support economic development that extends beyond the riverfront and benefits the center cities of both communities.

Today, Riverfront Island’s largely untapped assets—scenic Great Falls, miles of waterfront land, a canal network, and roughly 1 million square feet of still-vacant mill buildings—hold the keys to the area’s continued resurgence. This plan identifies the next steps in Lewiston’s renaissance, and outlines a vision for the future of Riverfront Island as *the* urban

riverfront destination for the community and the region. The plan identifies both the key near- and longer-term steps that will advance this vision.

SHARED VISION

Through extensive analysis and public discussion **a common vision has emerged for Riverfront Island as an urban, recreation-oriented destination** that:

- Features **a mix of activities** and uses, including significant new housing, open space, stores, offices, restaurants, and a hotel—all with strong connections to the River and the Lisbon Street area.
- Serves as a **cultural center and destination** for the Lewiston-Auburn community and for the broader region.
- **Celebrates Lewiston’s many assets**, including the Androscoggin River, the canal network, and the historic architecture.

GOALS

Four closely related goals guide this master plan:

- 1) **Tap the power of the River** through development of a Riverwalk and improved water access to enhance quality of life and to support economic development.
- 2) **Attract a vital mix of uses**, including housing, through continued reuse of historic buildings and thoughtful new development that bring new life and activity to the area.
- 3) **Make the district more walkable** to ensure that Riverfront Island functions as a cohesive urban destination where the whole is greater than the sum of its parts.
- 4) **Insist on quality** in both public and private investment—to attract desired businesses, residents, and visitors, and so that the riverfront grows as a place the L-A community can take pride in.

PROCESS

Between September 2011 and April 2012, members of the Lewiston-Auburn community came together to create a vision and plan for continued revitalization of the Riverfront Island area. Several hundred Lewiston and Auburn residents contributed to shaping this plan.

This initiative builds on a number of recent planning efforts undertaken by entities within the community and region. Those plans include:

- *Strategic Plan for the City of Lewiston* (2010, City of Lewiston)
- *Downtown Neighborhood Action Plan* (2009, Downtown Neighborhood Task Force)

- *The People's Downtown Master Plan* (2008, The Visible Community)
- *Connecting the Future—Transportation Plan for 2009–2030* (2008, Androscoggin Transportation Resource Center)
- *Bridging the Gaps—A Long-Range Facilities Plan for Bicycling and Walking in the ATRC Region* (2008, Androscoggin Transportation Resource Center)
- *Lewiston/Auburn Downtown CBD Traffic Study* (2007, Androscoggin Transportation Resource Center)
- *LA Excels* (2000)

The *Androscoggin Greenway Project*, an initiative of the Androscoggin Land Trust, was underway during development of the Riverfront Island Master Plan. The planning teams worked to coordinate these related efforts.

The Riverfront Island Master Plan was sponsored by the City of Lewiston and led Goody Clancy, a Boston-based urban planning, architecture and preservation firm. The full planning team included W-ZHA (real estate / economic development), Desman Associates (parking), Smart Mobility (transportation planning), ORW Landscape Architects & Planners (landscape architecture) and Woodard & Curran (engineering).



Community Goals

Throughout the planning process, members of the Lewiston-Auburn community emphasized the following as important goals:

- The L-A community has a rich heritage, still visible in the area's historic buildings and canals. This plan should preserve that heritage where possible.

- The L-A community includes two cities: Lewiston and Auburn. This plan should consider both communities.
- The riverfront area should be the catalyst for enhancing downtown as a whole, including Lisbon Street, and L-A's downtown neighborhoods. The plan should help strengthen and

connect those areas that lie just beyond the Riverfront.

- The plan should help improve Riverfront Island in ways that contribute directly to improving quality of life and open new opportunities for residents of adjacent downtown neighborhoods.

The planning effort included three phases, each involving community input and discussion.

- **Phase 1: Analysis and Goals**—Investigation of opportunities and constraints through review of prior studies, physical and market analysis, and stakeholder interviews
- **Phase 2: Alternatives**—Development of alternative scenarios for the future of Riverfront Island
- **Phase 3: Master Plan**—Development of a vision and plan for the future of Riverfront Island

Key components of the Master Plan process included:

- **Riverfront Island Master Plan Advisory Committee:** A 20-person Advisory Committee met throughout the master plan process to review preliminary findings and plan elements, to provide insights and feedback, and to guide the planning effort. The committee included a broad range of stakeholders.
- **Public Meetings & Events:** At public meetings and events, members of the community reviewed preliminary study findings and evolving plan elements, provided thoughts and ideas, and engaged in a community-wide discussion about the future of this important area. A summary of public events is as follows:



Community members discussed opportunities and challenges for the riverfront at a study area Walk & Talk.

> **Study Area “Walk & Talk”**

September 14, Riverfront Island Study Area
Participants joined City staff and the consultant team for an informal lunchtime walking tour of the Lewiston riverfront area. Participants described aspects of the community and study area that they valued, and thoughts about how the riverfront could evolve to better serve the community and region.

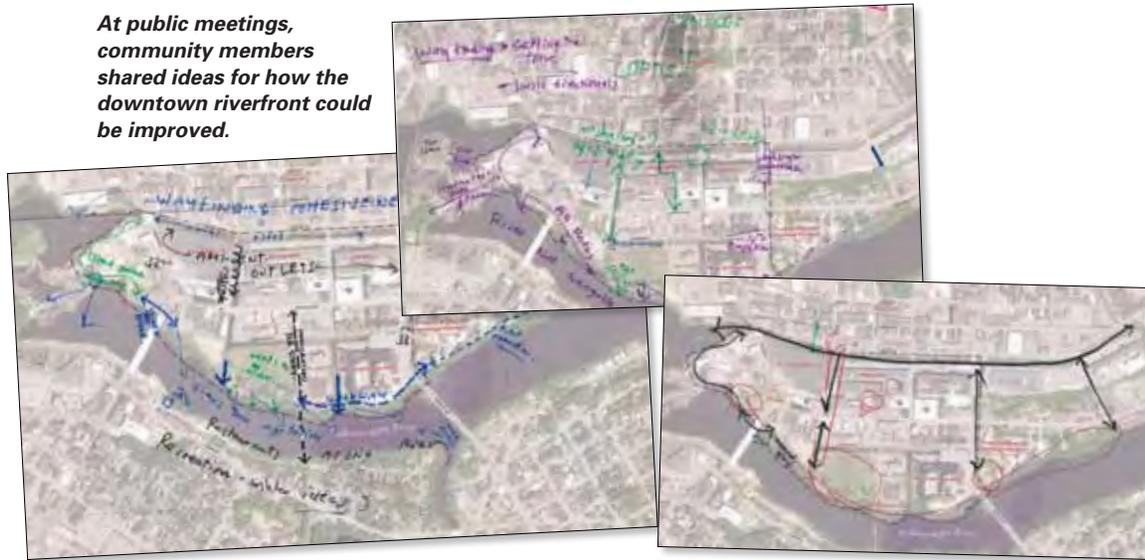
> **Public Meeting #1:**

Opportunities & Challenges

November 16, Franco-American Heritage Center
Participants reviewed findings related to economic and market conditions, and to physical opportunities and challenges. Participants then worked in small facilitated groups to discuss opportunities related to the river; new uses and destinations; and pedestrian and vehicular connections.

riverfront island master plan

At public meetings, community members shared ideas for how the downtown riverfront could be improved.



> Public Meeting #2: Alternative Scenarios

January 18, Bates Mill Atrium

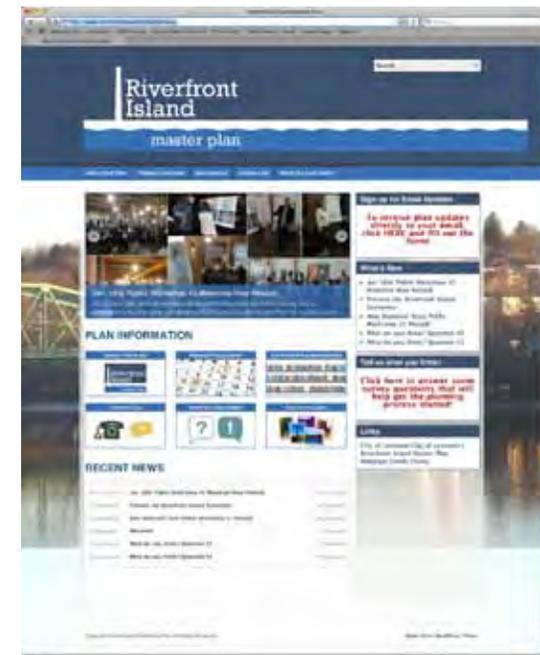
Participants viewed a presentation describing potential directions for the riverfront area. The presentation highlighted areas of broad local agreement—e.g., a continuous public riverwalk, better use of the canals, a more walkable, bike-able environment—and areas of diverging opinion (e.g., the future of challenging Bates Mill #5). Participants then worked in small groups to confirm common goals and to discuss three future scenarios for the Bates Mill 5 site: intensive reuse of the existing Bates Mill 5 building; redevelopment of the site as a signature canal park; and redevelopment of the site for retail and parking.

> Public Meeting #3: Final Plan

April 4, Museum L-A

Public Meeting #3 focused on a presentation of the master plan. Plan recommendations were broadly endorsed by meeting participants. Several participants representing area entities expressed an interest in further involvement to move the plan forward.

- **Website, Public Comment Forum:** A project website (www.riverfrontislandmasterplan.com) provided a place for the community to find information about the planning process, to review presentations and draft documents, and to offer thoughts and comments via an email “comment box” and survey questions.



The project website provided a forum for project information and community comment.

HOW TO USE THIS PLAN

This plan establishes a physical vision for the Riverfront Island area. As you review this plan, it may be useful to remember that:

- This document is intended to serve as a “road-map” that will help the City and residents think about and move forward with efforts to strengthen this important area. It is also intended as an advocacy tool, for sharing Lewiston’s vision and generating excitement within the community, the broader region, and beyond. The plan provides a statement of the community’s vision, and lays out the steps for achieving that vision.
- The plan identifies key priorities for implementation that will help direct resources, as they become available, to the projects that are likely to have the most impact on the area. Ultimately,

projects may happen in a different sequence than is described in the plan.

- The sketches and descriptions within this document are intended to provide a broad sense of how particular projects should function to advance the community goals. As projects are designed and initiatives move forward, they probably won’t look exactly like the images in this document, but they should address the intent of the plan.

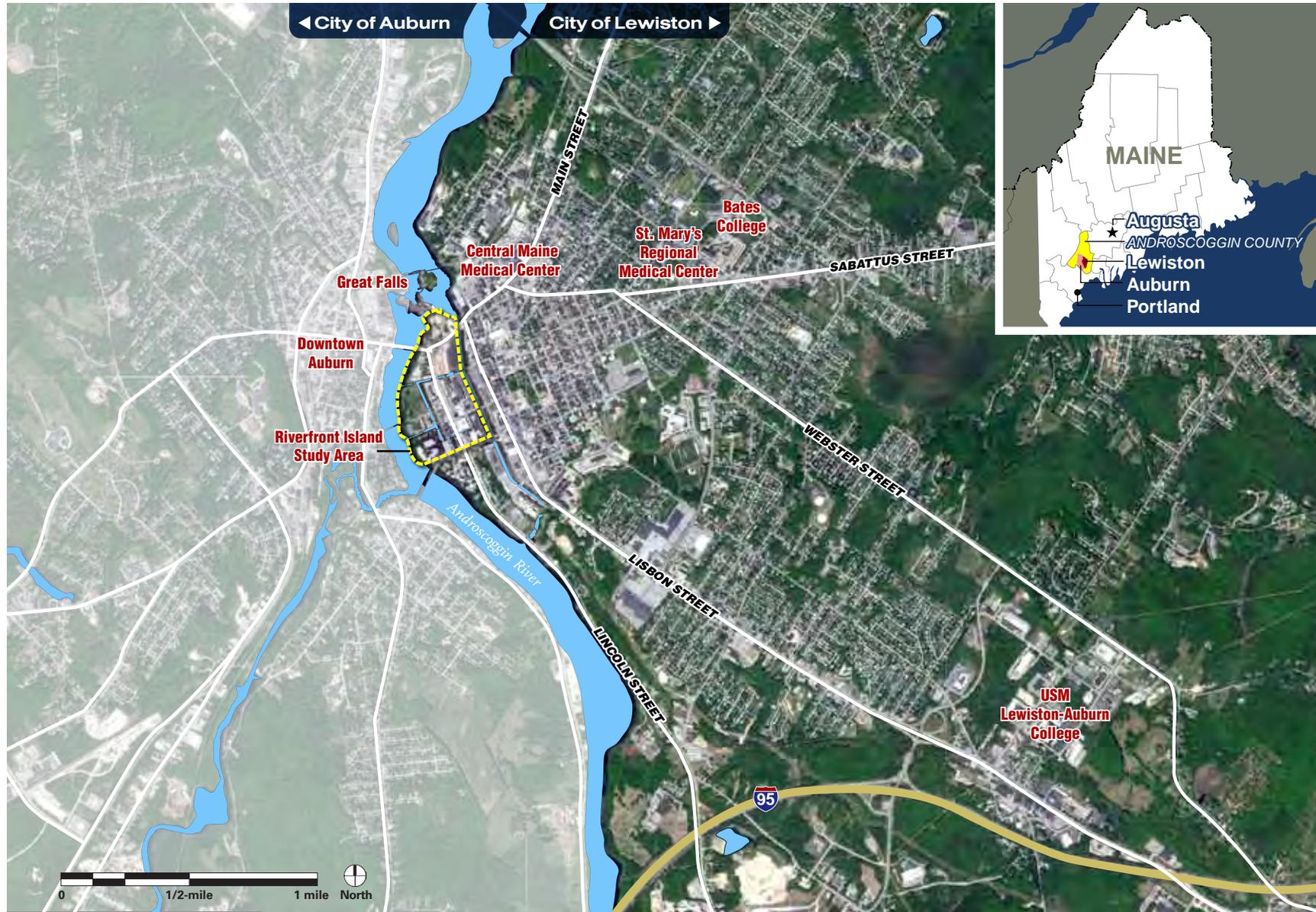
An effective plan should be both visionary and practical. Four qualities characterize the plan’s approach to implementation:

- **THINK LONG-TERM**, focusing on the “big picture” of what Riverfront Island and downtown L-A could be like twenty years from now.
- **THINK SHORT-TERM**, focusing on how this vision might be advanced over the next several months.
- **BUILD AROUND WHAT’S WORKING**, celebrating past successes and using what’s already in place as a starting point for next steps.
- **BE FLEXIBLE AND OPPORTUNISTIC** using dollars as they become available to advance initiatives that will have the most impact on Riverfront Island and downtown L-A.

riverfront island master plan

2 Lewiston Today

riverfront island master plan



ECONOMIC CONTEXT & MARKET POTENTIAL

The Lewiston-Auburn metropolitan area (Androscoggin County) is located in south-central Maine, less than an hour drive from the ocean, the mountains, and from Portland, Augusta, and Freeport. The area's strong interstate access places 50% of Maine's population within a half hour drive of the County. Together, the cities of Lewiston and Auburn are home to approximately 60,000 residents—a population exceeded in Maine only by Portland. Lewiston-Auburn is the region's economic and cultural center, serving Androscoggin County and the large trade area of central and western Maine. Given its size alone, Lewiston-Auburn's success is important to Maine's economic development.

Lewiston-Auburn is a regional center for healthcare, education, culture and shopping. On the Lewiston side of the River, within 1.2 miles of the downtown riverfront, are Central Maine Medical Center (one of the state's three largest medical facilities), St. Mary's Regional Medical Center, Bates College, University of Southern Maine's Lewiston-Auburn College, financial and professional service companies, as well as hotels and retail.

Lewiston-Auburn is also an employment center. There are approximately 50,000 jobs in Androscoggin County. Lewiston is home to half of these jobs.

Lewiston-Auburn's key industries include health care, high-precision manufacturing, transportation and logistics, and financial services. Bates College is also a very important anchor in the Lewiston-Auburn economy. Within a five-minute drive of the Riverfront Island master plan area there are approximately 9,500 households and 7,000 employees.

Lewiston-Auburn has many assets. What Lewiston-Auburn needs is growth. Growth can come from capitalizing on existing market opportunities as well as developing or strengthening existing market niches. In terms of the downtown, areas of potential opportunity include medical-related investment; additional office space; tourism, recreation, arts and entertainment uses; and housing.

Capitalizing on these market opportunities will require that initiatives be coordinated and investment be leveraged to generate maximum spin-off. An over-arching emphasis on quality will be essential—in keeping with the example of Bates Mill, a redeveloping mill complex at the heart of the study area—particularly since Lewiston-Auburn will need to shed its old image as a struggling mill town.

Initiatives need to be coordinated because opportunities may be limited in the near-term, but

sustaining Lewiston-Auburn's recent successes and current market "buzz" is very important. Investments need to be clustered to build on the downtowns' strengths. Only with critical mass can Downtown offer a multi-purpose, enriching experience. Lewiston has an image as an old manufacturing town, it must now evolve into a "hip," diverse urban destination. Markets are attracted to places that invest in quality, whether the investment is in buildings, amenities or infrastructure.

Shared vision and commitment among public and institutional stakeholders will be critical to the area's success in realizing its potential. To be successful, residents, policy-makers and the major institutions in Lewiston-Auburn must not only support the community's vision, but become meaningful participants in its implementation. While there are market opportunities, market driven development must be supplemented by public and institutional investment. Meaningful investments by area corporations, the hospitals, Bates College and other major local and regional stakeholders can significantly enhance Riverfront Island's market potential and transformation. In the near-term, public subsidy will continue to be critical to project feasibility.

riverfront island master plan

Areas of market opportunity include:

HOUSING

Compared with the region and state, housing in Lewiston is older and less expensive. 4 percent of Lewiston's housing stock was constructed in the last decade—in contrast to 9 percent statewide—and housing in Lewiston is 53 percent less expensive than housing in Portland. There is no new urban residential product in either Lewiston or Auburn.

Analysis shows unmet demand for urban-format housing options. One and two-person households account for two-thirds of all households in Androscoggin County, and 73 percent of households in Lewiston. Over 40 percent of Androscoggin County households are in the target market for urban living. These households are retirees, empty nesters and younger singles and couples and small families with tastes and preferences aligned with

urban living. Yet 55 percent of the housing stock in the County consists of single family homes. There is mismatch between household type and the housing stock in Lewiston. The lack of competitive housing supply to support the middle and upper levels of the market may be an economic development issue. To grow and prosper the City must offer the kinds of housing products the market demands.

RETAIL

Because Lewiston-Auburn is clearly the retail, service and employment hub for the region, retail sales are higher than local households' spending power. Retail sales in the cities accounted for two-thirds of the County's total sales in 2010. Together, retail sales in Lewiston-Auburn are 64 percent higher than what their residents could spend. With approximately 9,500 households within a five-minute drive of Riverfront Island there is potential for new downtown convenience goods (food and drug

stores) specialty retail, and eating/drinking establishments.

OFFICE

While downtown Lewiston-Auburn continues to be a business hub, vacancy remains high. Current rents do not cover the cost of new construction. However, business growth will drive the demand for additional office space downtown for both general and medical offices. It is likely that most of this growth will be absorbed in existing office space. There may, however, be an opportunity for new build-to-suit office buildings. Riverfront Island is an excellent location for new owner occupied office buildings.

ARTS & CULTURE

In 2008, arts, recreation and amusement industries accounted for only 0.8 percent of the County's total jobs. These same industries accounted for 1.5 percent (or more) of employment in the State and

Market Potential through 2021

- **Potential for Housing:** Approximately 110–210 market-rate residential units in downtown Lewiston over the next 5 years, and up to 400 units total by 2020—provided that units offer urban amenities such as views of the River, strong connections to downtown and Auburn, and loft amenities like exposed brick walls, wood floors, large windows, and high ceilings. Potential for housing units will increase as amenities and services are developed in the downtown area.
- **Potential for Eating & Drink Establishments:** 14,000 square feet of eating and drinking space by 2021 (e.g., two full-service restaurants and two to five smaller establishments)—provided that the River becomes a recreation destination and the canals a unique urban experience.
- **Potential for Office Space:** 200,000 square feet of office space will be demanded from typical office inclined industries including medical offices. There may be additional office/back-office opportunities that arise from other industries or organizations that decide to have a downtown presence. The key to attracting this investment will be to direct growth to locations that offer good access and a range of services nearby
- **Potential for Hotel Space:** Plans for development of a 100-room hotel on Lincoln Street are underway

in Cumberland County (Portland) and Penobscot County (Bangor). Given its size, location, history, the River and canals, and the presence of Bates College, it appears the Lewiston-Auburn is not capitalizing on this potential industry. Lewiston-Auburn has the potential to enhance its economy via the development of the arts and recreation. The arts and the creative economy have proven to be significant economic development drivers. The creative economy includes artists, craftsmen, technology companies, media companies and a wide range of value-added industries. These types of uses tend to cluster and often are attracted to inexpensive space in urban locations.

HOTEL

Reportedly, the Hilton Garden Inn in downtown Auburn is performing well as is the newest hotel in Lewiston-Auburn, the Residence Inn. Picking up on the success of these newer hotels, a national hotel network has recently committed to developing a 90+-room hotel on Riverfront Island. Together this new hotel and the Hilton Garden Inn will offer almost 250 quality hotel rooms downtown. As amenities are developed on Riverfront Island that attract local and visitor markets, these hotel rooms will help L-A grow the recreation and tourism industry.

LIGHT INDUSTRY

The mills in the riverfront area offer large expanses of space at relatively low cost. These low cost, flexible spaces are well positioned to capitalize on the

national “maker movement.” The “maker movement” is an outgrowth of the DIY (Do-It-Yourself) trend. There is a renewed interest in small business development that has been bolstered by changes in technology, open source hardware, cost reductions in small scale manufacturing and a variety of other social and economic forces. “Makers” bridge the gap between creative arts and cutting edge technology and in most cases they do this through an open, collaborative paradigm rather than the more conventional, competitive paradigm. There may be an opportunity to foster entrepreneurship in Lewiston and a “maker community” in the riverfront area—for instance, in the Hill Mill.

An interesting example of this is TechShop in Durham, NC. TechShop is a membership organization much like a fitness center. The difference is that rather than paying to access fitness equipment, in TechShop you access tools and equipment. TechShop provides members with tools and equipment, instruction and a community of creative and supportive people. This allows members to build the things they have always wanted to make.

BUSINESSES THAT WOULD BENEFIT FROM FIBER-OPTIC INFRASTRUCTURE

Technology access, connectivity and speed have emerged as three of the most important considerations for business in the 21st Century. Thus, it is not simply “location, location, location,” but “location, location, connection” in the new econ-

omy. Due in large part to the presence of Oxford Networks—a Lewiston-based fiber-optics firm that moved its corporate headquarters to the Southern Gateway area on Lisbon Street, just southeast of Riverfront Island—Lewiston has emerged as one of the few small “fiber” cities, with pervasive high speed fiber-optic infrastructure. There is a real opportunity to leverage this infrastructure to attract new businesses to the Riverfront Island area and generate regional economic development.

PLANNING CONTEXT

The neighboring cities of Lewiston and Auburn are so closely linked by geography, history, and economics that they are often referred to collectively as “Lewiston-Auburn” or “L-A,” and thought of by many local residents as a single community spanning the Androscoggin River.

The character of both communities’ downtown areas is influenced by both the striking natural environment of central Maine and L-A’s history as a great industrial center. The Great Falls of the Androscoggin River, which once fueled production of textiles, shoes and more before an era of decline that began

in the 1950s, continue to provide a dramatic focal point for both downtowns. The Androscoggin River, once polluted by the industry it fueled, now rolls cleanly between the two downtowns, past emerging riverfront parks. Kayakers and fisherman have begun to “discover” this stretch of the Androscoggin, and a growing network of trails link the downtown riverfront to large expanses of state parkland.

Historic mill buildings remain a strong presence along both sides of the Androscoggin. On the Lewiston side of the River, within a 5-minute walk of the riverfront, 1.6 million square feet of mill space

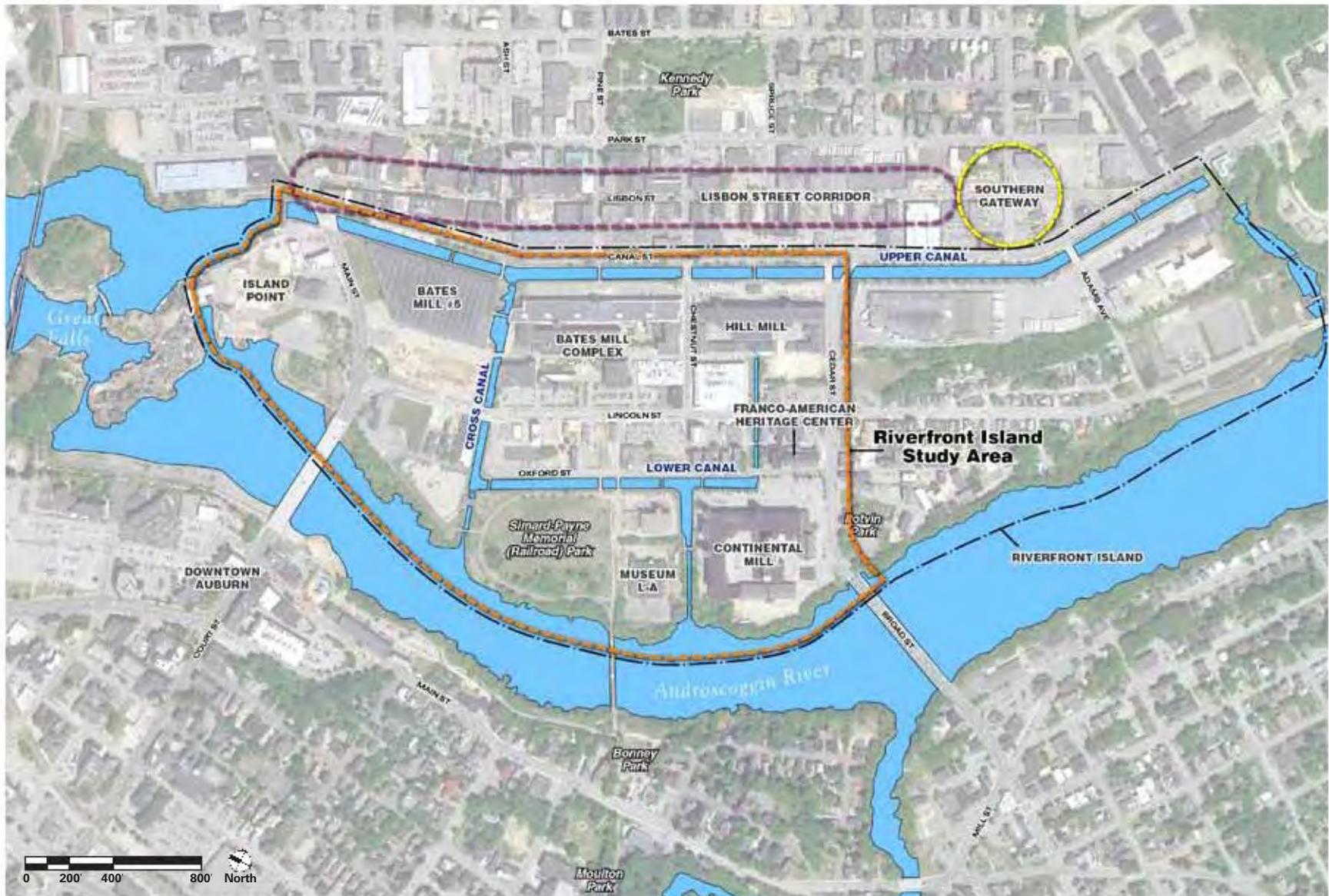
remains within three major mill facilities: the Bates Mill Complex, the Continental Mill, and the Hill Mill. The network of canals that once powered the mills remains in place.

Lewiston’s compact downtown neighborhoods occupy the area east of the River. Multifamily housing that once served millworkers

is now occupied by a new generation of residents, including Somali and Bantu immigrants. A mix of small businesses (including several restaurants, an auto parts store, a furniture store, and a car wash), multifamily housing, the Continental Mill and vacant lots characterize the area between the redeveloping Bates Mill Complex and the River. Just 1/3 of a mile east of the River is Lisbon Street, Lewiston’s “Main Street.” Once a grand shopping destination that drew visitors from across the region, Lisbon Street’s 2- to 4-story buildings are beginning to see new activity.

This planning effort focuses most closely on Riverfront Island: Lewiston’s downtown riverfront. By focusing on the area between the Great Falls and Cedar Street, and between Canal Street and the River—an area that includes the River, the Great Falls, the canals, and many of Lewiston’s historic mills—the L-A community can build on recent successes to strengthen downtown L-A as a whole.





The Riverfront Island study area includes much of Riverfront Island and the downtown riverfront.

riverfront island master plan

RECENT SUCCESSES

Today, after an era of disinvestment, Lewiston is in the midst of *re*-investment. Largely due to coordinated public and private investments both large and small, over the past fifteen years, Lewiston has begun to see:

- **Redevelopment and reuse of over 350,000 square feet of space within the Bates Mill Complex**, which now houses offices for TD Banknorth and Androscoggin Savings Bank, two destination restaurants (DaVinci's Eatery and FishBones American Grill), a medical office (Bates Mill Dermatology), a AAA location, a craft beer brewery (Baxter Brewing Company), and more. Forty-eight units of loft housing now under construction within the complex will soon be part of the mix. The Bates Mill Complex has received over \$30 million in private investment over the last 5–7 years, and approximately 1,000 people now work within it.



Bates Mill Complex is a successful model for high-quality renovation of older buildings to house an active mix of new uses.

- **Establishment of Simard-Payne (Railroad) Park** at a brownfield site along the Lewiston Riverfront. The park now hosts the Great Falls Balloon Festival, which draws 100,000 people annually for the launch of dozens of hot air balloons over the Great Falls, and the Patrick Dempsey Challenge—an annual race and fundraiser that draws several thousand cyclists, runners, walkers and spectators. Efforts to improve access to the park could enhance its value to the community.



Simard-Payne (Railroad) Park has become a key community asset.



Annual events like the Patrick Dempsey Challenge and the Great Falls Balloon Festival draw thousands to Simard-Payne Park, but most of the time, the park is underutilized.

- **Transformation of St. Mary’s Church into the Franco-American Heritage Center**, a cultural center and high-demand event space that brings 20,000 visitors to the downtown riverfront each year for over 140 events that range from Mid-Coast Symphony performances to rock bands and dance parties to galas and weddings.



- **Evolution of Museum L-A**, a dynamic non-profit organization dedicated to telling the story of over 200 years of work, industry and community in Lewiston-Auburn. Museum L-A, which hosts a range of award-winning exhibits and events for people of all ages, is now located within the Bates Mill Complex but has purchased and begun site work at a former mill along the riverfront—adjacent to Simard-Payne Park—where the Museum plans to build a new home.
- **Proposed 90+-bed Hotel**, on Lincoln Street. Along with the Hilton Garden Inn in Auburn, downtown L-A will soon offer nearly 250 quality hotel rooms.

- **Grand Trunk Depot Building Reuse**, now underway to transform this long-vacant historic structure on Lincoln Street into a new café.
- **Construction of two public parking garages**, which have leveraged tens of millions of dollars in private investment. These well used garages provide the parking needed for over 1,000 employees in the Bates Mill Complex; for the future residents of the Bates Mill lofts; and for future guests of the hotel that will soon be constructed on Lincoln Street.
- **Reinvestment in buildings along Lisbon Street**, including several new high-profile restaurants (Fuel for dinner, Marché for lunch, and a café/market called Forage); a wine and craft beer shop (The Vault); a cluster of primarily Somali- and Bantu-owned shops in once-vacant storefronts; conversion of the old Music Hall into the District Courthouse; and several fresh new storefronts (including those for L/A Arts and L-A Magazine).



While many storefronts remain vacant, stores and restaurants are beginning to bring new activity to Lisbon Street.

Several higher-quality apartment units have been provided through renovations on upper floors. Much of this recent investment results from the actions of Lewiston-based entrepreneurs who are embracing the opportunities they see in downtown and along the riverfront.

- **The Southern Gateway Development**, which has brought over 100,000 square feet of new development and nearly 350 jobs to the southern edge of downtown, along the Lisbon Street corridor. Businesses within the Southern Gateway include Kaplan University (which enrolls 650 students in Lewiston through associate and bachelor degree programs), corporate headquarters for Oxford Networks (a fiber-optic infrastructure and telecommunications firm), Northeast Bank, Key Bank Business Service Center, and VIP Auto.

CHALLENGES

While a lot has been accomplished, much work still remains. To be fully successful, Lewiston must address the following challenges:

- **Transform the River from an untapped asset into the centerpiece of the downtown experience.** The River is hard to see and difficult to get to—particularly along the Lewiston side. Water access, e.g., for kayaking and canoeing, is not formally provided. While a walkway has been established within Simard-Payne Park and along the Auburn side of the River, the trail breaks down in Lewiston near Main Street and beyond the Grand Trunk Railroad Bridge. Simard-Payne and Heri-

riverfront island master plan



Buildings like Continental Mill, flanked by the River and the Lower Canal, could house new homes or businesses.



The network of canals extending through the district could become a unique amenity.

tage Parks are located along the River, but do not engage the River as waterfront destinations that draw people from the community and beyond.

- **Attract a mix of uses and a critical mass of housing to fuel the area's transformation into a vital, vibrant district.** With so much vacant space, this area lacks the vitality, critical mass, and intensity of uses and destinations needed to make it thrive once again. Some of the vacant mill space—most notably, the 345,000 square feet within Bates Mill #5—is poorly suited to accommodate most potential uses.
- **Use the canals to help define this area as a unique place to live, work and play.** Once lined with trees and paths, the canals today are hidden behind chain link fences and the backs of build-

ings. Pedestrian amenities like ample sidewalks, lighting and trees are largely missing. Some existing canal bridges are in poor condition.

- **Strengthen connections within the district—and to Lisbon Street—for a more walkable downtown.** Today, the Lisbon Street area, the riverfront, and Lincoln Street all feel isolated from each other. There are no view corridors or signs to direct people to the River or other key locations—and the configuration of the Bates Mill Complex and canal bridges make pedestrian routes through the district circuitous. Canal Street and Oxford Street serve important destinations but feel alley-like in places. Connections between key destinations are often unwelcoming or confusing.



Several key streets—like Oxford Street, shown above—feel alley-like in places, but could provide walkable connections to the River and other key destinations.

3 The Plan

PLAN OVERVIEW

Today, successful urban centers across the country are shaping their futures guided by a common formula for success:

- They preserve and **highlight their unique and authentic characteristics**: historic architecture, waterways, streets and public spaces.
- They include **a vital and diverse mix of uses**, including workplaces, restaurants, entertainment venues, homes, and educational, institutional, cultural and recreational uses.
- They are **walkable places** with attractive public spaces and amenities.

MASTER PLAN

This master plan for Riverfront Island builds on this same foundation. Through the successful implementation of this master plan, the Lewiston-Auburn community can advance goals that stretch well beyond the boundaries of the district, strengthening the image and identity of both communities; fostering connections between Lewiston and Auburn's downtowns centered around the Androscoggin River waterfront; enhancing Lisbon Street as a commercial destination; and improving the quality of life for downtown neighborhoods in both communities through access to jobs and amenities.

VISION

Lewiston's Androscoggin Riverfront will become Maine's premier urban riverfront destination, the centerpiece of a renewed Lewiston-Auburn region, and a showcase of the community's distinctive past, present, and future.

ELEMENTS OF THE VISION

The Riverfront Island master plan will be accomplished through four related goals.

- **Tap the power of the river**—through access to the water's edge, a more active riverfront, and stronger connections to downtown neighborhoods.

- **Attract a vital mix of new uses**—including new housing, cultural destinations, workplaces, a new Canal Park, and the parking needed to support these new destinations; accommodate new homes and businesses through reuse of older buildings and construction of new ones.
- **Make the district more walkable**—to unlock the potential of Riverfront Island's many assets.
- **Insist on quality** in both public and private investment—to attract desired businesses and visitors, and so that the Riverfront grows as a place the L-A community can take pride in.

The following sections of this document are organized in accordance with those goals, and expand upon each. An illustrative master plan summary is shown on pages 24 and 25. Pages 24 and 25 are designed to be viewed together. The summary identifies key initiatives, which are described in more detail in the sections that follow.

A quiet renaissance is underway along Lewiston's downtown riverfront. Over the last ten years, both Lewiston and Auburn's central areas have begun to reorient themselves to face the Androscoggin River. A great river, once harnessed to produce the power that drew industry to the twin cities, can now again be the spark that defines the communities. The riverfront can become the region's great urban destination, a place for recreation, cultural activities, work and urban living.



Once a rail yard, Simard-Payne Park is now a large public open space with a path near the River.



The Great Falls



High quality sidewalks, lighting, paths, benches and trash receptacles have helped transform Lincoln Street near the Bates Mill Complex.



Community events like the Culture Crawl are helping to draw people and activity to downtown



A number of small businesses are located across the district.

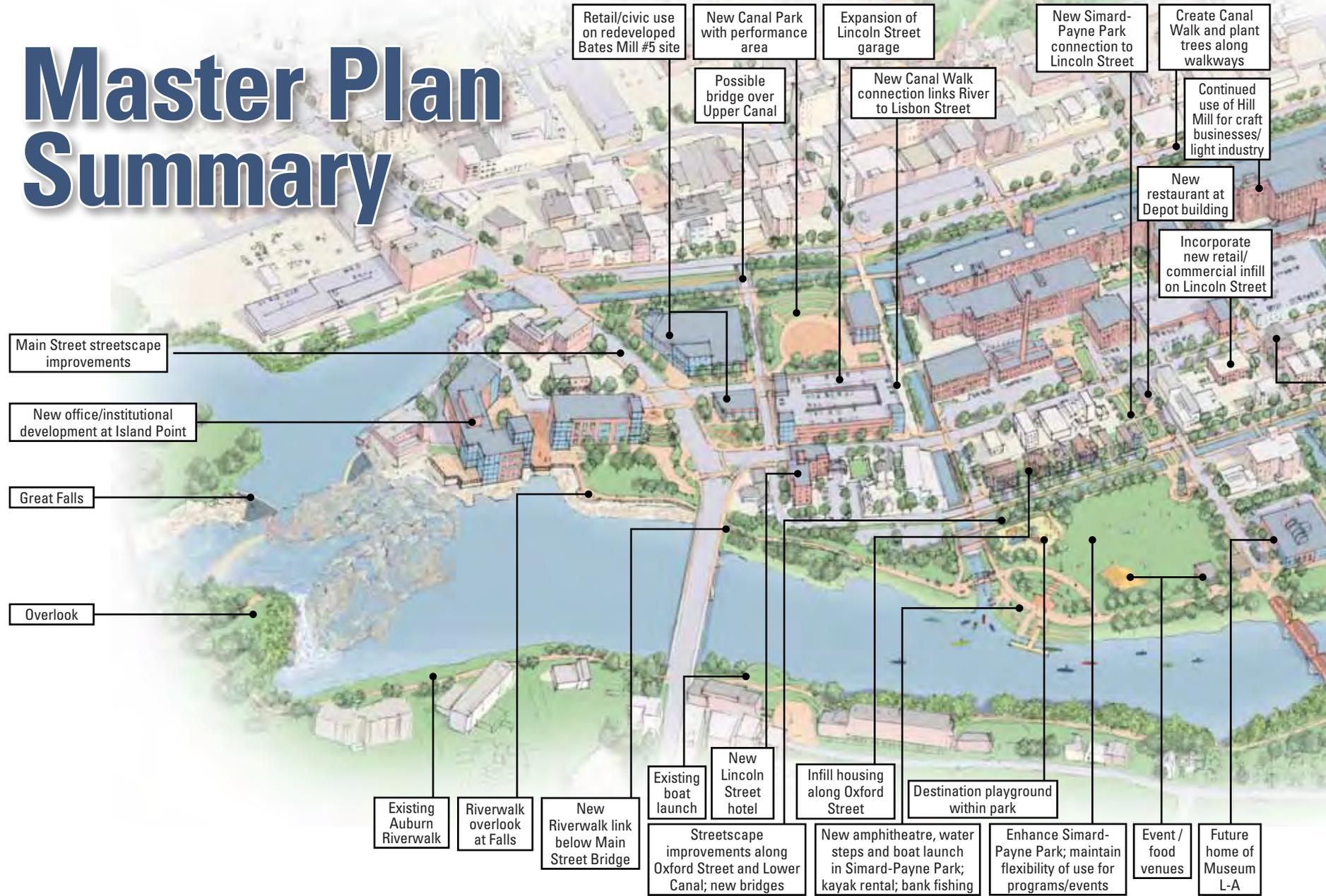


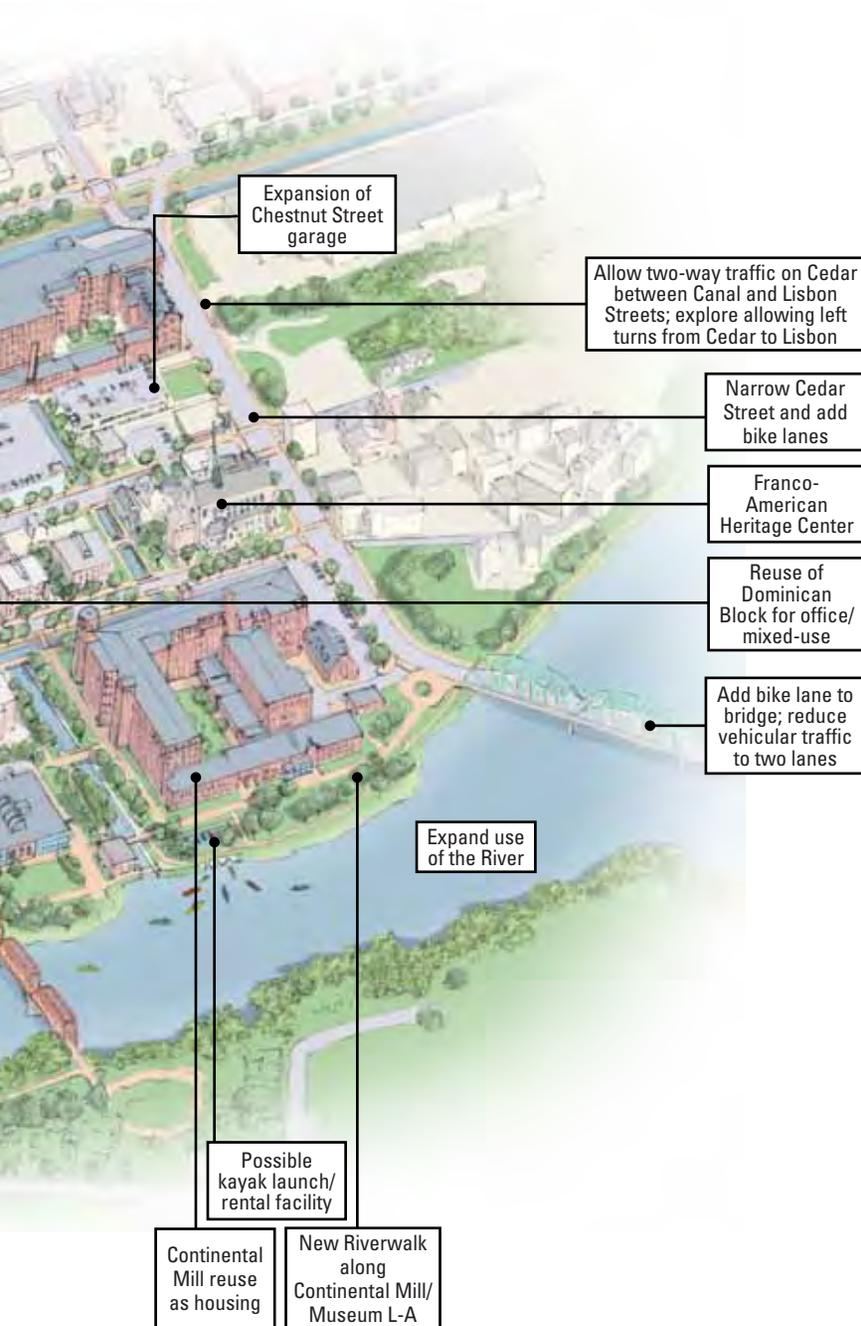
Bates Mill Complex already includes a diverse mix of uses, including restaurants, a brewery, and offices.



This former rail bridge is now a pedestrian and bike link between Simard-Payne Park in Lewiston and Bonney Park in Auburn, offering striking views of the River.

Master Plan Summary





elements of the vision

Tap the Power of the River

- Create a continuous Riverwalk.
- Make Simard-Payne a true waterfront park—with improved amenities and stronger connections to the water and surrounding streets.
- Advance development of Museum L-A as a waterfront anchor.

Attract a Mix of Uses

- Add a critical mass of housing.
- Lincoln Street—focus area for new retail and commercial uses; move forward with new hotel.
- Oxford Street—new housing mixed with arts/cultural and open space amenities.
- Canal Street—reestablish trees and create a gracious green corridor.

Make the District More Walkable

- Create a Canal Walk network.
- Improve Oxford Street as a walkable place.
- Narrow Cedar Street to three lanes and incorporate bike lanes.

Insist on Quality

- Use design guidelines to shape new development and rehabilitation.

elements of the vision

Tap the Power of the River

Establish a continuous public Riverwalk between Island Point and Cedar Street.

Transform Simard-Payne (Railroad) Park into a true riverfront park that draws the community and the region.

Activate the riverfront with a new home for Museum L-A.

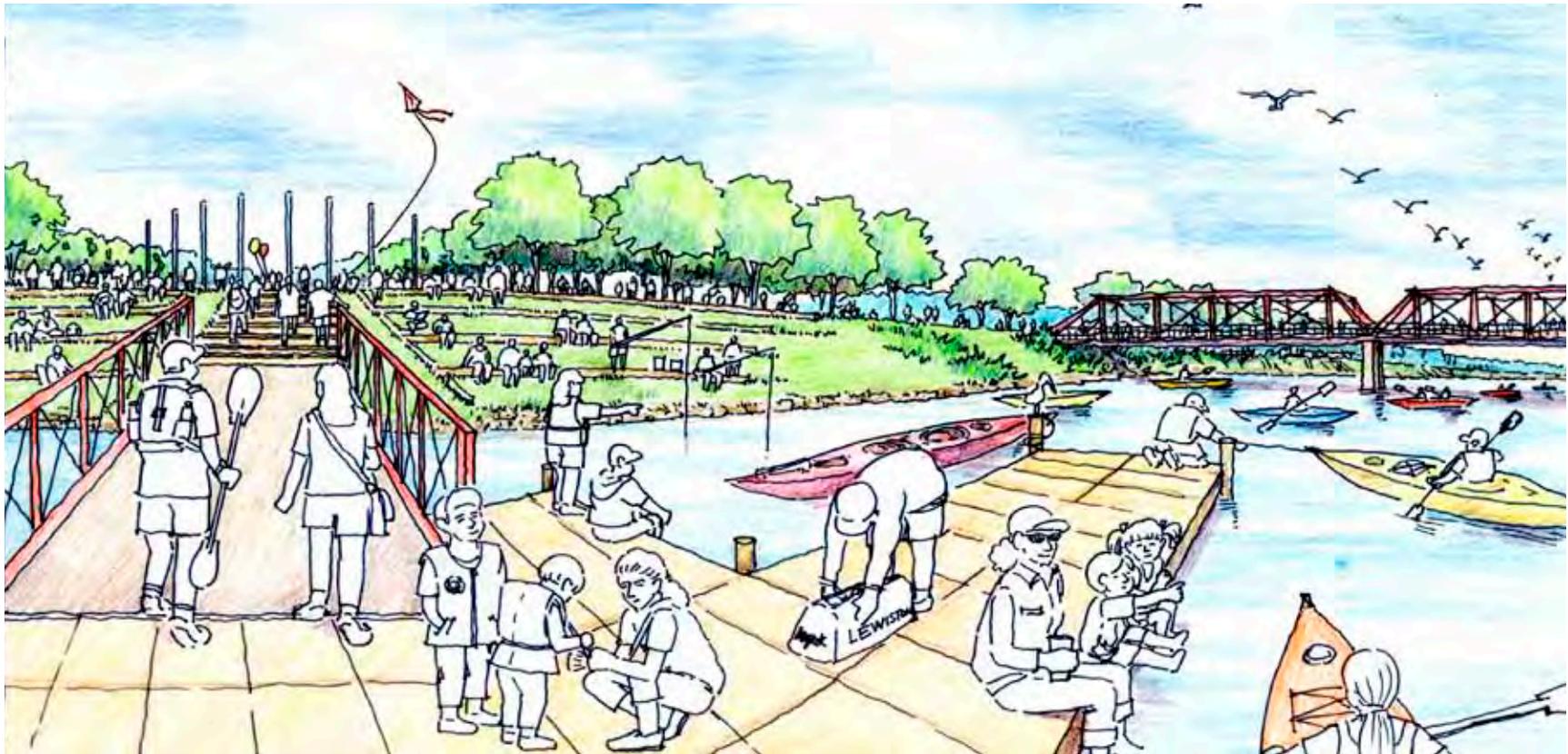
Connect new and existing parks throughout the downtown Riverfront.

Today the Androscoggin Riverfront remains an untapped resource for the Lewiston-Auburn community. In an era when communities across the country have reclaimed urban waterfronts as vibrant community destinations, Lewiston and Auburn have the potential to create a unique and special place. Creating a continuous and attractive public Riverwalk connecting existing parks, planned destinations, and new waterfront development will be the key to success. The Riverwalk will become a much-loved destination and centerpiece of the downtown providing scenic views of the River and Falls and allowing access to the water's edge.

More than a decade of effort has already moved the communities toward this goal of establishing the riverfront as a cultural, recreational and economic centerpiece. By taking the next important steps, this vision can become a reality.

A destination riverfront will benefit Lewiston and Auburn most directly if it is strongly connected to the rest of the community and especially to the core of downtown along Lisbon Street. Lewiston's canal network, open spaces, and connecting streets can strengthen the potential of the riverfront to enhance the community as a whole.





A new waterfront amphitheatre and launch area at Simard-Payne Park could become a major community destination on the Riverwalk.

Establish a continuous public Riverwalk between Island Point and Cedar Street.

With three parks along the downtown riverfront, Lewiston has already built a foundation for greater public use and enjoyment of the River. But the parks do not function as a connected system, can be hard to see or reach from surrounding city streets, and

views of the river are often blocked by vegetation. Through development of a continuous high-quality Riverwalk, existing parks could be connected and used more effectively, views of the River could be opened up, and public access to the water could be greatly enhanced. This new Riverwalk could extend almost $\frac{3}{4}$ of a mile along Lewiston's downtown waterfront. Through connections to Auburn's riverside walking paths, several loop walking trails

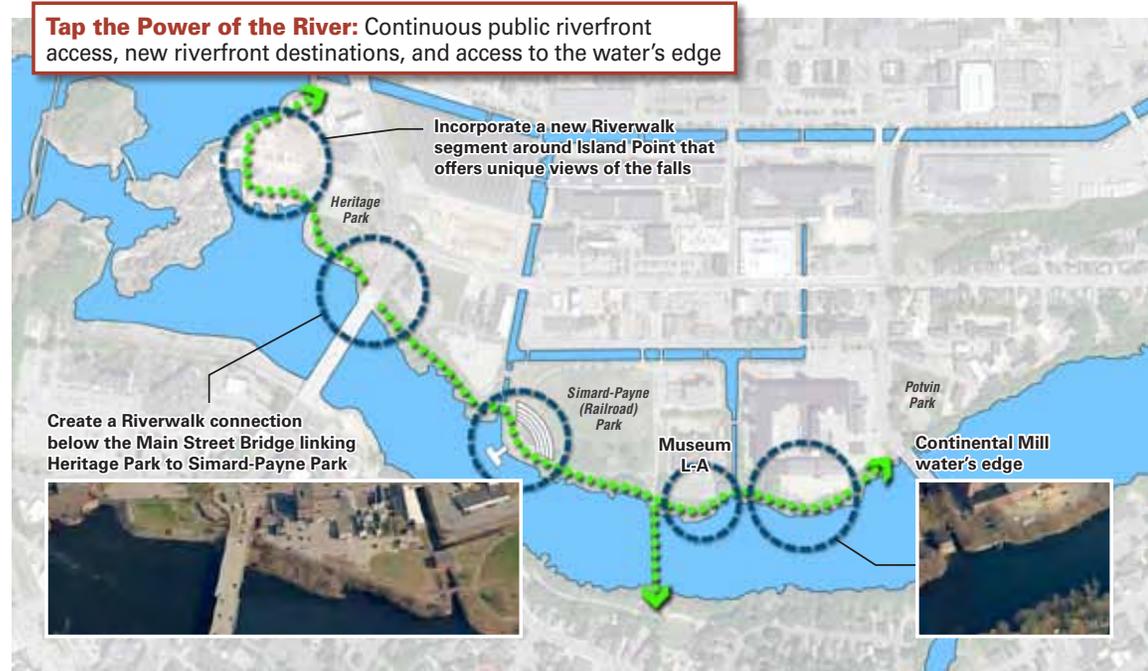
of 1 to 2 miles could be established, showcasing the riverfront and existing and planned destinations in both communities. Key missing links in the existing network of trails are more fully described on page 30 and 31. While continuity of access is essential, so is the quality and consistency of design elements. Providing high-quality walkways, seating, lighting and signage throughout the waterfront area will contribute directly to the Riverwalk's appeal and success.

riverfront island master plan

Transform Simard-Payne (Railroad) Park into a true riverfront destination.

Simard-Payne Park has the potential to be the centerpiece of Lewiston's public waterfront. The park hosts the Great Falls hot air Balloon Festival, the Dempsey Challenge and other community events and recreational programs but is missing many of the key elements of a true waterfront destination park: access down to the water's edge is not in place for people or boats; view of the River are limited by vegetation; the park lacks visibility from surrounding streets; park infrastructure and amenities needed to attract people or host events are not in place; and much land around the park is currently vacant or underutilized. Planned development of the new Museum L-A at the edge of the park is a very important step forward but additional steps will be needed both to support the Museum's success and to create a public destination:

- **Add an amphitheatre, steps to the water and small-boat dock where the River meets the Cross Canal.** This has the potential to be a signature public destination for waterfront events and activities and might include a removable floating dock for waterfront programs and events.
- **Continue and expand the program of park events/festivals.**
- **Explore the potential for seasonal canoe/kayak rental within Simard-Payne Park,** potentially in conjunction with the proposed Lincoln Street/waterfront hotel.



The annual Great Falls Balloon Festival draws 100,000 people to the Lewiston-Auburn waterfront.

- **Explore the potential of the park to accommodate seasonal concessions/vendors** in small/temporary structures. Over the long-term, incorporation of more permanent food venues might be considered along or adjacent to the Riverwalk. These venues should be designed and sited so as not to impede views or access to the River or Riverwalk. Service and access should be accommodated in context sensitive ways that do not interfere with public use of the park. Each structure should be no more than one story in height and 3,500 square feet in area.
- **Selectively trim and manage riverfront vegetation to open up River views.**
- **Incorporate a bank-fishing location as proposed by the Androscoggin River Greenway initiative.**
- **Add a destination playground within the Park**, potentially including a fountain and other water activities, drawing kids from downtown neighborhoods and the wider region.
- **Create a new “gateway” entrance to Simard-Payne Park on Lincoln Street** on a publicly owned parcel beside the Depot building; extend a path from Lincoln Street across Oxford Street to the existing Park entrance.
- **Add a new pedestrian access point to the Park via a new bridge over the canal at the intersection of Oxford and Cross Streets.**
- **Improve the Oxford Street edge to the Park along the Lower Canal.**



A destination playground in Simard-Payne Park could be a magnet attracting children and their families to the riverfront.

- **Improve bridges, vehicular access, and utilities serving the park to support expanded programming**, with infrastructure improvements to include repair or replacement of the vehicular and pedestrian bridges at Beech Street.
- **Foster new development at the Park’s edges.**



Waterfront performances at Bemus Point in upstate New York attract hundreds of people all through the summer.

Elements of a Lewiston Riverwalk: Showcasing a Great Riverfront and connecting it to the community

NORTHERN SEGMENT
Island Point to Simard-Payne (“Railroad”) Park

Island Point: Uninterrupted public access along the each segment of downtown riverfront is critical. The Riverwalk should extend through Heritage Park and along Island Point, linking back to Main Street at the Upper Canal and should be incorporated into future development plans for Island Point. Overlooks along this segment of the Riverwalk could provide dramatic views of the Great Falls.

Riverwalk under Main Street: A walkway under the Longley Bridge, beneath Main Street, is critical to continuous access along the River’s edge. On the south side of the bridge, this “sister path” to the under-bridge segment of the Auburn Riverwalk could

begin approximately halfway up the grade toward Main Street, bear toward the River traversing the riverbank contours, and then follow the riverbank (likely on an elevated structure) under the bridge before returning to grade in Heritage Park.

Simard-Payne Park to Main Street: The Simard-Payne Park segment of the Riverwalk—which now ends abruptly near the intersection of Lincoln and Main streets—could be fully connected to Main Street through a walkway along the top of the riverbank. The existing walkway and handrail in this area could be replaced with a restored stone parapet along the top of the mill walls.

CENTRAL SEGMENT
Simard-Payne Park

Bikepath and Simard-Payne Park access: The Riverwalk will have a major cross axis intersection with the bikepath at the end of the Railroad Bridge, and that location should be a focal point for people gathering and wayfinding.

Simard-Payne Park enhancements: Several Simard-Payne Park enhancements are proposed: improved park connectivity with connector walks on the northern end of Oxford street; development of a public amphitheatre

facing the River at the northern end of the park; development of a more formal walkway to the water’s edge, also at the northern park area where topography allows.

Amphitheatre: A tiered stone amphitheatre for outdoor performances and observing the balloon festivals is proposed on the northwest corner of the park.

Water-access steps: Stone steps and a ramp for ADA access and boat walk-in



SOUTHERN SEGMENT

Cedar Street to Simard-Payne Park

Cedar Street/ Peace Bridge

Gateway: Create a Riverwalk gateway that defines the pedestrian entrance to the area, provides parking for Riverwalk users as part of the Continental Mill redevelopment, reclaims old paved areas as greenspace for the pathway, provides overlooks to the River, and includes reclamation of a natural riverbank environment and integration of stormwater treatment for the Continental Mill property.

Continental Mill yard crossing for the Flume gateway and water access:

Open the back yard of the mill to pedestrian access to the River and the unique “flumes” that carry exiting waterpower from under the mill. Rehabilitate the open area where the flumes were blasted open for a sewer line project. The collapsed flumes offer access to the River for paddlers in a dramatic yet protected way. The flumes that exit through the stone arches monitor safe water levels (if the water level of the River is too high, they are impassible). Stabilization of the slopes with stonework and other retention will make the area safe for access via an elevated walkway and ramp/stair system to the water level. A drop of approximately 20–25’ into the chamber will be required, and a way to sluice kayaks into the basin will need to be devised. Once in the basin, kayakers can paddle through the flumes to the main River for river tours and recreation. A

kayak-rental outlet could also be staged from this location.

Branch canal crossing: Crossing from the Continental Mill site to the Museum L-A Property and Simard-Payne (Railroad) Park requires a bridge over the canal. Recent site clean-up on the Museum L-A site elevated grades to a long gradual slope, so the bridge will need to be sited and designed to fit an exit path at ADA grades and to meet the grade of the path at the Railroad Bridge entrance. It would also be desirable for the pathway to have a sight line of visibility from the walkway at the Continental Mill to the Museum L-A site. The elevated grade for the bridge will require its Continental Mill end to meet an equal elevation. Many types of bridges could be considered for this site, with cost and design being strong influences.

River overlooks: A unique river-overlook opportunity exists above the stone-arched-flume exits to the Androscoggin where kayaks and canoes can access underneath. An elevated platform could offer dramatic views up and down the river and interpret the site’s waterpower history.

Museum L-A Access and Branch Canal walk:

At the Museum L-A side of the canal, walkways would head in two directions: along the branch canal towards Oxford Street and toward Simard-Payne Park.



riverfront island master plan

Activate the riverfront with a new home for Museum L-A

- **Support Museum L-A's ambitious plans for redevelopment of the recently purchased Camden Yarns Mill, beside Simard-Payne Park:** Ensure that Museum L-A is able to move forward with development of its new home, which will provide an important anchor for the riverfront.
- **Help Museum L-A to activate Simard-Payne Park:** Leverage opportunities to tell the story of the riverfront and the history of the L-A community through events, programs, and an interpretive signage project already in progress.



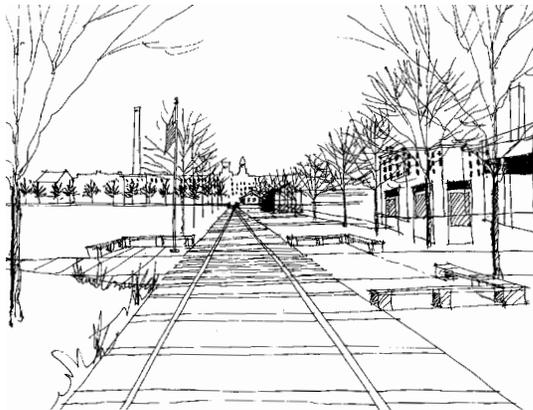
Museum L-A

Museum L-A is a nonprofit organization dedicated to telling the story of over 200 years of work, industry and community in Lewiston-Auburn. Museum L-A hosts a range of award-winning exhibits and events for people of all ages and is currently located within the Bates Mill Complex. Museum L-A has ambitious plans for a new home at the Camden Yarn Mill site—adjacent to Simard-Payne Park and along the River. The new museum will serve as an important anchor for the downtown riverfront, drawing people, programs, and activity to the River and the park. Strong community support will help to move this important project forward.



Connect new and existing parks throughout the downtown Riverfront.

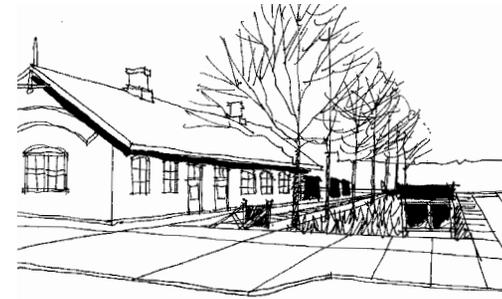
- **Create a Canal Walk network with new pedestrian and bicycle connections along the canals:** Use the canals to link Lincoln Street and Lisbon Street to the River. (see Canal Walk, p. 43)
- **Add a new Canal Park at the intersection of the Upper Canal and the Cross Canal:** Incorporate a new Canal Park that links Lisbon Street to the riverfront area. The Park could include a performance space and potentially a restaurant along the canal. Include a new bike/ped bridge linking the Park to downtown and develop a Canal Walk segment linking to Main Street.



View towards Bates Mill from Simard-Payne Park.

Connected Public Spaces

The Riverwalk will enhance the value of Lewiston's three existing riverfront parks by linking them into a single network, allowing park users a better experience and opening up the river to the larger community. In order to fully tap the potential of the parks, they need to be more visible and accessible from major streets and destinations.



New gateway to Simard-Payne Park on Lincoln Street. (See p. 29)

Connected open spaces: A network of new and existing parks linked by the Riverwalk and Canal Walk bring vitality to the district



elements of the vision

Attract a vital mix of new uses

Reuse of Riverfront Island's Mill Buildings

Adaptive Reuse of Other Key Historic Structures

Island Point

Infill Development

Institutional Anchors

Get Creative with Parking

Successful urban riverfront districts incorporate a vital mix of uses that are drawn to a riverfront location while also attracting new people and events. The mix of uses must support activity over the course of the day, weekdays and weekends, in all seasons. The right mix of uses combines workplaces, arts, cultural, educational and recreational uses, retail, restaurants and hotels, and a strong residential mix. Riverfront Island already includes several of these uses but in combination they have not yet reached the critical mass needed to be fully successful.

Since 2000, dramatic progress has been made in bringing new uses and activities to Riverfront Island. Establishment of the Franco-American Heritage Center has created a new cultural anchor for the area; the successful reuse of portions of the Bates Mill Complex has brought new offices, restaurants and medical uses. These new uses complement the existing mix of businesses and residences that are an

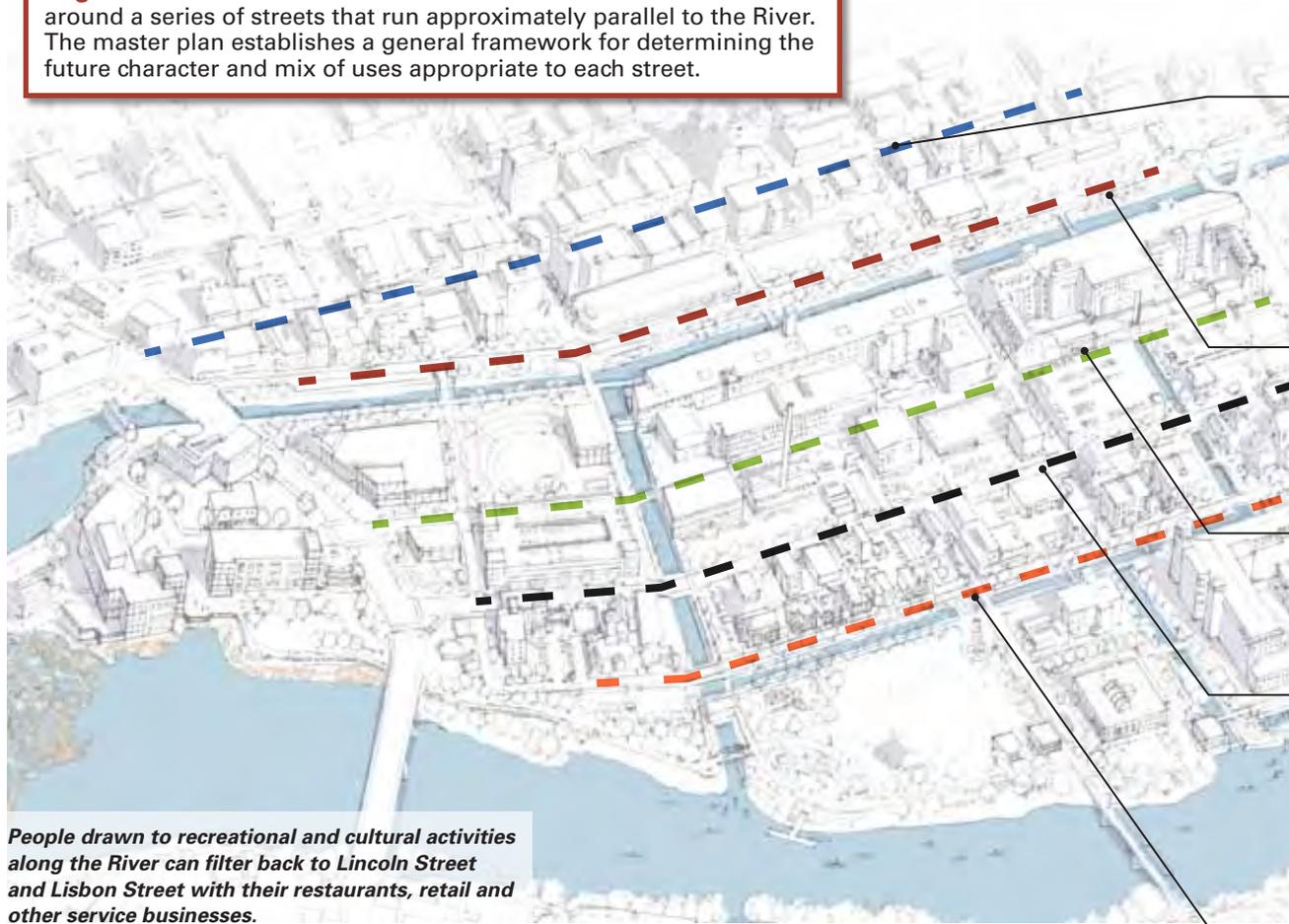


essential ingredient of success. Today, Riverfront Island is home to four restaurants with another currently planned.

With the development of new lofts currently under construction at the Bates Mill Complex, the addition of a planned new hotel on Lincoln Street, renovation of the Grand Trunk Depot building as a restaurant now underway, and continued development of Museum L-A's new home on the waterfront, the district will take a dramatic further step. New amenities such as creation of a Lewiston Riverwalk will further enhance the district's appeal and attract more uses to the area.

Lively downtown neighborhoods need a critical mass of people living within them, and Riverfront Island is no exception. Over time, attracting a critical mass of new housing (a minimum of 400 new units) will be especially critical to the success of the area. Both the Bates Mill

Organization of the district: The riverfront area is structured around a series of streets that run approximately parallel to the River. The master plan establishes a general framework for determining the future character and mix of uses appropriate to each street.



LISBON STREET is Lewiston's commercial "Main Street" with smaller stores, civic and institutional uses, restaurants and some new housing; activity generated in Riverfront Island can spill over the canal and benefit Lisbon Street.

CANAL STREET can have the feel of an alley today, but with improvements to the canals it can become a gracious, pedestrian-friendly corridor lined by a diverse mix of uses, including housing; improvements along the canals can change the feel of this street from a divider to a connector.

MILL STREET can become more fully developed as a pedestrian spine linking a number of mill complexes.

LINCOLN STREET is the district's commercial and vehicular spine, with major office space, restaurants, retailers, and two parking garages. With a planned hotel and potential for more food-oriented retail uses, Lincoln Street can strengthen its primary role for the district.

OXFORD STREET can feel like a forgotten alley today but has great potential for transformation as a vital pedestrian-friendly street that combines arts and cultural activities (Franco-American Heritage Center and Museum L-A) with major new housing and open space amenities.

People drawn to recreational and cultural activities along the River can filter back to Lincoln Street and Lisbon Street with their restaurants, retail and other service businesses.

Complex and Continental Mill are excellent locations for loft housing, while the areas along Oxford Street and Simard-Payne Park have the potential to include new townhouse development overlooking the park.

The properties and potential uses described on the following page of this section are key to accomplishing the goals of the master plan.

riverfront island master plan

Reuse of Riverfront Island's Mill Buildings

BATES MILL COMPLEX

This approximately 700,000 square foot mill complex extends from Chestnut Street to the Cross Canal and between Canal Street and Lincoln Street. It is the cornerstone of the district's success to date with major tenants including offices for TD Bank and Androscoggin Savings Bank, Bates Mill Dermatology, Baxter Brewing Company, AAA, and two restaurants (DaVinci's Eatery and Fish Bones American Grill). As of 2009, the complex had attracted \$30 million in private sector investment and employed 1,000 people. Renovation of this property has been done to the highest standards and is a model for other buildings within the district. The recently completed atrium space, accessed from the



The Bates Mill Complex can add to its mix of restaurant, housing, and office uses over time.

intersection of Canal Street and Pine Street, allows pedestrians to travel through the building between the Lisbon Street area and Riverfront Island. With 48 units of loft housing due to be completed in late 2012, the complex

will continue its evolution as a major anchor of the district. Future planned uses for the roughly 200,000 square feet of remaining mill space include retail amenities as well as continued growth of office and residential uses. Much of the remaining available space is located on the east side of the building facing Canal Street. As this portion of the building sees use once again, it will present a more lively face to downtown and Canal Street. Development of a Canal Walk with trees and lighting will be essential in linking the Lisbon Street area to the riverfront.

BATES MILL #5

Bates Mill #5 has been a focus of public discussion for years within Lewiston. The City of Lewiston acquired Bates Mill #5—located near the intersection of Main and Lincoln Streets—in 1992 following cessation of most manufacturing activities and nonpayment of taxes. The mill is a 346,000-square-foot, two-level building designed by noted architect Albert Kahn and completed in 1914. Since 1997, in order to preserve the mill structure and secure a new use that could serve as an important anchor for the downtown, the City has studied the feasibility of uses such as a convention center; advertised the availability of the structure for reuse as private-sector redevelopment; invested in stabilization of the facility; established a task force to evaluate reuse options; and most recently, supported reuse of the building as a casino facility—which failed to attract necessary voter support on a statewide ballot initiative in 2011. The City



Bates Mill #5 presents significant barriers to reuse.

continues to incur costs associated with repairs and insurance. It is estimated that approximately \$20 million would be needed to stabilize the exterior envelope in advance of any reuse. The building's layout, large and deep floor plates make it generally unsuitable for most uses, including office or residential. Having remained unused for over 10 years—after several decades of very limited use—the building's condition continues to deteriorate, increasing the barriers to viable reuse. Over the course of this master planning process, extensive public discussion has centered around the future use of the Bates Mill #5 site. Several possible reuse scenarios were considered: reuse of the structure for a major downtown anchor; partial or complete demolition and replacement with a new signature park; or demolition and replacement with a new structure to house retail uses and associated parking in line with likely near-term market potential. While there was not unanimous public agreement

on any of these options, most participants favored replacement of the structure with a distinctive new park space combined with a mix of development, potentially including retail and civic uses. Public sentiment over the future of the Bates Mill #5 structure reflects a skepticism over finding a viable reuse following fifteen years of strong efforts by the City and other advocates, and continuing public cost associated with ownership. While a final decision on the future of the building rests with Lewiston City Council, the master plan envisions demolition of most of the structure and replacement over time with a mix of open space and new development. A portion of the building along the Cross Canal is owned by NextEra Energy (formerly Florida Power & Light) and may need to remain intact. Should the City Council decide to move forward with demolition in the near term, the site should be cleaned up and held until such time as full redevelopment can be advanced. In the interim, the site should be used as an open space and should not



Interior of Bates Mill #5

CONTINENTAL MILL

This five-story 560,000-square-foot mill building is particularly well suited to a residential reuse. Its mix of high ceilings, large windows and wood floors are ideal for loft housing. With its waterfront setting and river views, reuse of the building could anchor the waterfront, bringing life and activity year-round. 250–500 residential units could be accommodated, depending on unit size and other variables. Like the Bates Mill Complex, this large building has the potential to be developed in a number of phases in response to market demand. Portions of the building could also be devoted to complementary uses, including office space. Most if not all necessary parking could be accommodated on site, with the possibility of accommodating some indoor parking on the ground level of the building. Overflow parking to the extent required could be provided at the Chestnut Street garage or within a future garage addition. At a minimum, all parking needed to cover several initial phases of development can be provided on site. Through cooperative agreements with the mill’s owners, a public riverwalk could be constructed along the property edge in advance of development. Development of this segment of Riverwalk as a public amenity could enhance the attractiveness of the property and serve as a development catalyst. Use of federal and state historic tax credits could substan-



© DANIEL J. MARQUIS

Continental Mill would be an ideal place for loft housing.

tially enhance the feasibility of development of this property. Continental Mill is an important and very attractive landmark on the River.

HILL MILL

The present mix of small- and medium-sized light industrial and craft businesses located within this 400,000-square-foot mill complex are an excellent complement to other uses within the district, and can continue to play an important role in the future of the area. The Hill Mill continues downtown Lewiston’s tradition as a place where goods are produced; brings employees and customers to downtown; and provides space where emerging businesses and craft-related enterprises can operate within reach of each other. The Hill Mill is well positioned to be the hub of the region’s “maker movement.”

riverfront island master plan

Adaptive Reuse of Other Key Historic Structures

DOMINICAN BLOCK

This 4+-story, approximately 25,000-square-foot brick building at the corner of Lincoln Street and Chestnut Street was built in 1882 to house retail space, classrooms, and a large community room. The Dominican Block has recently been rehabilitated to a very high standard and is well-suited for cultural/educational, retail, office and/or restaurant use. The building is especially notable for its large upper floor assembly/performance space, which features 17-foot-high ceilings. The building's elegant proportions and fine details make it especially attractive and noteworthy.



Dominican Block in 1882 and today.

GRAND TRUNK DEPOT BUILDING

An adaptive reuse renovation now underway at the former railway depot will create a unique new restaurant space on Lincoln Street. Establishing a new gateway to Simard-Payne Park on the undeveloped



The long-vacant Grand Trunk Depot building, built in 1899 and once known as the “Ellis Island” of Lewiston-Auburn, is being renovated as a restaurant space

lot next to the Depot building will help link the River to Lincoln Street.

Island Point

North of Main Street and adjacent to the Great Falls, the area known as Island Point is one of the city's most prominent and visible locations. It offers exceptional views of the Falls and River. Formerly the site of the Libbey Mill Complex, destroyed by fire in 1999, Island Point is now home to Heritage (Veteran's) Park, a hydro facility, and Pedro O'Hara's, a restaurant, bar and banquet facility.

There is significant potential for new high-profile development on Island Point—particularly on land overlooking the Falls, where the mill buildings once stood. Much of the property is publicly owned. Island Point is well-suited to accommodate a substantial medical facility, a major

“build to suit” corporate office building, housing, and/or retail. Island Point is not considered an appropriate location for large-format “big box” retail stores. Because the topography of Island Point rises dramatically from Heritage Park, it offers opportunities to reduce the cost and visibility of structured parking that would serve uses on the property.

Future development of the property should:

- Accommodate extension of the Riverwalk, providing continuous public access to the water's edge from the Longley (Main Street) Bridge, around the point, and on toward Canal Street to enable a strong pedestrian link to the Upper Canal
- Advance efforts to make this segment of Main Street more walkable, with buildings that front Main Street
- Help to reinforce Heritage Park as an accessible, inviting, and attractive destination for the community and region.



Island Point and the Great Falls before demolition of the Libbey Mill Complex.

Infill Development

LINCOLN STREET HOTEL

A new 90-plus-room hotel currently planned for Lincoln Street near its intersection with Main Street will further strengthen the mix of uses within the riverfront area, add life to the Riverwalk, and support businesses by increasing the customer base



Preliminary site plan for the proposed Lincoln Street hotel.

for area restaurants and attractions. The hotel can also help generate activity around the edges of Simard-Payne

Park, improving its attractiveness and visibility. Use of the “red house” over the Cross Canal as a café or boat-rental facility as contemplated by the hotel has great merit and can also contribute to bringing this area to life.

LINCOLN STREET INFILL DEVELOPMENT

The portion of Lincoln Street between Main and Cedar has undergone significant change over the last decade, with removal of several structures and significant investment in streetscape, site and

building improvements. Over time, attracting new uses to vacant parcels will help to further activate the riverfront area, and better connect the River to the Bates Mill Complex. Stand-alone retail, service, or office space will likely be attracted to Lincoln Street because of its traffic volume and visibility. The central portion of Lincoln, between the proposed hotel site and Chestnut Street, represents an optimal location for a small grocery store. The corner of Lincoln and Cedar is another potential location. These land uses should be developed on the Lincoln Street edge with parking adjacent or behind the buildings. Lincoln Street uses must allow for additional buildings to abut Oxford Street, and parking for Lincoln Street building should not extend to the edge of Oxford Street.

OXFORD STREET INFILL OPPORTUNITIES

Over time, Oxford Street can develop with a particular focus on residential development at the Continental Mill and other locations. Improvements adjacent to Simard-Payne Park and its associated street edges will make Oxford Street more appealing as a site for infill development. Additional infill housing would be an especially attractive use in this location, benefitting from the amenity of the park and providing a round-the-clock presence at the edge of the park, overcoming its current isolation from the area. Parking should not be provided on lots along the street edge in this location, particularly any parking associated with commercial or residential develop-

ment along Lincoln Street. On-street parking on Oxford Street, however, could help accommodate visitors to the park.

Institutional Anchors

MUSEUM L-A

Museum L-A is working to construct a new home along the riverfront, beside Simard-Payne Park. Museum L-A would be a tremendous anchor for the riverfront area.

FRANCO-AMERICAN HERITAGE CENTER

The Franco-American Heritage Center is a key anchor within the riverfront area. As a cultural destination and event venue, the Center draws 20,000 people annually. The Franco-American Heritage Center will continue to play an important role in the area’s vitality, and should continue to receive strong support.



The Franco-American Heritage Center is an important anchor for the riverfront area.

riverfront island master plan

BATES COLLEGE, USM LEWISTON-AUBURN COLLEGE & KAPLAN UNIVERSITY

Colleges and universities can be important catalysts in downtown redevelopment efforts, drawing people and activity. Opportunities for locating college-related functions within the riverfront area—for instance, administrative offices, performance venues, housing, and continuing education centers that may benefit from a downtown location—should be explored on a regular basis with Bates College, USM Lewiston-Auburn College and Kaplan University.

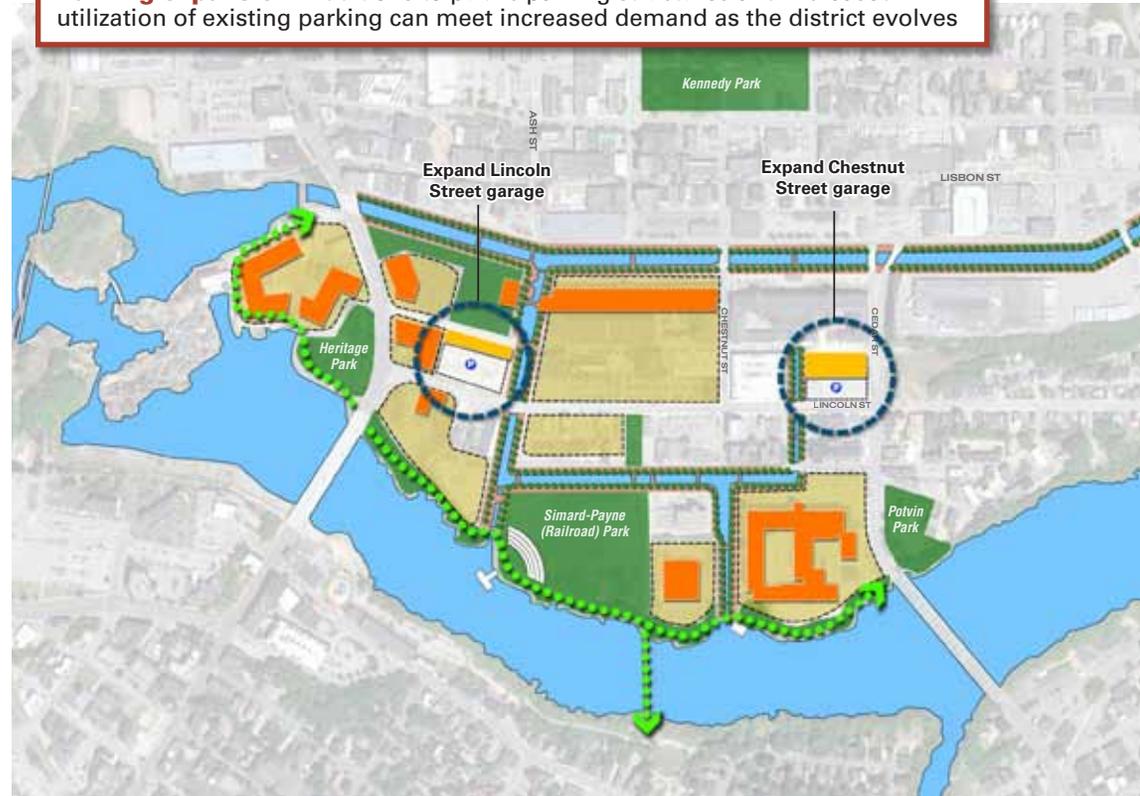
CENTRAL MAINE MEDICAL CENTER & ST. MARY'S REGIONAL MEDICAL CENTER

Currently, most medical offices are located within the hospital complexes on the other side of Lewiston's downtown. Demand for medical-related office space in the region is projected to grow. Some of this growth may be suitable for locations within with Riverfront Island area (for instance, a new facility on Island Point).

Get Creative with Parking

Parking is a key issue for Lewiston, as it is for all downtowns. The City of Lewiston has been proactive in developing parking structures within the downtown area to advance economic development goals. Today, five public parking structures serve the downtown area. The two parking structures built by the City on Riverfront Island since 2001—the 610 space Chestnut Street Garage and the 337 space Lincoln

Parking expansion: Additions to public parking structures and increased utilization of existing parking can meet increased demand as the district evolves



Street Garage—have been integral to the success of recent redevelopment efforts (e.g., in the Bates Mill Complex), providing nearby parking for employees and visitors. Today, those structures are well used during the work week, with peak weekday utilization rates of 85% and higher. During weekends and evenings, significant capacity remains available. As redevelopment of the Riverfront Island area continues—with potential for more retail, office, and housing—new destinations will, over time, bring

PARKING STRATEGY

- Develop Shared Use Agreements with owners of underutilized private parking lots
- Improve signage to, around, and within public parking areas
- Refine shared parking provisions in zoning to maximize availability of parking spots for multiple uses
- Expand Chestnut & Lincoln Street garages when needed to support additional development (approx 700 additional spaces)

demand for more parking. When the district’s public parking supply is operating at full capacity during peak periods, additional structured parking will likely be needed if the area is to continue to attract new businesses and housing. Additional structured parking can be provided through expansion of Riverfront Island’s existing parking garages. In total, expansion of the Lincoln Street and Chestnut Street Garages could provide approximately 700 additional parking spaces, with roughly 2/3 of the total expansion occurring at the Chestnut Street Garage. During high demand periods when Riverfront Island’s public parking garages are nearing capacity, there are well over 1,000 available parking spaces within the district in privately owned surface lots. Many of these spaces will ultimately be needed to serve the buildings they are adjacent to (e.g., Continental Mill, Hill Mill). In the interim, however, property owners, the City, and the Riverfront Island area could benefit from an arrangement that allowed temporary public use of private lots as an interim alternative to more structured parking. Contracts called Shared Use Agreements—used across the country in places such as Albany, NY and San Diego, CA—enable temporary public use of private lots under terms agreeable to both cities and owners. Shared Use Agreements with key property owners would enable Lewiston to make sure that, as demand for parking grows, the area’s existing parking supply is fully used, to the extent possible, before the significant expense of building structured parking is undertaken.

Parking demand varies across use and time of day. For instance, peak parking demand for housing occurs at night and on weekends, when residents are home, but decreases significantly during weekday mornings and afternoons—when demand is highest for most businesses. Lewiston’s zoning ordinance allows for shared use of parking areas, enabling developers to pledge the same space to two different uses if they can demonstrate that the two uses have different periods of peak demand. To ensure that parking is not overbuilt—at a cost of valuable land and dollars—or under-built, which could threaten the area’s ability to attract new businesses, residents

and activity, Lewiston could refine this approach by:

- Using models developed by the Urban Land Institute (ULI) and Institute for Transportation Engineers (ITE), which can calculate parking needs for proposed uses based on the precise use and time of day.
- Maximizing the extent to which parking is available to all, rather than dedicated to particular uses or destinations.
- Improving signage to, within, around downtown public parking areas, which will help maximize use of the existing parking supply.



Design of parking structures can have a significant impact on streetscapes. Riverfront Island’s two well-used parking structures were designed to fit in with their surroundings.

elements of the vision

Make the district more walkable

Lewiston's new Canal Walk

Improve Oxford Street

Continue development of an L-A Heritage Trail

Make Main Street a Better Gateway

Continue to improve Lincoln Street

Make the Cedar Street & the Peace Bridge More Walkable, Bikeable Places

Link to local and regional trails

Thriving downtowns benefit from strong walkable connections between destinations. When destinations *aren't* clustered or well connected, downtowns generally lack the critical mass they need to remain lively places.

Riverfront Island is a compact place. Distances between destinations are short—you can walk almost any place within the district within 5–7 minutes. The biggest challenge is the quality of these connections for pedestrians and bicyclists. The same can be said of connections to the district from surrounding areas: walking distances are short, but it's hard to get from Lisbon Street to Riverfront Island and the River. Poor walking conditions along the canals and the need to travel around rather than through the 2.5 block long Bates Mill Complex are particularly significant barriers.

To unlock Riverfront Island's many assets for the Lewiston-Auburn community to fully enjoy—as well as to attract a next wave of residents, businesses and visitors—providing an easily walkable, inviting, and well-connected environment is critical. Reclaiming the Cross Canal as an attractive, tree-lined place to walk—from Canal Street all the way to the River at Simard-Payne Park—will be particularly important. Making key streets like Oxford, Main, and Cedar more walkable will also be important.



Oxford Street could become a much more walkable and attractive place through creation of a canal walk and development of new infill housing around Simard-Payne Park.

Lewiston's new Canal Walk

Lewiston's network of canals harnessed the Androscoggin to power the city's great mill complexes. Today, the canals play almost no role in power generation but continue to be owned by a power company (NextEra Energy, formerly Florida Power & Light). Early photographs and postcards

show the canals as gracious tree-lined waterways that were a unique and attractive amenity for the city. Today the tree canopy is much deteriorated and the canals are frequently treated primarily as safety hazards, surrounded by unattractive fences and other barriers. The City of Lewiston is working with NextEra to acquire ownership of the canal network,

opening the door to reestablishing the canals as attractive and unique community amenities. Through establishing walking and bike paths along the canals, Lewiston can create much stronger and more inviting connections among key destinations, highlighting a unique community asset in a new way.

riverfront island master plan

Full development of a comprehensive Canal Walk network will take time and will likely require phased implementation as funding becomes available. At the point that the City acquires ownership of the canals it will be possible to begin this effort.

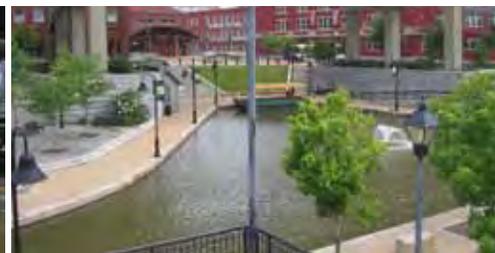
- The initial phase of work might focus on Oxford Street along the edges of the Lower Canal and Simard-Payne Park extending to the Continental Mill.
- The second phase of work could focus on creating an attractive walkway along the Cross Canal beginning at Simard-Payne Park and extending to Canal Street and Lisbon Street via Ash Street. This pathway would connect through a new Canal Park at the Bates Mill #5 site, travel past the Lincoln Street Garage (opposite Fishbones) and meet the River near the proposed hotel.

In order to ensure that the Canal Walk network has a cohesive design identity, work on the initial design phase should establish a consistent vocabulary of elements—paving, lighting, fencing, trees, and signage that can be used throughout the network in subsequent phases.

City ownership will also open the door to consideration of use of the canals themselves for water-based recreation—in small boats, for ice skating and other purposes—further enhancing the appeal of canal edges for pedestrians. Each form of water-based recreation will have its own needs and constraints, and the feasibility of these uses will need



Lewiston can reestablish the network of tree-shaded paths that once lined the canals.



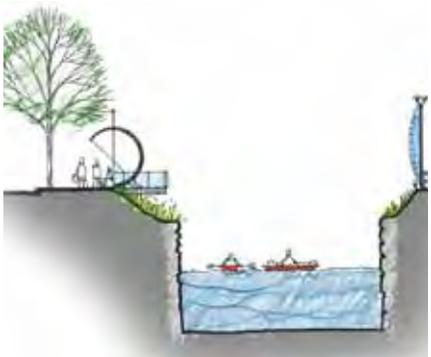
to continue to be considered as the City works with the power company to ensure that adequate water is provided within the canals to preserve their amenity and facilitate use.

Richmond has restored its downtown canals as a high amenity pedestrian network that has helped attract investment to that part the city.

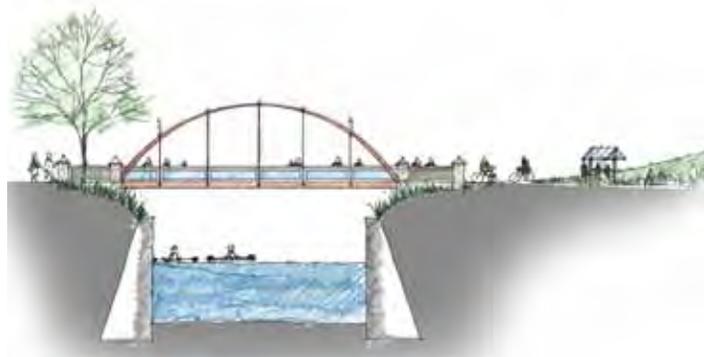
Make the district more walkable: A Canal Walk network, an L-A Heritage Trail, and improvements to key streets knit downtown neighborhoods to the Riverfront.



A network of sidewalks, trees, lighting and overlooks along both sides of the canals—built in segments over time—would transform these waterways into special places for the L-A community.



A new ped-bike bridge to Simard-Payne Park at Oxford and Cross streets, along with rehab of bridges that already serve the park, would link the riverfront to Lewiston's downtown neighborhood.



riverfront island master plan

Improve Oxford Street

Today, Oxford Street is an alley-like place in an important location. Oxford Street is the route to key destinations: to Simard-Payne Park and the River, to the Franco-American Heritage Center, to the future home of Museum L-A, and to the Continental Mill. Yet, north of Chestnut Street and along the edge of Simard-Payne Park, Oxford Street offers no trees, few street lights, many overhead wires, and no buffer between the asphalt sidewalk and the curb. With some improvements, as suggested in the rendering on page 43, Oxford could become a great street that draws new investment and helps link some of the downtown riverfront's most important places.

- **Add trees, lighting, and improved sidewalks:** Just as Lincoln Street once did, Oxford Street needs streetscape improvements: trees, pedestrian-friendly sidewalks and lighting. Plantings at the elbow of Cross Street and Oxford Street, where the Lower Canal meets the Cross Canal, are a good first start.
- **Invest in the Canal Walk:** Trees, lighting and improved sidewalks and fencing along the Lower Canal—at the edge of Simard-Payne Park—will link the park back to the neighborhood, and link the neighborhood to the River. Trees, lighting and improved sidewalks and fencing along the Cross Canal will link the park and the River to emerging destinations as far east as Lisbon Street—including the proposed hotel and “Red House” reuse project; restaurants and businesses in the Bates

Mill Complex; and a potential new Canal Park at the Upper Canal.

- **Add a new Lower Canal pedestrian bridge:** A new pedestrian bridge across the Lower Canal at the elbow of Oxford and Cross Streets will enhance use of the park and open a new connection to the River's edge.
- **Rehabilitate or replace the Lower Canal bridges serving the southern end of Simard-**

Payne Park and the future home of Museum L-A: The pedestrian and vehicular bridges that link this portion of Oxford Street to the riverfront are in poor condition, and should be repaired or replaced. Along with continued pedestrian and bike access, access for school and tour buses as well as for emergency and service vehicles should be supported.



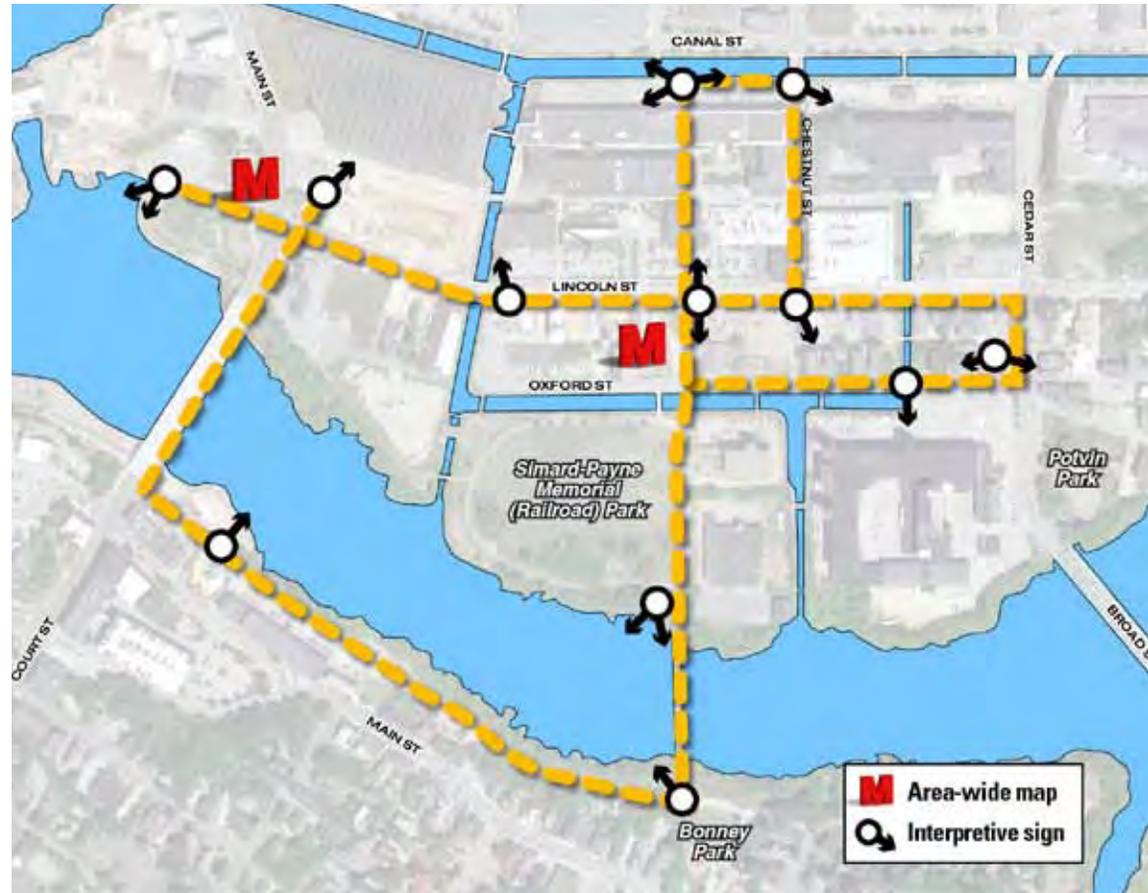
Oxford has the ingredients to become a great street, linking the Continental Mill, the Franco-American Center, Museum L-A and Simard Payne-Park.

Continue development of an L-A Heritage Trail

For many, the L-A community's past and recent triumphs remain well-kept secrets. Build on efforts by Museum L-A, Bates students, the Androscoggin Land Trust, the Chamber of Commerce, and others to formalize and promote an L-A Heritage Trail that highlights key destinations within the Riverfront Island area. The trail could incorporate themes such as River Ecology, Pre-History, Mills and Canals, and Immigrants' Journey. Create a map and locate interpretive signage near key sites. Use the trail to showcase L-A's past, present, and future.



Interpretive signage can help tell the story of a community's past, present, and future, while highlighting key sites.



Possible route for L-A Heritage Trail

Explore opportunities to light Riverfront Island destinations at night

Attractive, creative, well-designed lighting could enhance the pedestrian environment and highlight and connect the district's many assets. Cities such as Quebec City (Quebec, Canada), Cambridge (MA), Providence (RI) and Bethlehem (PA) have found that imaginative and effective exterior lighting can contribute to a lively urban experience that extends into the evening and night, and highlight a city's unique environment in a creative way that draws people from within a community and beyond. Lighting programs need not be comprehensive or permanent. For instance, up-lighting trees along a path or within a park can have a dramatic impact on the feel of an area at night. Temporary or seasonal installations—for instance, lighting the Falls as a component of the Balloon Festival—could supplement community events. A larger-scale effort should be supported by a lighting plan that addresses approach and financing.

Potential locations for creative lighting within the district might include:

- Waterfronts and waterfront paths (e.g., the Riverwalk, the Great Falls, the Canal Walk)
- Bridges (e.g., the trestle bridge linking Simard-Payne Park to Bonney Park)
- Key open spaces (e.g., the proposed Canal Park)

- Historic buildings (e.g., the Continental Mill, the Dominican Block, the Grand Trunk Depot Building)

Make Main Street a better gateway

Main Street should be an inviting gateway to the City and the riverfront. It is important that this key corridor provide safe and convenient travel. Today, Main Street is a source of frustration across many modes: difficult to cross on foot, subject to congestion during rush hour, and without accommodations for bikes. Walking Audits led by the Androscoggin Land Trust highlighted a series of concerns related to the Longley Bridge, which connects Main Street in Lewiston and Court Street in Auburn, including: an absence of safe bicycle accommodations, high vehicle speeds, narrow sidewalks and an uncomfortable pedestrian environment. Over time, Main Street can become a place that better reflects the L-A community's goals for the downtown and the riverfront.

- **Improve Main Street for pedestrians and cyclists:** At the Lincoln Street intersection, Main Street features trees, plantings, and decorative street lights. Continue this treatment on both sides of the street as far as Lisbon Street, as proposed several years ago, to announce arrival in the downtown riverfront district and provide a more welcoming walking environment. Provide crosswalks and pedestrian crossing lights at all four corners of the Main-Lincoln intersection. Provide paths linking the Riverwalk to this

intersection, as well as a Riverwalk connection below the Longley (Main Street) Bridge. Provide connections to the new bike path linking Main Street to Sunnyside park.

- **Improve Main Street for cars:** Investigate adjustments to signal timing on Main Street that could reduce peak hour queuing near Lincoln. Add capacity for more left turn movements at the Lincoln Street-Main Street intersection when/if needed to support additional redevelopment along Lincoln Street and on Island Point. Evaluate feasibility and impacts for multiple options, including widening the street at intersections and adding roundabouts (also likely to require street widening at intersections). Incorporate bike and pedestrian improvements into the project.

Continue to improve Lincoln Street

Lincoln Street has improved in recent years as a result of many actions including streetscape improvements, particularly along the Bates Mill frontage. As additional development occurs, careful attention will be needed to continue to improve the pedestrian environment. Control of curb cuts associated with any new development will be very important as will extending existing streetscape amenities.



Cedar Street could be narrowed from four lanes to three lanes, with improved pedestrian crossings.

Make the Cedar Street and the Peace Bridge more walkable, bikeable places

Today, 4-lane Cedar Street has more lane capacity than is needed to accommodate current and projected traffic volumes, and weight loads on the Peace Bridge have become a concern due to the age and condition of the structure. No bike accommodations are currently provided.

- **Add bike lanes on Cedar Street and the Peace Bridge:** Reallocate the street's 42' curb-to-curb dimensions by restriping it to accommodate two 11' travel lanes, a center turn lane, and striped bike lanes. The center turn lane could include a median/pedestrian refuge island at pedestrian crossings (e.g. at Cedar and Oxford Streets).
- **Consider enabling left turns from east-bound Cedar Street onto Lisbon Street:** To strengthen

street connections between Riverfront Island and Lisbon Street, investigate the potential of 2-way travel on Cedar Street between Canal and Lisbon Streets—a segment that is now one way in the direction of River.

Link to local and regional trails

Strong, well-signed connections to bike corridors and trails will help link Riverfront Island to the rich network of open spaces that serves the region. Of particular importance are trail links identified within the Androscoggin River Greenway Study, an Androscoggin Land Trust led initiative conducted at the same time as the Riverfront Island master plan process. These trail links connect the Riverfront Island master plan area to the region, and include: Riverwalk / bike path connections from Potvin Park

to Gaslight Park, and on to Mount Hope Cemetery and the Exit 80 interchange; Riverwalk / bike path connections from Island Point to Sunnyside Park, and on to the Gulf Island Dam; and water trail connections from Dresser Rips past Gulf Island Point.

Riverwalk and Canal Walk signage should provide clear links to the trails noted above as well as to the East Coast Greenway, which is routed to pass through Riverfront Island along Lincoln Street. A long term plan for a Rail-Trail to Brunswick creates the opportunity for the Riverfront Island to become a trailhead of access and activity around what would be a significant regional bike corridor. The Rail-Trail could connect along Mill Street across the district, all the way to Island Point—or could be routed beside the River along the Riverwalk.

Greenway Study Draft Priorities



The Androscoggin Greenway study establishes a regional framework for pedestrian and bike connections, open space links, river trails and boat access. The Riverfront Island master plan focuses on a key segment of this larger framework. Continued coordination between these efforts can ensure that benefits to Lewiston, Auburn, and the broader community are maximized.

elements of the vision **Insist on quality**

A high standard of quality for design and construction within the downtown riverfront has been established through renovations at the Bates Mill Complex and structures such as the Dominican Block. Continuing that commitment to quality in every new investment—both public and private—that is made in the district is critical. High-quality design, building materials, and construction will be essential to Lewiston’s success in establishing the district as a special place and a distinctive urban destination.

Through the design of public investment and infrastructure, and through its review of private sector development proposals, the City of Lewiston will need to ensure that high standards prevail. A particular concern is that development within the district not follow generic suburban formats poorly suited to a downtown location or incompatible with the district’s best architecture.

DRAFT GUIDELINES FOR URBAN DESIGN REVIEW OVERLAY DISTRICT

In December 2007, the City of Lewiston developed draft guidelines for an urban design review overlay district that includes Riverfront Island. Though not formally adopted, these guidelines provide a very thoughtful and valuable framework for shaping design proposals within the district. Proponents of development projects would benefit greatly from consulting these guidelines to understand the City’s goals for development within the district.

ZONING MODIFICATIONS

Some modest changes in the City’s zoning ordinance could be helpful in advancing this master plan.

- Modifications of parking regulations could provide specific standards for determining parking requirements when parking is shared by several uses with different peaking requirements.
- Revised shoreland zoning for Island Point could reduce current setback requirements as long as public access is accommodated at the water’s edge. Such a change would allow buildings at the water’s edge consistent with the location of the former Libbey Mill buildings, which were damaged by fire.
- Relaxation of side-yard setback requirements in the Riverfront district may enhance opportunities for townhouse development on Oxford Street.

4 Implementation

riverfront island master plan

IMPLEMENTATION STEPS

This master plan provides an overall framework for guiding change within the riverfront area over the next several years. The master plan is shaped by an overarching vision but will be implemented in several steps—big and small.

The following represent key next steps in moving from planning to implementation:

- **Seek formal City Council support for the plan.**
The Lewiston City Council will play a key role in advancing several aspects of the master plan in the years to come. Council support will be very important to advancing the plan. While several elected officials have contributed to development of the plan, the completed plan should be presented to the council for its endorsement.
- **Incorporate the plan into the City’s comprehensive plan.** Seek Planning Board approval for adopting the Riverfront Island Master Plan as part of the City of Lewiston’s comprehensive plan. Seek planning board support for advancing key master plan initiatives.
- **Continue to work closely with Auburn to establish a strategy for ongoing collaboration in implementing the plan.**
Effective implementation of the master plan will provide significant benefits for both Lewiston and Auburn. Many members of the Auburn community have participated in shaping the plan. Lewiston and Auburn should discuss possible

mechanism for more formal collaboration in moving the plan forward to include fundraising and other aspects.

- **Identify who will be responsible for marketing, monitoring, and advancing the plan.**

The master plan advisory committee has played a key role in shaping this plan. It is critical that the L-A community help to sustain the momentum needed for implementing the plan over the months and years to come. A group will be needed to help pursue initiatives such as the Riverwalk, amphitheater steps/small boat dock, the Oxford Street Canal Walk, and the Cross Canal link to Lisbon Street. The group could help the City in evaluating design options for infrastructure improvements. The group could support the City in evaluating development proposals for Bates Mill #5 and other key sites.

- **Take steps to resolve the future of Bates Mill #5 site.**

The City of Lewiston has worked for many years to preserve and reuse the Bates Mill #5 building and incorporate it as a centerpiece of the riverfront district. Despite these efforts, securing an economically viable reuse of the building has remained elusive for two primary reasons: the layout of the structure is not optimal for most potential reuses, and the very high cost of rehabilitating the exterior. The master plan explored several options for reusing the property and concluded that the most viable option will involve its demolition and redevelopment for

a mix of open space, retail and possibly civic uses. Lewiston City Council should consider moving forward with authorizing demolition and preparation of the site for future redevelopment. In the period immediately following demolition, the site should be used for open space on an interim basis. Over time it is anticipated that the City will issue a Request for Development Proposals for redevelopment of portions of the property, potentially in conjunction with development of a new Canal Park and possible civic use.

- **Advance the downtown hotel proposal—and pursue other public-private partnerships—to bring additional high-quality development to the district.**

Continue to coordinate with the hotel developers and other private sector entities to ensure that development is consistent with the goals of this plan.

- **Explore potential for institutional participation within Riverfront Island.**

The city’s major medical and educational institutions currently have no presence or visibility within Riverfront Island, which can become the region’s defining public space and a cornerstone in shaping Lewiston’s evolving identity. Major institutions across the nation are increasingly playing a prominent role in downtown-revitalization efforts. The presence of these major Lewiston institutions within the riverfront area would serve as a boost for the city and the district, showcasing the prominent role of these institutions in the city’s future. The City of Lewiston should initiate and

continue discussions with potential institutional partners—e.g., Bates College, Central Maine Medical Center, Kaplan University, St. Mary’s Regional Medical Center, and USM’s Lewiston-Auburn College—to explore interest and ability to assist in moving the plan forward.

- **Seek funding for key public improvements.**
Use this plan as a tool for communicating the goals and vision for the downtown riverfront. Seek state, federal and other sources of funding.
- **Move forward with a public-private partnership program to secure use of available private parking to meet district needs.**
Through cooperative efforts with property owners, the City should develop a program that ensures efficient use of private parking spaces for an interim period in a manner than benefits property owners and the city.
- **Develop key zoning amendments for consideration by the Council.**
Draft zoning changes related to shared parking regulations; Riverfront District side-yard setbacks; and shoreland zoning river setbacks for Island Point.
- **Continue to work to secure public control and ownership of canals.**
Continue to explore a variety of approaches to securing control of the city’s canal network for a variety of public purposes.
- **Support Museum L-A’s efforts to move forward with its waterfront site.**

Museum L-A will serve as an important new anchor for the riverfront, and every effort should be made to assist it in moving forward

- **Work cooperatively with waterfront property owners to incorporate a Riverwalk on private property in advance of property development.**
Development of the Continental Mill segment of the Riverwalk as a public amenity could enhance the attractiveness of the property for reuse and serve as a development catalyst.
- **Continue efforts to coordinate downtown planning with regional entities such as the Androscoggin Land Trust and the Androscoggin Valley Council of Government.**
For instance, seek to maximize the impact of improvements within the downtown riverfront area through links to regional open space and trail networks.
- **Focus on advancing near-term catalyst projects.**
Completion of quickly do-able, high-visibility will provide benefits that all can enjoy and bring momentum to advance longer-term projects.

PHASING OF IMPROVEMENTS

Work on implementing the master plan will move forward in many steps, and sequencing will to some extent be determined by funding availability and other variables.

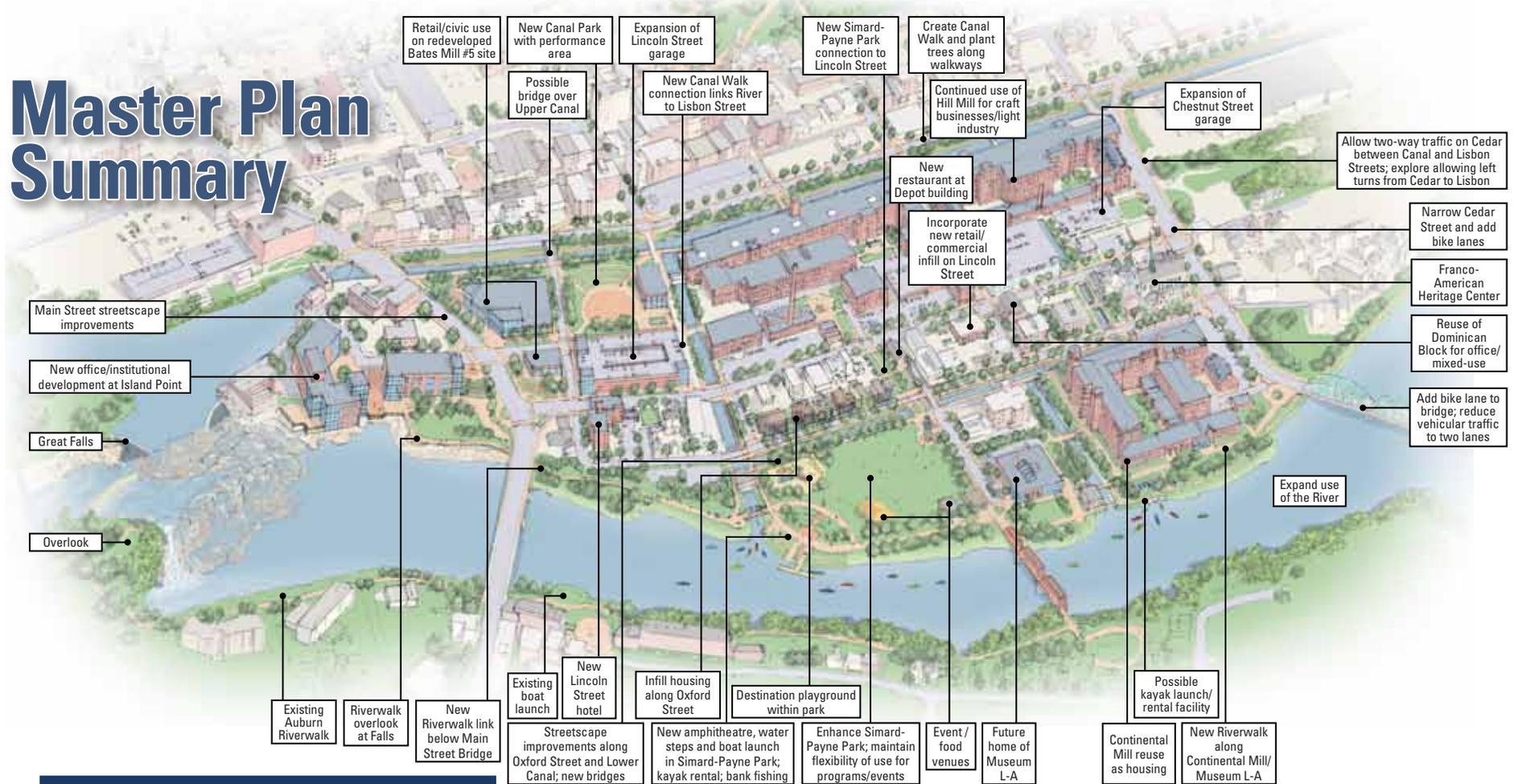
Key priorities will reflect plan themes around establishing a Riverwalk, attracting new uses with

a particular focus on housing and development of Museum L-A, and strengthening connections within the district.

Key first steps may include:

- **Focus on enhancing Simard-Payne (Railroad) Park.**
 - > Improve the visibility of the River from the park and provide access to the water’s edge. Add a boat launch.
 - > Improve the River’s visibility from and connection to Lincoln Street through development of a small park / Simard-Payne Park “gateway”, adjacent to the Grand Trunk Depot building and Lewiston House of Pizza.
 - > Improve the Oxford Street streetscape along the edge of Simard-Payne Park. Establish a Canal Walk “demonstration project”—including paths, trees, lighting and upgraded fencing— of approximately 200’ in length along the edge of the park.
- **Establish an L-A Heritage Trail** with maps and interpretive signage that tells the story of Lewiston-Auburn and links destinations. Assume 2 area-wide maps and 12 interpretive signs installed at specific locations.
- **Restripe Cedar Street** to accommodate three vehicular lanes and two bike lanes; add pedestrian crossing improvements at Oxford Street to support the Riverwalk and connections to Potvin Park.

Master Plan Summary



elements of the vision

<p>Tap the Power of the River</p>	<ul style="list-style-type: none"> • Create a continuous Riverwalk. • Make Simard-Payne a true waterfront park—with improved amenities and stronger connections to the water and surrounding streets. • Advance development of Museum L-A as a waterfront anchor. 	<p>Attract a Mix of Uses</p> <ul style="list-style-type: none"> • Add a critical mass of housing. • Lincoln Street—focus area for new retail and commercial uses; move forward with new hotel. • Oxford Street—new housing mixed with arts/cultural and open space amenities. • Canal Street—reestablish trees and create a gracious green corridor. 	<p>Make the District More Walkable</p>	<ul style="list-style-type: none"> • Create a Canal Walk network. • Improve Oxford Street as a walkable place. • Narrow Cedar Street to three lanes and incorporate bike lanes.
			<p>Insist on Quality</p>	<ul style="list-style-type: none"> • Use design guidelines to shape new development and rehabilitation.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT:

Resolve Authorizing the Lewiston Athletic Foundation Trustees to solicit and raise funds for future construction and maintenance of the Franklin Pasture Complex infrastructure and to utilize the municipal and school department's websites to provide project information.

INFORMATION:

The City Council recently held a workshop regarding the proposed development of the Franklin Pasture complex. This agenda item is for approval of the proposed fundraising efforts by the Trustees. Please see the attached memorandum from City Finance Director Heather Hunter for additional information regarding this project.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAJ/kmm

REQUESTED ACTION:

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

To approve the Resolve authorizing the Lewiston Athletic Foundation Trustees to solicit and raise funds for future construction and maintenance of the Franklin Pasture Complex infrastructure and to utilize the municipal and school department's websites to provide project information.



**LEWISTON
PUBLIC SCHOOLS**

Ensuring Student Academic and Civic Success

**City of Lewiston Maine
City Council and Lewiston School Committee Resolve
July 16 & 17, 2012**

RESOLVE, Authorizing the Lewiston Athletic Foundation Trustees to solicit and raise funds for future construction and maintenance of the Franklin Pasture Complex infrastructure and to utilize the municipal and school department's websites to provide project information.

WHEREAS, the Franklin Athletic Complex needs immediate and substantial infrastructure improvements and additions as detailed in the Harriman Franklin Pasture Improvement Guide; and

WHEREAS, the total project cost estimate, including administrative support, a contingency, and a future maintenance endowment, is \$5 million; and

WHEREAS, the Lewiston Athletic Foundation Trustees recognize that this level of funding cannot be borne solely through the tax rate and desire to help raise the needed funds; and

WHEREAS, the Lewiston School Department has Administrative Policy EFDA and KHB with which fundraising efforts, corporate sponsors, and donors must comply; and

WHEREAS, the Lewiston Athletic Foundation Trustees have formed a Fundraising Committee that wishes to market the project and provide additional information to prospective donors on the City and School Department's websites; and

WHEREAS, the Lewiston Athletic Foundation Trustees have created a Corporate Underwriting Program which calls for sponsor acknowledgment at various levels for a one year period on the municipal website; and

WHEREAS, the Lewiston Athletic Foundation Trustees have created a Corporate Underwriting Program which allows the top five sponsorship levels the opportunity to, if needed, pay their commitment over a limited period of time; and

WHEREAS, if payment arrangements are made and cashflows require, the Lewiston Athletic Foundation Trustees may request approval from the Lewiston City Council for the City to bridge said cashflows in advance of incurring costs which would require such support;

NOW, THEREFORE, BE IT RESOLVED by the CITY COUNCIL and the Lewiston School Committee of the CITY of LEWISTON that the Lewiston Athletic Foundation Trustees' request to solicit and raise donations for the project elements outlined in the Franklin Pasture Improvement Guide and for future complex infrastructure maintenance costs is hereby approved; further, a section on the municipal and school websites shall be made available to provide detailed project and donation information as well as acknowledgment of corporate sponsors in accordance with the established underwriting program.



Finance Department

Heather Hunter
Director of Finance/Treasurer
hhunter@lewistonmaine.gov



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

FROM: Heather Hunter, Finance Director

SUBJECT: **Franklin Pasture Master Plan Presentation**

DATE: June 29, 2012

City and School Department staff and the Lewiston Athletic Foundation Trustees have been working diligently to assess the current infrastructure located at Franklin Pasture and to evaluate future maintenance needs and additional infrastructure requirements in order to provide a master plan for the facility.

The Lewiston Athletic Foundation Trustees want to play an integral role not only in the planning process, but also in fundraising efforts. The group recognizes that these improvements cannot be borne solely through the tax rate. They are seeking permission from both governmental bodies to solicit sponsors and donations on this project's behalf.

An informational presentation was made at your respective meetings in June. As discussed during that presentation, I have prepared a City Council and Lewiston School Committee resolve which grants the Lewiston Athletic Foundation Trustees the ability to solicit and raise funds for the project and create a website link to provide project information and acknowledge corporate sponsors. Additionally, the City Council will be asked to consider providing, as needed, cashflows for the project which will be secured through future pledges.

Information gleaned and concerns expressed during the respective presentations have been incorporated in the attached resolve for your consideration. Please feel free to contact me with any questions you may have or if further information is needed.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 15

SUBJECT:

Resolve opposing the Maine Turnpike Authority proposed toll rate increase.

INFORMATION:

The City Council recently held a workshop regarding the proposed toll rate increase by the Maine Turnpike Authority. The Lewiston City Council, along with the Auburn City Council, will be considering adoption of a Resolve to publically oppose the proposed rate increase.

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 approve the Resolve opposing the Maine Turnpike Authority proposed toll rate increase.

Jonathan LaBonte, Mayor
Tizz E. H. Crowley, Ward One
Robert Hayes, Ward Two
Mary Lafontaine, Ward Three
David Young, Ward Four
Leroy Walker, Ward Five
Belinda Gerry, At Large
Joshua Shea, At Large



Robert MacDonald, Mayor
John Butler, Ward One
Donald, D'Auteuil, Ward Two
Nathan Libby, Ward Three
Doreen M. Christ, Ward Four
Craig Saddlemire, Ward Five
Mark Cayer, Ward Six
Richard Desjardins, Ward Seven

JOINT RESOLVE

AUBURN COUNCIL RESOLVE LEWISTON COUNCIL RESOLVE

WHEREAS, the Maine Turnpike is an important resource to the Lewiston-Auburn community for transportation and the economy; and

WHEREAS, the Maine Turnpike Authority intends to raise toll rates to address revenue and budget concerns; and

WHEREAS, the proposed changes will exacerbate existing inequities in the existing toll rate structure; and

WHEREAS, while various proposals will significantly impact commuters throughout Maine and, in particular, in the Lewiston-Auburn area, the full impact has not yet been determined nor has sufficient time been allocated to analyze these impacts;

Now, therefore, be it **RESOLVED** that the Auburn City Council and the Lewiston City Council oppose immediate action on the proposed toll increases by the Maine Turnpike Authority and call upon the Board to allow the time needed to carefully evaluate alternative rate options that will move the overall system in the direction of greater equity between regions and recognize the hardships that certain commuters will face under the rate options currently under consideration.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 16

SUBJECT:

Order to determine if amendments to the City Charter regarding various items should be considered and to establish a public hearing on the proposed charter amendments.

INFORMATION:

At the July 10 City Council workshop, the Council heard a report from the Charter Review Committee and reviewed the various recommended amendments and changes to the City Charter.

The process to amend a municipal charter is covered in State Statutes. In order to meet the statutory time frames, it is necessary to hold a public hearing on the issue no later than the August Council meeting. At the August Council meeting, following the public hearing, the Council will be asked to vote to determine which amendments will be sent to the voters at the November 2012 election.

This agenda item asks the Council to vote to determine that amendments to the City Charter regarding various items should be considered by the voters and to set a public hearing for the August meeting to hear citizen comments regarding the proposed amendments.

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
---	---	---	---	---	---	---	---

ORDERED, that amendments to the City Charter should be considered and that a public hearing be held on Tuesday, August 14, 2012 for the purpose of determining if a special municipal election should be held on November 6, 2012 to vote on amendments to the City Charter.



**City of Lewiston Maine
City Council Order
July 17, 2012**



Order, Proposing Amendments to the Lewiston City Charter, Office of the Mayor, Article I, Section 1.02 Powers and Duties; Article II, Sections 2.01 (c) Term Limits; Sections 2.03 and 2.10 (d) Authority of Mayor to Vote; Section 2.07 Forfeiture of the Office of Mayor.

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment will make a variety of changes to sections of the charter dealing with the mayor by:

1. Expanding the authority of the Mayor to vote as a municipal officer to situations where there is a council vacancy or when a councilor is absent or recused due to a conflict of interest.
2. Increasing the number of full consecutive terms an individual could serve as Mayor from two to three.
3. Increasing the period during which the Council President serves as Mayor when the office of Mayor is vacant from nine to twelve months. Vacancies of twelve months or more would be filled by a special election.

Sec. 1.02. Powers and duties.

- (b) The mayor and members of the city council shall be and constitute the municipal officers of the City of Lewiston for all purposes required by statute and, except as otherwise herein specifically provided, shall have all powers and authority given to, and perform all duties required of, municipal officers and mayors of cities under the laws of this state. The mayor, when ~~he acts~~ acting as a municipal officer, shall be entitled to vote ~~only~~ to break a tie, when a council vacancy exists, when in the absence of a councilor, when a councilor is absent from a meeting, or when a councilor has been recused due to a conflict of interest.

Sec. 2.01. Composition, eligibility, wards, elections and terms.

- (c) *Elections and terms.* The mayor and the ward councilors shall be elected at each regular election to serve two-year terms. The mayor shall not be eligible to serve for more than ~~two~~ three (3) full successive terms.

Sec. 2.03. Mayor.

The mayor shall be the presiding officer of the council and shall be entitled to vote only to break a tie, when a council vacancy exists, in the absence of a councilor, or when a councilor has been recused due to a conflict of interest. The mayor shall be recognized as the head of the city government for all ceremonial purposes. He shall solely make appointments to committees and boards created under this Charter, to statutory boards and commissions as are required by the Statutes of the State of Maine to be made by the municipal officers and shall solely appoint citizens to ad hoc advisory committees.

Sec. 2.07. Forfeiture of office of mayor.

- (b) If a vacancy in the office occurs ~~nine (9)~~ twelve (12) months or more prior to the next regular municipal election, the vacancy shall be filled by a special election for the unexpired term. Such election shall be called and held and nominations made as in other elections.
- (c) If a vacancy in the office occurs less than ~~nine (9)~~ twelve (12) months prior to the next regular municipal election, the president of the council shall serve the remainder of the unexpired term as the mayor of the city with all the powers, privileges and authority of the mayor. In such event, the vacancy in the city council caused by the president of the council becoming the mayor shall not be filled.

Sec. 2.10. Procedure.

- (d) *Voting.* Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. Four (4) members of the council shall constitute a quorum, but a smaller number may adjourn from time to time. No action of the council, except as provided in the preceding sentence and in section 2.06(e) shall be binding or valid unless adopted by the affirmative vote of four (4) or more members of the council, including the mayor, if voting ~~to break a tie~~ under section 2.03.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



City of Lewiston Maine
City Council Order
July 17, 2012



Order, Proposing Amendments to the Lewiston City Charter Article II City Council, Sections 2.04 President of the Council; 2.08 Secretary to the Council; Section 2.10 Procedure

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment will make a variety of changes to sections of the charter dealing with the city council by:

1. Authorizing the Council President to make appointments when acting as Mayor during a temporary absence or disability of the Mayor that exceeds 45 calendar days.
2. Authorizing the Council to elect a temporary presiding officer if both the Mayor and Council President are absent from any duly scheduled meeting.
3. Authorizing the council to establish an alternative method of notifying members of a special meeting.
4. Authorizing the council to act by motion in addition to order, resolve, and ordinance.

ARTICLE II. CITY COUNCIL

Sec. 2.04. President of the council.

The council shall elect for a two-year term, from among its members, a president who shall act as mayor during the temporary absence or temporary disability of the mayor, but the president ~~he~~ shall have ~~no~~ appointive powers only when the temporary absence or temporary disability of the mayor exceeds 45 consecutive calendar days. When the president of the council acts as presiding officer in the temporary absence of the mayor, ~~he~~ the president shall be entitled to vote only as a councilor. In the event of the absence of both the mayor and president of the council at any duly scheduled meeting, the council shall elect from its members a temporary presiding officer.

Sec. 2.08. Secretary to the council.

The city clerk shall be the secretary of the council. The clerk shall keep the journal of proceedings and perform such other duties as are assigned to the clerk ~~him~~ by law, by this Charter, and by the city council. The clerk shall also give notice of council meetings to its members; and ~~he~~ shall post a notice of each meeting on a bulletin board in the city building and through such appropriate electronic means as the council may direct.

Sec. 2.10. Procedure.

- (a) *Meetings.* The council shall meet regularly, at least once in every month at such times and places as the council may prescribe by order. Special meetings may be held on the call of the mayor or of four (4) members by causing a notification to be given in hand or left at the usual dwelling place of each council member or through such other method of notification that the council may establish by order. Such notice shall be given ~~in writing~~ not less than six (6) hours before the special meeting.
- (c) *Action by council.* The city council shall act only by ordinance, order, ~~or~~ resolve, or other decision based upon motion.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



**City of Lewiston Maine
City Council Order
July 17, 2012**



Order, Proposing Amendments to the Lewiston City Charter Relating to Ordinances:
Section 1.01 and Article II City Council, Section 2.11 Ordinances in General;
2.12 Emergency Ordinances

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment will make a variety of changes to sections of the charter dealing with the city council by:

1. Eliminating the \$1,000 limit on penalties that may be imposed for violating city ordinances.
2. Eliminating the current requirement that ordinances repealing or amending other ordinances set out in full the changes as illustrated by underlines for new material and strikeouts for old.
3. Eliminating the requirement that the ordinance adoption procedure begin over in instances of substantive amendment to a proposed ordinance.
4. Clarify that five or more affirmative votes of the municipal officers are required to adopt an emergency ordinance.

ARTICLE I. GRANT OF POWERS TO THE CITY

Sec. 1.01. Corporate existence retained.

The inhabitants of the City of Lewiston shall continue to be a body politic and corporate by the name of the City of Lewiston, and shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises and shall be subject to all the duties, liabilities and obligations provided for herein or otherwise, pertaining to or incumbent upon said city as a municipal corporation or to the inhabitants or municipal authorities thereof; and may enact reasonable by-laws, regulations and ordinances for municipal purposes, not inconsistent with the constitution and laws of the State of Maine, and impose penalties for the breach thereof, ~~not exceeding one thousand dollars (\$1,000.00) in any one case~~ to be recovered for such uses as said by-laws, regulations or ordinances shall provide.

Sec. 2.11. Ordinances in general.

- (a) *Form.* Every proposed ordinance shall be introduced in writing. No ordinance shall contain more than one (1) subject which shall be clearly expressed in its title. The enacting clause shall be "The City of Lewiston hereby ordains" Any ordinance which repeals or amends an existing ordinance shall set out ~~in full~~ the ordinance sections or subsections to be repealed or amended ~~and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matter by underlining or by italics.~~
- (b) *Procedure.* A proposed ordinance may be introduced by any member at any regular or special meeting of the council. Upon introduction of any ordinance, the city clerk shall distribute a copy to the mayor, each council member and to the city administrator; shall file a reasonable number of copies in the office of the clerk and such other public places as the council may designate; and shall publish the proposed ordinance, together with a notice, setting out the time and place for a public hearing thereon and for its consideration by the council. The public hearing shall follow the publication by at least four (4) days, may be held separately or in connection with a regular or special council meeting and may be adjourned from time to time. All persons interested shall have a reasonable opportunity to be heard. After the hearing, the council may adopt the ordinance with or without amendment, or reject it; ~~but, if it is amended as to any matter of substance, the council may not adopt it until the ordinance and its amended sections have been subjected to all the procedure hereinbefore required in the case of a newly introduced ordinance.~~

Sec. 2.12. Emergency ordinances.

To meet a public emergency affecting life, health, property or the public peace, the council may adopt one (1) or more emergency ordinances. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment at the meeting at which it is introduced, but at least five ~~the affirmative votes of at least five (5) councilors~~ shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall stand repealed as of the sixty-first (61st) day following the date on which it was adopted; but this shall not prevent re-enactment of the ordinance in the manner

specified in this section, if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances. It shall not be necessary to publish the emergency ordinance prior to its enactment, but public hearing shall be had thereon.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



4

**City of Lewiston Maine
City Council Order
July 17, 2012**



Order, Proposing an Amendment to the Lewiston City Charter, Article III Sections 3.02 and 3.03 – Powers and Duties of the City Administrator and Acting City Administrator

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment eliminates the requirement for council confirmation for all offices appointed by the city administrator except for the chief financial officer and authorizes the administrator to appoint an acting administrator during absences of 30 days or less.

ARTICLE III. CITY ADMINISTRATOR

Sec. 3.02. Powers and duties of the city administrator.

The city administrator shall be the chief administrative officer of the city. He shall be responsible to the council for the administration of all city affairs placed in his charge by or under this Charter. He shall have the following powers and duties:

- (a) Except as may otherwise be provided by this Charter, the city administrator shall appoint without confirmation by the city council, all department heads, and other officers and employees responsible directly to the city administrator. The chief financial officer of the city ~~heads of departments, the primary function of which is financial, and financial officers such as auditor, treasurer, tax collector, controller and chief financial officer, should one (1) or more of those positions or similar positions be created by the city council,~~ shall be appointed by the city administrator and confirmed by the city council. ~~The city clerk shall be appointed by the city administrator and confirmed by the city council.~~

Sec. 3.03. Acting city administrator.

During any vacancy in the office of city administrator ~~and during the temporary absence or disability of the city administrator, as determined by vote of the council, and during any temporary absence or disability of the city administrator of more than thirty (30) consecutive calendar days,~~ the council may designate a properly qualified person to perform the duties of city administrator and fix such person's compensation. During a temporary absence of thirty calendar (30) days or less, the city administrator may designate a qualified person to perform the duties of administrator during such absence. While so acting, such person shall have the same powers and duties as those given to and imposed on the city administrator.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



**City of Lewiston Maine
City Council Order
July 17, 2012**



Order, Proposing an Amendment to the Lewiston City Charter, Article IV, Section 4.08
Limitation of Terms.

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendment to the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment will increase the allowable number of terms an individual may serve on the Planning Board or Board of Appeals from one five year term within a ten year period to two consecutive full five year terms.

Sec. 4.098. Limitation of terms.

No member of any board established by this article shall serve more than two consecutive ~~a full five-year terms~~ on the same board ~~within any ten-year period. Said period shall be deemed to commence at the time of his first appointment.~~

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



City of Lewiston Maine

City Council Order

July 17, 2012

Order, Proposing an Amendment to the Lewiston City Charter—Nominations, Elections, Vacancies in Office -- Article II City Council – Prohibitions , Council Vacancies; Article V School Administration – School Committee Vacancies; Article VII Nominations and Elections -- Write-In Candidates

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Bangor;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This proposed amendment would make the following changes to the charter in regard to Nominations, Elections, and Appointments:

1. An individual who holds an appointive office in city government would be permitted to run for an elective office without resigning the appointed position until that individual assumes the elective office.

2. If a council vacancy results from failure to elect someone at a regular election, the remaining councilors may either appoint an eligible person to fill the term or call a special election to fill the vacancy.
3. If a school committee vacancy results from failure to elect someone at a regular election, the mayor shall nominate an eligible individual who shall be appointed by the city council.
4. Currently, school committee vacancies of greater than one year are filled through a special election. This amendment would eliminate the need for an election and authorize the mayor to nominate an eligible person and the council to appoint that person.
5. In order for ballots for a write-in candidate to be counted, such candidate must register with the City Clerk at least 30 calendar days prior to the date of the election.

ARTICLE II. CITY COUNCIL

Sec. 2.05. Prohibition.

Except as otherwise provided by law, no person who holds an appointive office in the city government or is an employee of the city shall ~~be eligible to be a candidate for or~~ hold an elective office in the city government. However, a person holding an elective office shall be eligible, during his term of office, to become a candidate for the same or another elective office. In the event such person is elected to the second office, a vacancy shall exist in the first office when such person qualifies for the second office. No person shall be a candidate for more than one (1) city elective office in the same city election.

Sec. 2.06. Forfeiture of office of councilor.

- (b) In the event that a vacancy in the office occurs as a result of the failure to elect a candidate at the regular city election, the remaining members of the council shall, within thirty (30) calendar days after the vacancy exists, either appoint an eligible person to fill the term or order that a special election be held.
- (~~b~~c) If a vacancy in the office occurs one (1) year or more prior to the next regular municipal election for reasons other than that set forth in section 2.06.b, the vacancy for the unexpired term shall be filled by a special election. Such election shall be called and held and nominations made as in other elections.

ARTICLE V. SCHOOL ADMINISTRATION

Sec. 5.01. School committee.

(a.) Election and appointment.

If an elective position on the school committee is not filled at a regular municipal election, the mayor shall nominate, subject to the consent of the city council, an eligible individual who shall be appointed by the city council to assume the vacant position.

If any vacancy in office of any elected member occurs ~~less than one (1) year prior to the next regular municipal election,~~ the vacancy shall be filled from the same ward for the remainder of the unexpired term by nomination of the mayor, subject to the consent of the ~~and appointment by~~ the city council except that the at-large school committee member may be from any ward. ~~If any vacancy in the office of any elected member occurs one (1) year or more prior to the next regular municipal election, the vacancy for the unexpired term shall be filled by a special election. Such election shall be called and held and nominations made as in other elections.~~ If there is any vacancy in the office of the city council member, it shall be filled by nomination of a councilor by the mayor subject to consent and appointment by the city council.

ARTICLE VII. NOMINATIONS AND ELECTIONS

Sec. 7.05 Write-In Candidates.

In order for ballots cast for a write-in candidate to be counted, such candidate must (a) register his or her candidacy with the City Clerk at least 30 calendar days prior to the date of the election and (b) be eligible for the office for which he or she wishes to become a candidate.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



**City of Lewiston Maine
City Council Order
July 17, 2012**



Order, Proposing an Amendment to Article V School Committee, Section 5.01 Election and Appointment and 5.03 Powers and Duties and Adding New Sections 5.05 Meetings, 5.06 Quorum, 5.07 Record, and 5.08 Voting

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This Amendment will:

- Authorize the Mayor to nominate , subject to consent of the City Council, an eligible individual to fill a position on the School Committee where that position is not filled at a regular election
- Clarify the powers and duties of the school committee and require that these duties be accomplished within the financial limitations established by the city council together with other state or federal funds, gifts, grants, and payments from other sources
- Repeal the requirement that the school department comply with all city ordinances and practices relating to employees
- Require that the school superintendent be selected solely on the basis of executive and administrative qualifications and be a resident of the city while in office unless otherwise approved by the school committee
- Repeal the requirement that all school department labor contracts be approved by the city council
- Require that the school committee establish the times and places of its meetings by rule; that these meetings be open to the public; that public notice be given of such meetings

and public participation in them be promoted; that agendas and supporting information be made publicly available at least two days prior to the meeting and through electronic means if available

- Establish that a majority of the school committee constitutes a quorum
- Require that records be kept of open school committee proceedings and be made available to the public
- Allow any member of the committee to request a roll call vote on any order or resolve;
- Require at least five affirmative votes for the school committee to take action

ARTICLE V. SCHOOL ADMINISTRATION

Sec. 5.01. School committee.

- (a) *Election and appointment.* There shall be a school committee of nine (9) members, composed of one (1) qualified voter to be elected from each ward, one (1) at-large member to be elected from any ward, and one (1) city council member to be nominated by the mayor and appointed by the city council from any ward, all of whom shall serve two (2) year terms, as set forth herein, and until their successors are elected and/or appointed and qualified. The qualified voters of each of the seven (7) wards of the city shall nominate and elect a school committee member who shall be qualified to vote in his ward and the qualified voters of the entire city shall nominate and elect one (1) at-large school committee member who shall be qualified to vote in any ward. Nominations and elections shall be conducted as provided in Article VII. The mayor shall nominate one (1) councilor from any ward, who shall be appointed by the city council, at the first city council meeting in January after each biennial election. If an elective position on the school committee is not filled at a regular municipal election, the mayor shall nominate, subject to the consent of the city council, an eligible individual for appointment who shall be appointed by the city council to assume the vacant position. ~~The present members and their successors shall continue in office until their respective terms expire but no later than the first Monday of January, 1988. Successors are to be elected as provided herein beginning at the regular municipal election in 1987 and appointed as provided herein at the first meeting of the city council in 1988.~~

~~If any vacancy in office of any elected member occurs less than one (1) year prior to the next regular municipal election, the vacancy shall be filled from the same ward for the remainder of the unexpired term by nomination of the mayor, subject to the consent of the city council, and appointment by the city council except that the at-large school committee member may be from any ward. If any vacancy in the office of any elected member occurs one (1) year or more prior to the next regular municipal election, the vacancy for the unexpired term shall be filled by a special election. Such election shall be called and held and nominations made as in other elections. If there is any vacancy in the office of the city council member, it shall be filled by nomination of a councilor by the mayor and appointment by the city council.~~

- (d) **[Election under this Charter.] The terms of office of the present members of the school committee shall terminate immediately upon the election, appointment and qualification of members of the school committee elected and/or appointed under the provisions of this Charter.**

Sec. 5.03. Powers and duties.

- (a) *General powers and duties.* The school committee shall have all the powers and shall perform all duties necessary for care and management of the city's public schools

~~pursuant to prescribed for superintending school committees by the general laws of the State of Maine, which grant these powers and responsibilities to the school committee, except as otherwise provided by this Charter. The school committee shall accomplish its duties within the financial limitations established by the city council in its annual appropriation resolve and such supplemental appropriations voted by the city council, together with such other revenues it may receive from the federal or state governments, as well as gifts, grants, and payments from other sources.~~ The school committee shall submit to the city council at least three (3) months prior to the end of the current fiscal year, for inclusion in the budget submitted to the city council under Article VI, budget estimates for the various sums required for the support of public schools for the ensuing uniform school fiscal year and shall thereafter provide the city council with such information relating to such estimates as the city council shall require. The school committee shall comply with all Charter provisions contained under Article VI.

- (b) *Employees.* All school department employees, including the superintendent of schools, shall be hired by the school committee. ~~Except when prohibited by state law, the school committee and the school department shall comply with all ordinances pertaining to personnel and shall follow the employment practices adopted by the city council. The school committee shall choose a superintendent of schools solely on the basis of executive and administrative qualifications. The superintendent of schools need not be a resident of the city at the time of appointment, but shall be a resident of the city during tenure in office unless otherwise approved by the school committee.~~
- (e) ~~*Approval of labor contracts.* Any contract negotiated with any bargaining agent representing employees of the school department, pursuant to the Maine Public Employees Labor Relations Law, shall require approval by the city council.~~

Sec. 5.05. Meetings

The school committee shall meet at such time and place as it determines by rule. Meetings of the school committee other than executive session shall be open to the public as required by state statute, and the school committee shall promote public participation in and public notice of its meetings in the contemporary means of information sharing. Agendas and supporting information for meetings shall be available to the public at the superintendent of schools' office at least two business days prior to the meeting as well as electronically through the city's or school's website, if available.

Section 5.06. Quorum

A majority of the voting members of the school committee shall constitute a quorum for the transaction of business, but a smaller number may adjourn or compel attendance of absent members.

Section 5.07. Record

The school committee shall keep a record of its own proceedings which, except for executive sessions, shall be available to the public.

Section 5.08. Voting.

A roll call vote shall be taken on the passage of any order or resolve when requested by any member. Any action by the school committee shall require at least five affirmative votes.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



City of Lewiston Maine

City Council Order

July 17, 2012

Order, Proposing an Amendment to the Lewiston City Charter, Article VI Financial Procedures Section 6.01 (a) Fiscal Year; Section 6.07 Capital Plan; Section 6.06 Budget; Section 6.08 Public Records; Section 6.12 Annual Postaudit; Section 6.13 Temporary Borrowing; Section 6.14 Bond Issues; Section 6.15 Finance Committee.

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment will make a variety of changes to sections of the charter dealing with the city's financial procedures by:

1. Eliminating the reference to the City's Fiscal year as beginning on the first day of January and ending on the last day of December and empowering the city council to determine the dates of each fiscal year by resolution.
2. Relocating the section on the capital plan from 6.07 to 6.06 and renumbering the sections as appropriate.

3. Requiring that notice of the capital plan and budget be made available through the City's web site or by means of other appropriate electronic technologies.
4. Specifying that five affirmative votes of the municipal officers, as opposed to a two-thirds vote of the Council, is required to override the Charter's budget appropriation limit.
5. Increasing the length of time the Council may appoint an accounting firm to conduct the annual postaudit from three (3) to five (5) years.
6. Authorizing the City to issue bond anticipation notes.
7. Requiring that the final council action on bond orders must take place no later than sixty (60) days following the public hearing on such order rather than within seven (7) to fifteen (15) days of publication of notice of public hearing on the issuance of bonds.
8. Clarifying that employees of the City may appeal actions of the Finance Committee to the city council.
9. Requiring the Finance Committee's rules of procedure to be consistent with the policies adopted by the city council.

ARTICLE VI. FINANCIAL PROCEDURES

Sec. 6.01. Fiscal year.

- (a) *Fiscal year.* The fiscal year of the city shall be established by ~~begin on the first day of January and end on the last day of December or be such other fiscal year as the council may~~ by resolution adopt.

Sec. 6.067. Council action on capital program.

- (a) *Notice and hearing.* The city council shall publish in one (1) or more newspapers of general circulation in the city a general summary of the capital program and a notice stating:
- (1) The times and places where copies of the capital program are available for inspection by the public;
 - (2) The time and place, no less than seven (7) nor more than fifteen (15) calendar days after such publication, for a public hearing on the capital program.
- (b) *Copy at public library.* A copy of the capital program shall be filed in the Lewiston Public Library.
- (c) *Notice in city building.* Notice shall also be posted in the city building.
- (d) *Electronic Availability.* Notice of the plan or the plan itself shall be made available through the city web site or other current technologies as the city council deems appropriate.
- (d) *Adoption.* The council by resolution shall adopt the capital program with or without amendment after the public hearing and at least four (4) months prior to the end of the current fiscal year. Adoption as provided herein shall not constitute the appropriation of funds.

(Ord. No. C87-1, 11-3-87)

Sec. 6.067. Council action on budget.

- (d) ~~*Electronic Availability.* Notice of the budget or the budget itself shall be made available through the city web site or other current technologies as the city council deems appropriate.~~
- (g) Exception: When deemed necessary by the city council, the provisions of subsection (f) of this section may be waived by five affirmative votes ~~a two-thirds vote~~ of the municipal officers ~~city council~~.

~~Sec. 6.07. Council action on capital program.~~

- ~~(a) *Notice and hearing.* The council shall publish in one (1) or more newspapers of general circulation in the city the general summary of the capital program and a notice stating:~~
- ~~(1) The times and places where copies of the capital program are available for inspection by the public;~~
- ~~(2) The time and place, no less than seven (7) nor more than fifteen (15) calendar days after such publication, for a public hearing on the capital program.~~
- ~~(b) *Copy at public library.* A copy of the capital program shall be filed in the Lewiston Public Library.~~
- ~~(c) *Notice in city building.* Notice shall also be posted in the city building.~~
- ~~(d) *Adoption.* The council by resolution shall adopt the capital program with or without amendment after the public hearing and at least four (4) months prior to the end of the current fiscal year. Adoption as provided herein shall not constitute the appropriation of funds.~~

~~(Ord. No. C87-1, 11-3-87)~~

Sec. 6.08. Public records.

Copies of the budget and the capital program as adopted shall be public records and shall be made available for inspection by the public at the Lewiston Public Library, ~~and~~ at such other places as may be designated by the city council, and through appropriate electronic methods.

Sec. 6.12. Annual postaudit.

Council shall appoint an accounting firm, whose minimum qualification shall include certified public accountants on staff, for the purpose of conducting the annual postaudit of the current fiscal year's municipal finances, as required by law. The council may enter into multi-year contracts pursuant to the competitive bid process for terms not to exceed five ~~three~~ (35) consecutive fiscal years.

Sec. 6.13. Temporary borrowing.

Money may be borrowed temporarily in anticipation of taxes or of the issuance of bonds, in accordance with the provisions of 30-A M.R.S.A. § 5771, as amended.

Sec. 6.14. Bond issues.

The city may issue general obligation and revenue obligation securities for funding or refunding all or any part of its debt or for any purpose for which it may raise money in accordance with Maine Statutes. Before passage of an order or orders providing for the issuance of bonds, the city council shall hold a public hearing, notice of which shall be advertised at least once in one (1) or more newspapers of general circulation in Lewiston, such publication to be made not less than seven (7) days and no more than fifteen (15) days before the public hearing. final action by the council. Final action on the order or orders must take place no later than sixty (60) calendar days following the public hearing. In addition to the public hearing required herein, where the amount of any single purpose bonds authorized for an individual project exceeds fifteen (15) percent of the property tax levy of the preceding fiscal year, such authorization must be approved by the voters at a regular or special election prior to issuance.

Sec. 6.15. Finance committee.

- (a) *Appointment.* There shall be a finance committee composed of five (5) members, who shall be appointed as follows: The president of the city council shall appoint two (2) members of the city council to serve two-year terms; the mayor shall appoint three (3) qualified voters of Lewiston to serve staggered three-year terms. ~~Following the adoption of this Charter, the mayor shall appoint one (1) member to serve one (1) year, one (1) member to serve two (2) years, one (1) member to serve three (3) years. Thereafter a~~All terms shall be for three (3) years. No non-city-council member shall serve on the finance committee for more than six (6) consecutive years.
- (d) *Appeal.* Any party, including employees of the city, aggrieved by action of the finance committee taken under section 6.15(c), may appeal such action to the council within seven (7) days from the date of the action which is the subject of the appeal.
- (f) *Rules of procedure.* The finance committee shall adopt appropriate rules of procedure consistent with the provisions of this Charter and policies adopted by the city council, to enable it to carry out its functions.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



City of Lewiston Maine

City Council Order

July 17, 2012

Order, Proposing Amendments to Article VIII General Provisions, Section 8.01 Term; Section 8.02 First Council Meeting and Adding a New Section -- Periodic Charter Review.

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This proposed amendment will:

- Specify that the terms of newly elected officials will begin on the first Tuesday in January if the first Monday falls on a holiday or the day after a holiday.
- Establish a new Section 8.09 requiring the Mayor to appoint a charter review committee in every calendar year ending in 1 to undertake a comprehensive review of the charter and recommend amendments.

ARTICLE VIII. GENERAL PROVISIONS

Sec. 8.01. Terms of officers and employees.

- (a) *Elected officers.* The term of any elected officer shall date from the first Monday in January next following his election, except that in the event the first Monday shall fall on a holiday or the day following a holiday, then on the following Tuesday., ~~then on the next day following.~~ If a person is elected to fill a vacancy in office, ~~his~~ that person's term shall begin immediately upon taking the oath of office.

Sec. 8.02. First council meeting.

The city council shall convene on the first Monday in January next following its election; except that in the event the first Monday shall fall on a holiday or the day following a holiday, then on the following Tuesday., ~~the city council shall convene the next day following.~~

Sec. 8.09. Periodic Charter Review.

In calendar years ending in 1, the Mayor shall appoint a charter review committee composed of seven members who shall be residents of the city and who the Mayor determines to have a background in or understanding of city government and its operations. The committee shall undertake a comprehensive review of this charter and shall recommend to the city council amendments to the charter designed to improve the operations of city government, such recommendations to be made no later than the date established by the Mayor at the time the committee is established.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined.



City of Lewiston Maine
City Council Order
July 17, 2012



Order, Proposing an Amendment to the Charter of the City of Lewiston – Compensation and Forfeiture of Office – Section 2.02 Compensation, Expenses; Section 2.06 Forfeiture of office of councilor; Section 2.07 Forfeiture of office of mayor; Section 4.05 (b) Planning Board Compensation; Section 4.06 (b) Board of Appeals Compensation; Section 4.08 Forfeiture of Office, Planning Board and Board of Appeals; Section 5.01 (b) School Committee Compensation; Section 5.01 (c) School Committee Forfeiture of Office; Section 6.15 (b) Finance Committee Compensation; Section 6.15 (g) (1) and (2) Finance Committee Forfeiture of Office.

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Bangor;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment would:

- Replace the dollar amounts specified as compensation for the Mayor, Council, School Committee, Finance Committee, Planning Board, and Board of Appeals with compensation set by city council ordinance;
- Authorize compensation on a per diem basis to councilors appointed to represent the city on governing bodies of various organizations and agencies;
- Specify that the Mayor, councilors, school committee, finance committee, planning board, and board of appeals members shall forfeit their office if convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or of dishonesty or false statement regardless of the punishment or fails to attend three consecutive meetings without being excused.

Sec. 2.02. Compensation, expenses.

~~The mayor shall receive an annual salary of three thousand six hundred dollars (\$3,600.00), payable monthly. and Each of the councilors shall receive an annual salary as set by ordinance of one thousand eight hundred dollars (\$1,800.00), payable monthly. the council may also, by ordinance, provide for compensation for elected officials who are appointed by the council, the mayor, or the council president to represent the city on the governing bodies of any joint agency, quasi-governmental organization or non-profit organization. Such compensation shall be on a per diem basis for any day on which the elected official attends a meeting of such governing body. No ordinance increasing such salaries shall take effect during the term for which the mayor or the councilors were elected. The mayor and members of the council shall receive their actual and necessary expenses incurred in the performance of their duties of office. During the term of office for which they have been elected, neither the mayor nor any councilor shall hold the office of city administrator, acting city administrator or any other office or employment, compensation for which is payable by the city. No former mayor or councilor shall hold employment in any position created during his term or terms of office until one (1) year after the termination of his last term of office. The city council may, by ordinance, establish the amount that the mayor and members of the council shall be entitled to receive as salary, but no such ordinance increasing such salaries shall take effect during the term for which the mayor or the councilors were elected. Nothing herein shall prevent a councilor serving on the finance committee from receiving as additional compensation the salary authorized by section 6.15(b) or a councilor serving on the school committee from receiving as additional compensation the salary authorized by section 5.01(b).~~

Sec. 2.06. Forfeiture of office of councilor.

- (a) A vacancy in the office of councilor shall exist if he:
- (1) Dies;
 - (2) Resigns;
 - (3) Moves from the ward from which he was elected or appointed;
 - (4) Is convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or of dishonesty or false statement, regardless of the punishment or offense involving moral turpitude while in office; or
 - (5) Is found in violation of section 8.04 of this Charter.
 - (6) Fails to attend three consecutive regular meetings of the city council without being excused by the mayor or president of the council, such excuse to be documented with the city clerk.

Sec. 2.07. Forfeiture of office of mayor.

- (a) A vacancy in the office of mayor shall exist if he:
- (1) Dies;
 - (2) Resigns;
 - (3) Moves from the city;
 - (4) Is convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or dishonesty or false statement, regardless of the punishment or offense involving moral turpitude while in office; or
 - (5) Is found to be in violation of section 8.04 of this Charter.
 - (6) Fails to attend three consecutive regular meetings of the city council without being excused by the council president or city council.

Sec. 4.05. Planning board.

- (b) *Compensation.* Each member shall receive compensation salary at the rate established by ordinance by the city council of three hundred sixty dollars (\$360.00) per year, payable monthly.

Sec. 4.06. Board of appeals.

- (b) *Compensation.* Each member shall receive compensation salary at the rate established by ordinance by the city council of three hundred sixty dollars (\$360.00) per year, payable monthly.

Sec. 4.07. Compensation.

~~Compensation paid to members of the planning board and board of appeals may be changed by ordinance.~~

(Amend. eff. 1-1-07)

Sec. 4.078. Forfeiture of office.

A member of the planning board or board of appeals shall forfeit his office and a vacancy therein shall exist, if he:

- (1) Dies;
- (2) Resigns;
- (3) Moves from the city;
- (4) In the case of the planning board and board of appeals if he moves from his ward into a ward in which there are currently two (2) members of the same board;
- (5) Is convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or of dishonesty or false statement, regardless of the punishment or offense involving moral turpitude while in office;
- (6) Is found to be in violation of section 8.04 of this Charter; or
- (7) Exceeds the tenure authorized for the office.
- (8) Fails to attend three consecutive regular meetings of the board without being excused by the chair or, in the case of the chair, by the board.

Sec. 5.01. School committee.

- (b) *Compensation.* Each member shall receive compensation salary at the rate set by ordinance by the city council of six hundred dollars (\$600.00) per year, payable monthly. Such compensation may be changed by ordinance.

- (c) *Forfeiture of office.* A member of the school committee shall forfeit his office and a vacancy therein shall exist if he:

- (1) Dies;
- (2) Resigns;
- (3) For the seven (7) members elected by ward, moves from the ward in which he was elected;
- (4) For the one (1) at-large member, moves from the city;
- (5) Is convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or dishonesty or false statement, regardless of the punishment or offense involving moral turpitude while in office;
- (6) Is found to be in violation of section 8.04 of this Charter; or
- (7) For the councilor member, is no longer a member of the city council.

- (8) ~~Fails to attend three consecutive regular meetings of the school committee without being excused by the chair or, in the case of the chair, by the school committee. mayor or president of the council, such excuse to be documented with the city clerk.~~

Sec. 6.15. Finance committee.

- (b) *Compensation.* The members of the finance committee shall receive compensation salary at the rate established by ordinance by the city council ~~of four hundred eighty dollars (\$480.00) per year, payable monthly.~~ Compensation paid to members of the finance committee may be changed by ordinance, but no such ordinance increasing compensation for a member of the finance committee who is a member of the city council shall take effect during the term for which the councilor was elected.

(g) *Forfeiture.*

- (1) A member of the finance committee appointed by the mayor shall forfeit his office and a vacancy therein shall exist if he:
- a. Dies;
 - b. Resigns;
 - c. Is convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or dishonesty or false statement, regardless of the punishment or offense involving moral turpitude while in office;
 - d. Is found to be in violation of section 8.04 of this Charter; or
 - e. Exceeds the tenure authorized for the office.
- (2) A member of the finance committee who is a member of the city council shall forfeit his office and a vacancy therein shall exist if he:
- a. ~~—~~ Dies;
 - b. ~~—~~ Resigns;
 - c. ~~—~~ Is convicted of a crime punishable by imprisonment of one year or more or a crime of dishonesty or false statement, regardless of the punishment or offense involving moral turpitude while in office;
 - d. ~~—~~ Is found to be in violation of section 8.04 of this Charter; or
 - e. ~~—~~ Is no longer a member of the city council.

Deletions of the existing Charter provisions are ~~struck through~~, additions are underlined



**City of Lewiston Maine
City Council Order
July 17, 2012**



Order, Proposing Amendments to Various Sections of the Lewiston City Charter for Technical Housekeeping Changes including Making the Charter Gender Neutral, Specifying that References to Days Means Calendar Days; Repealing Unnecessary Transitional Language, and Renumbering Sections as Appropriate.

Whereas, the Lewiston City Council authorized the formation of a Charter Review Committee on August 16, 2011; and

Whereas, the Charter Review Committee met on numerous occasions and carefully reviewed all provisions of the Lewiston City Charter; and

Whereas, the Charter Review Committee presented its final report with its recommendations for amendments to the Lewiston City Council on November 15, 2011; and

Whereas, any amendment to the Lewiston City Charter requires a vote of the citizens of the City of Lewiston;

Now, therefore, be It Ordered by the City Council of the City of Lewiston that

the following amendments to various sections of the Lewiston City Charter be scheduled for a public hearing to be held at the regular City Council meeting scheduled for 7:00 p.m. on Tuesday, August 14, 2012 and directing the City Clerk to publish notice of such hearing at least 7 days in advance of that date.

Summary:

This amendment will make technical housekeeping changes to the charter including making the charter gender neutral, correcting punctuation and grammar, specifying that days means calendar days, repealing unnecessary transitional language, and renumbering sections as appropriate.

The following no longer necessary transitional provisions would be repealed:

- Section 2.01 (b) reference to ward lines as they exist as of the date of the adoption of this Charter
- Section 4.05 (a) specifying the terms of the members of the planning board initially appointed after the adoption of the Charter

- Section 4.06 (a) specifying the terms of the members of the board of appeals initially appointed after the adoption of the Charter
- Section 5.01 (a) specifying that members of the school committee and their successors continued in office until their respective terms expired but no later than the first Monday of January 1988.
- Section 5.01 (d) specifying that the terms of the school committee members shall terminate immediately upon the election, appointment, and qualification of members of the committee under the provisions of this Charter
- Section 6.15 (a) specifying the terms of members of the Finance Committee initially appointed after the adoption of the charter.
- Section 9.01 First Elections
- Section 9.02 Termination of office
- Section 9.03 Officers and Employees
- Section 9.04 Boards and commissions, transfer of power
- Section 9.05 Existing departments, offices and agencies
- Section 9.09 Property and records.

In addition, Section 8.09 Gender would be deleted as the Charter would be made gender neutral.

ARTICLE VIII. GENERAL PROVISIONS

~~Sec. 8.09. Gender.~~

~~Words of the masculine gender may include the feminine.~~

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 19

SUBJECT:

Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/Kmun

REQUESTED ACTION:

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

To enter into Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 20

SUBJECT:

Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EFD/kmm

REQUESTED ACTION:

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

To enter into Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL

MEETING OF JULY 17, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 21

SUBJECT:

Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA B/kmm

REQUESTED ACTION:

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

To enter into Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.