LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
OCTOBER 16, 2012

6:45 p.m. Executive Session - To discuss the Disposition of Real Estate of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Update from the Lewiston Youth Advisory Council.

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 4.

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. Resolve Establishing the Lewiston Senior Citizen's Program as a Program of the Lewiston Recreation Department.

* 2. Request from Advocates for Children to borrow tables for use during their Holiday Festival.

* 3. Order Authorizing United Parcel Service to locate a UPS Collection Box on the sidewalk adjacent to Davinci's Restaurant on Mill Street.

* 3a. Continuation of Public Hearing on a new liquor license application and special amusement permit for Rondevu, Inc., 16-18 Park Street.

REGULAR BUSINESS:

4. Public Hearing on a new liquor license application for Luiggi's Pizzeria, 63 Sabattus Street.

5. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Pedro O'Hara's, 134 Main Street.

6. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fish Bones American Grill, 70 Lincoln Street.

7. Public Hearing on the renewal of a Special Amusement Permit for Live Entertainment for Friends Lodge, 724 Main Street.

8. Public Hearing on a renewal application for a Special Amusement Permit for Live Entertainment for Midtown Athletic Club, 43 Walnut Street.

9. Renewal of the Outpatient Addiction Treatment Clinic for Merrimack River Medical Services.

10. Public Hearing and Final Passage regarding an amendment to the Business Licensing ordinance regarding the adoption of applicable State of Maine Rules.

11. Public Hearing on a Bond Issue to issue refunding bonds for the City's General Obligation Bonds issued in 2004, 2005 and 2006.

12. Amendment to the General Assistance Policy to increase the allowance for housing assistance.

13. Resolve Requesting that the Planning Board consider establishing a Business Transition Zone and recommend areas where such a zone might be appropriate.

14. Request for Use of City Services for the Night of the Running Dead 5K event.

15. Reports and Updates.

16. Any other City Business Councilors or others may have relating to Lewiston City Government.

17. Executive Session pursuant to MRSA Title 1, Section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 6:45pm

SUBJECT:

Executive Session to discuss the Disposition of Real Estate 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.

GA3/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 the Disposition of Real Estate of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 1

SUBJECT:

Resolve Establishing the Lewiston Senior Citizen's Program as a Program of the Lewiston Recreation Department.

INFORMATION:

During the various discussions involving the Lewiston Senior Citizen's Program and its relocation to the Armory, the issue of the status of the program – whether it should continue as a 501 C 3 organization or come under the jurisdiction of the Lewiston Recreation Department surfaced. Subsequent to the decision to relocate the program, discussion of this issue continued between the Board of the Senior Citizens and the City's Finance and Recreation Directors. The consensus of these discussions was that it would be appropriate for the program to come under the Recreation Department. This was subsequently approved by the Program's Board and Membership.

This resolve would formalize the change in the Program's status from a 501 organization to a program of the City.

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 establishing the Lewiston Senior Citizen's Program as a Program of the Lewiston Recreation Department.

Lewiston
All-America City
2007

City of Lewiston, Maine
City Council Order
October 16, 2012

RESOLVE, Establishing the Lewiston Senior Citizen's Program as a Program of the Lewiston Recreation Department.

Whereas, the Lewiston Senior Citizen's program officially transferred on June 30, 2012 from the former Multi Purpose Center and is now located at the Lewiston Memorial Armory; and

Whereas, the Lewiston Senior Citizen's program no longer has a 501 C 3 non-profit status; and

Whereas, the Lewiston Recreation Department will have direct oversight of the Lewiston Senior Citizen's program as a Departmental program; and

Whereas, the Lewiston Senior Citizen Board will continue to remain intact to represent and oversee its membership and to work with the Department on programming and activities; and

Whereas, the Senior Citizen's program will complement the variety of activities the Department offers to the community at large;

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

the Lewiston Senior Citizen's Program is hereby established as a program of the Lewiston Recreation Department.

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 2

SUBJECT:

Request from Advocates for Children to borrow tables for use during their Holiday Festival.

INFORMATION:

The Advocates for Children Holiday Festival Committee organizers are requesting to borrow from the City of Lewiston 50 tables for use during their annual Festival in town. The Council has supported similar requests in the past. The tables are from the Lewiston Recreation Department and Director Maggie Chisholm works with the festival organizers on such issues are liability, damage, etc. Passage is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends support of the requested action.

EAB\kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

To approve the request from the Advocates for Children to borrow fifty tables from the Lewiston Recreation Department for use during their annual Holiday Festival on December 1, 2012.

Advocates FOR Children

September 27, 2012

Edward Barrett
Lewiston City Administrator
27 Pine St.
Lewiston, ME 04240

Dear Edward,

We are writing to ask permission to borrow 50 (+or-) tables on November 30th for our largest fundraiser, our 29th annual Holiday Festival for Children on December 1st. We will return them after the Festival on December 1st.

The Holiday Festival is not only a celebration but also the major fundraiser for Advocates for Children. The funds raised are used to support our education and nurturing programs in our community. They represent 19% of the total budget in FY '13. Our mission is to bring programs to the community that prevent abuse and neglect of children and empower all families to lead healthy and productive lives. Support from the community is critical to our success.

We thank you so much for your kind attention to this matter, and thank you in advance. We await your approval.

Sincerely,

Pamela Allen
Executive Director

57 Birch Street, Suite 204, Lewiston ME 04240 | www.advocatesforchildren.net | tel 207.783.3990 | fax 207.783.9402 | email info@advocatesforchildren.net

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 3

SUBJECT:

Order Authorizing United Parcel Service to locate a UPS Collection Box on the sidewalk adjacent to Davinci's Restaurant on Mill Street.

INFORMATION:

United Parcel Service (UPS) would like to put a collection box on the city sidewalk in adjacent to Davinci's Restaurant on Mill Street. This will be available for the convenience of the businesses located in this complex.

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 Order authorizing United Parcel Service to locate a UPS Collection Box on the sidewalk adjacent to Davinici's Restaurant on Mill Street.

City of Lewiston Maine
City Council Order
October 16, 2012

Order, Authorizing United Parcel Service to Locate a UPS Collection Box on the Sidewalk Adjacent to Davinci's.

Whereas, tenants at the Bates Mill Complex are desirous of having convenient access to overnight delivery services; and

Whereas, a suitable location has been identified within the City right of Way proximal to Davinci's; and

Whereas, placement of a UPS Collection Box at that location will be of benefit to residents and employees within the City;

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

The City Administrator is hereby authorized to execute the necessary documents to allow United Parcel Service, Inc. to place a UPS Collection Box on the sidewalk adjacent to Davinci's in the approximate location shown on the attached map and in a form substantially similar to the attached United Parcel Service Drop Box Agreement.

Executive Department
Lincoln Jeffers
Assistant to the Administrator

Lewiston
All-America City
2007

It's Happening Here!
LEWISTON • AUBURN

To: Honorable Mayor and Members of the City Council
From: Lincoln Jeffers
RE: United Parcel Service Drop Box Agreement
Date: October 11, 2012

Working through the Bates Mill Property Manager, commercial tenants at the Bates Mill complex have requested that United Parcel Service (UPS) install a drop box on the Bates Mill campus. The best location for visibility and proximity to the users is on the sidewalk, adjacent to the northwest corner of Mill #2 Wing/Storehouse. The box would be located between the Mill Street entrance to Davinci's and the handicap ramp going up to the Fountain Plaza area. The box location is not in the primary travel way for pedestrians in that area.

It has been determined that the preferred box location is within the City Right-of-Way. To place the box, UPS needs to have an agreement executed with the property owner. A copy of the agreement is attached. Key points of the agreement are:

- Once executed, the agreement runs indefinitely. The agreement can be cancelled by either party with 30 days notice.
- No rent will be paid for the space
- UPS will pay for the installation and removal of the box. When removed, they will return the site to its former condition.
- UPS will provide liability insurance coverage for the box

Staff recommends that the City Administrator be authorized to execute the agreement. Doing so will enhance the Bates Mill complex as a business location, and will improve access to overnight delivery services to residents and businesses.

City Hall• 27 Pine Street • Lewiston, Maine • 04240 • Voice Tel. 207-513-3014 • Fax 207-795-5071
TTY/TDD 207-513-3009 • Email: ljeffers@ci.lewiston.me.us
City Web Page: www.ci.lewiston.me.us

UNITED PARCEL SERVICE DROP BOX AGREEMENT

THIS AGREEMENT ("Agreement") is dated the day of , between United Parcel Service, Inc., an Ohio corporation ("UPS") and the undersigned "Owner." In consideration of mutual benefits to Owner and UPS of the availability of a UPS Drop Box(s) at the location(s) described herein and the mutual agreements set forth below, Owner hereby grants UPS a license to install, maintain and/or replace its existing UPS Drop Box(s) for the receipt of UPS shipments at the location(s) in the building(s) owned or managed by Owner identified on Attachment A which is made a part of this Agreement.

TERM: The term of this Agreement commences on _____ ("Effective Date"). This Agreement may be terminated at any time with at least thirty (30) days prior written notice by either UPS or the Owner's representative. UPS shall continue to operate said Drop Box until this Agreement is terminated in accordance with the terms of this Agreement. Upon the effective date of the termination of this Agreement, UPS shall remove the Drop Box and restore Owner's property to substantially the same condition existing prior to the installation of the Drop Box.

INSTALLATION/RELOCATION/REMOVAL: The Drop Box(s) shall be installed and maintained at the sole expense of UPS. Owner agrees to notify UPS if the Drop Box(s) needs to be relocated to another location on the property. Upon the expiration or termination date of this Agreement, at its sole expense, UPS shall promptly remove the UPS Drop Box(s) from the building and shall repair any damage resulting from such removal

INSURANCE: UPS agrees to maintain the following liability insurance coverage

(a) Commercial General Liability, including products/completed operations and personal and advertising injury coverage, with coverage of not less than One Million Dollars ($1,000,000) per occurrence

(b) Commercial Automobile liability with limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence

(c) Workers' Compensation in compliance with all statutory regulations in any state where the Services are performed and Employer Liability with limits of not less than One Million Dollars ($1,000,000) per occurrence

INDEMNITY: UPS agrees to indemnify, defend and hold harmless the Owner and Owner's Building Manager against loss or damage to third persons and property resulting directly from the installation and use of the Drop Box(s), except those losses or damages resulting from negligent or wrongful acts of Owner, Building Manager or their agents, employees or servants.

PROMOTIONAL MATERIALS: Owner acknowledges that UPS may occasionally provide promotional materials including, but not limited to brochures, posters or other information designed to increase awareness of the UPS Drop Box among building tenants. Owner agrees to make available to tenants informational materials provided by UPS and work with UPS to identify additional opportunities (e.g., property newsletter).

NOTICES: Any notice required or permitted to be given under this Lease or by law shall be deemed to have been given if it is written and delivered in person or by UPS Next Day Air® or mailed by certified mail, postage prepaid, to the party who is to receive such notice at the address specified below.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors and assigns. This Agreement cancels and supersedes all previous oral and written agreements between the parties concerning the installation of UPS Drop Box(s) at the location specified in Attachment A.

OWNER:	UPS:
	UNITED PARCEL SERVICE, INC.
By: (Authorized Representative)	By: (Authorized Agent)
Print Name:	Print Name:
Title:	Title:
Date:	Date:
Mailing Address:	Mailing Address:
Tax ID #:	
Fax Number:	Fax Number:
Phone Number :	Phone Number:
Email:	Email:

ATTACHMENT A

LOCATION(S) FOR UPS DROP BOX(S):

_____
_____
_____
_____
_____
_____

ADDRESS OF BUILDING(S):

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City of Lewiston Maine
GIS Public Web Mapping
About this Map Viewer/ Help
More...
Street Map
Parcel Map
Zoning Map
Aerial 2006
HINES ALLEY
OXFORD ST.
BEECH ST.
BEECH ST.
LINCOLN ST.
LINCOLN ST. ALLEY
MILL ST.
CHESTNUT ST.
CHESTNUT ST.
Lower Canal
26
32
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131
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LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 3A

SUBJECT:

Continuation of Public Hearing on a new liquor license application and special amusement permit for Rondevu, Inc., 16-18 Park Street.

INFORMATION:

The attorney for the applicant would like to have this matter continued for another meeting to allow additional time for the general manager to review their plans with the Police Chief.

The City Clerk received an application for a new liquor license and special amusement permit for a new business called Rondevu to be located at 16-18 Park Street. The required legal advertisement for the public hearing ran in the newspaper last week. However, on Friday, the attorney for the business contacted the City Clerk and asked to continue the hearing on their application until the next City Council meeting to allow the business additional time to finalize their business plans. Since the legal advertisement has already run, the Council is asked to vote to continue the hearing to the next City Council meeting.

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 continue the public hearing regarding a new liquor license application and special amusement permit for Rondevu, Inc., 16-18 Park Street to a future regular or special City Council meeting.

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 4

SUBJECT:

Public Hearing on a new liquor license application for Luiggi's Pizzeria, 63 Sabattus Street.

INFORMATION:

We have received an application for a liquor license for Luiggi's Pizzeria, 63 Sabattus Street. The liquor license application is for malt & 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 Luiggi's Pizzeria, 63 Sabattus 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)
☐ HOTEL-OPTIONAL FOOD (Class I-A)
☐ CLASS A LOUNGE (Class X)
☐ CLUB (Class V)
☐ TAVERN (Class IV)
☐ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL (Class I,II,III,IV)
☐ CLUB-ON PREMISE CATERING (Class I)
☐ GOLF CLUB (Class I,II,III,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.) MED operation inc **DOB:**	**2. Business Name (D/B/A)** Luiggi's Pizzeria
DOB:	
DOB:	**Location (Street Address)** 63 Sabattus St
Address	**City/Town** Lewiston **State** ME **Zip Code** 04240
	Mailing Address
City/Town Lewiston **State** ME **Zip Code** 04240	**City/Town** **State** **Zip Code**
Telephone Number 782-0701 **Fax Number**	**Business Telephone Number** 782-0701 **Fax Number**
Federal I.D. # 46-0798760	**Seller Certificate #** 1158804

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 $ _____ FOOD $ _____ LIQUOR $_____
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: Angela St Hilaire
8. If business is NEW or under new ownership, indicate starting date: August 31, 2012
   Requested inspection date: ASAP Business hours: 9-Am - 12 pm
9. Business records are located at: 63 Sabattus St. Lewiston ME.
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
Angela Longchamps	5-17-79	Lewiston
Kelley Gagnier	10-14-75	Lewiston
Lisa Dorrington	4/11/72	Portland Me

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

Lewiston Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then 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) Restaurant - serving Pizza, sandwiches, lasagna, spaghetti

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES ☑ NO ☐ Applied for: _____

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? 500 ft Which of the above is nearest? Church

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: Mortgage From a Bank

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: Lewiston Me (Town/City, State) on September 25 (Date), 2012

Please sign in blue ink

Signature of Applicant or Corporate Officer(s) _____ 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 QUESTIONAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. **Exact Corporate Name:** MED operation LLC

   Business D/B/A Name: Luiggi's Pizzeria

2. **Date of Incorporation:** 3-31-12

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
Earl St-Hilaire	7 Big Den's way	10-10-74	33.33	President
Dennis St Hilaire	3 Big Den's way	3-13-73	33.33	Treasurer
Marc Fournette	11 Big Den's way	11-16-75	33.33	Vice President

6. **What is the amount of authorized stock?** 100 **Outstanding Stock?** —

7. **Is any principal officer of the corporation a law enforcement official? ( ) YES (✓) 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 (✓) NO.**

9. **If yes, please complete the following: Name:** _____

Date of Conviction: _____ Offense: _____

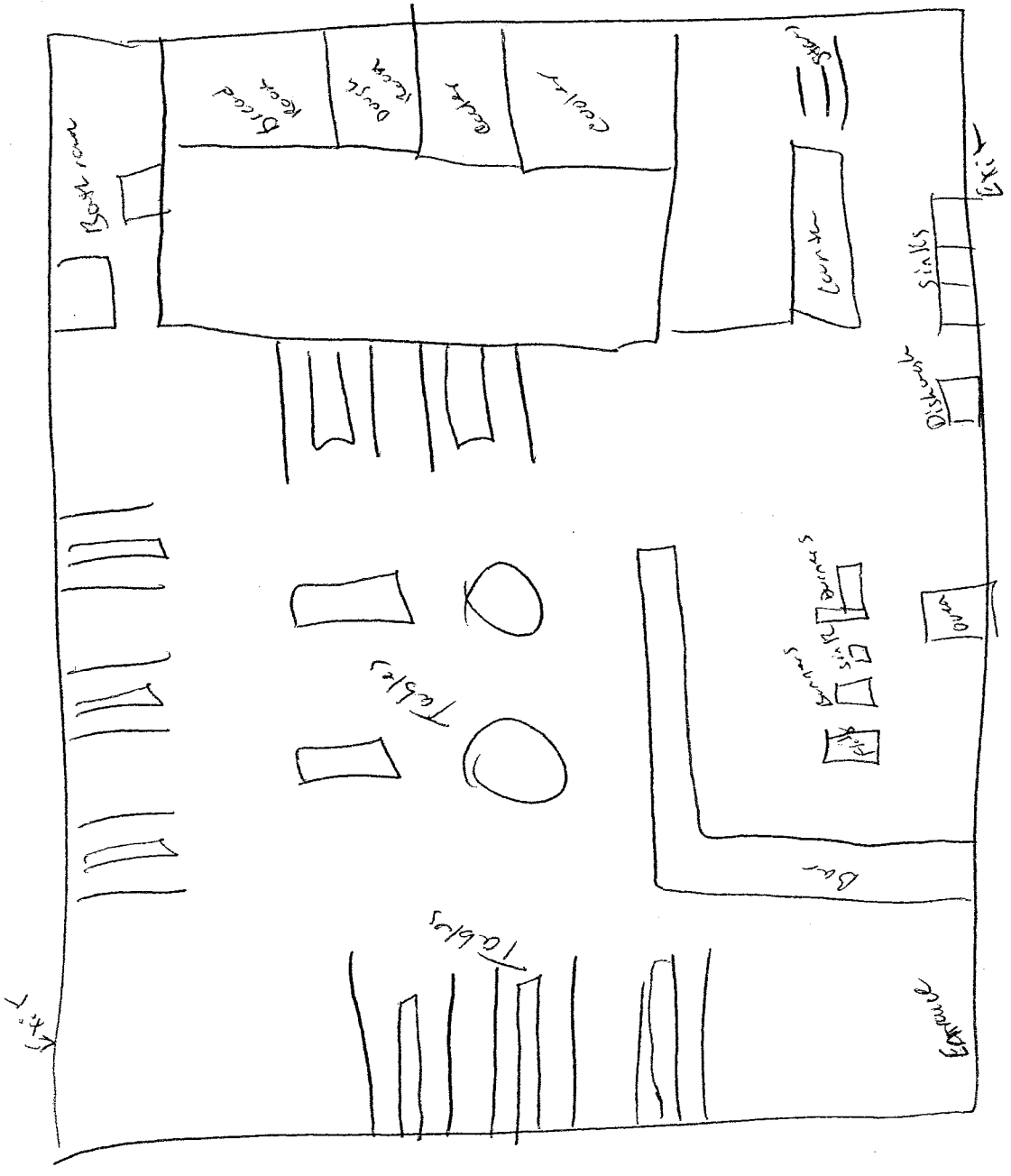
Location: _____ Disposition: _____

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

_____ **Date:** _____
Signature of Duly Authorized Officer

_____
Print Name of Duly Authorized Officer

PREMISE DIAGRAM



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police

TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 12, 2012

RE: Special Amusement Permit – **Luiggi's Pizzeria**

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

Luiggi's Pizzeria
63 Sabattus St.

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

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, October 16, 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.

Luiggi's Pizzeria

63 Sabattus Street

MED Operation, LLC, owner

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: October 10, 11 & 12, 2012

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 5

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Pedro O'Hara's, 134 Main Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Pedro O'Hara's, 134 Main 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 Pedro O'Hara's, 134 Main Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: Oct 3, 2012 Expiration Date: 10-6-2013 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: PeDRO O'Itaca Business Phone: 783-6200

Location Address: 134 MAIN St. Lewiston, ME

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

Mailing Address: 134 MAIN St. Lewiston, ME 04240

Contact Person: Bill Welch Home Phone: 782-4007

Owner of Business: CHIEF'S LLC Date of Birth: 10-7-52

Address of Owner: 4 Emile St. Lewiston, ME

Manager of Establishment: SAME Date of Birth: _____

Owner of Premises (landlord): Robert Espositio

Address of Premises Owner: 9 Susan La. Falmouth, 04105

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): PeDRO Oltacs
CHIEF'S LLC

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: CHIEF'S LLC

Corporation Mailing Address: 134 MAIN St Lewiston, ME 04240

Contact Person: Bill Welch Phone: _____

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? 1000 ~~ft~~ YARDS

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: Will Welch Title: OWNER/MANAGER Date Oct 3, 2012

Printed Name: William Welch

****

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

Sent to Police & Fire: _____

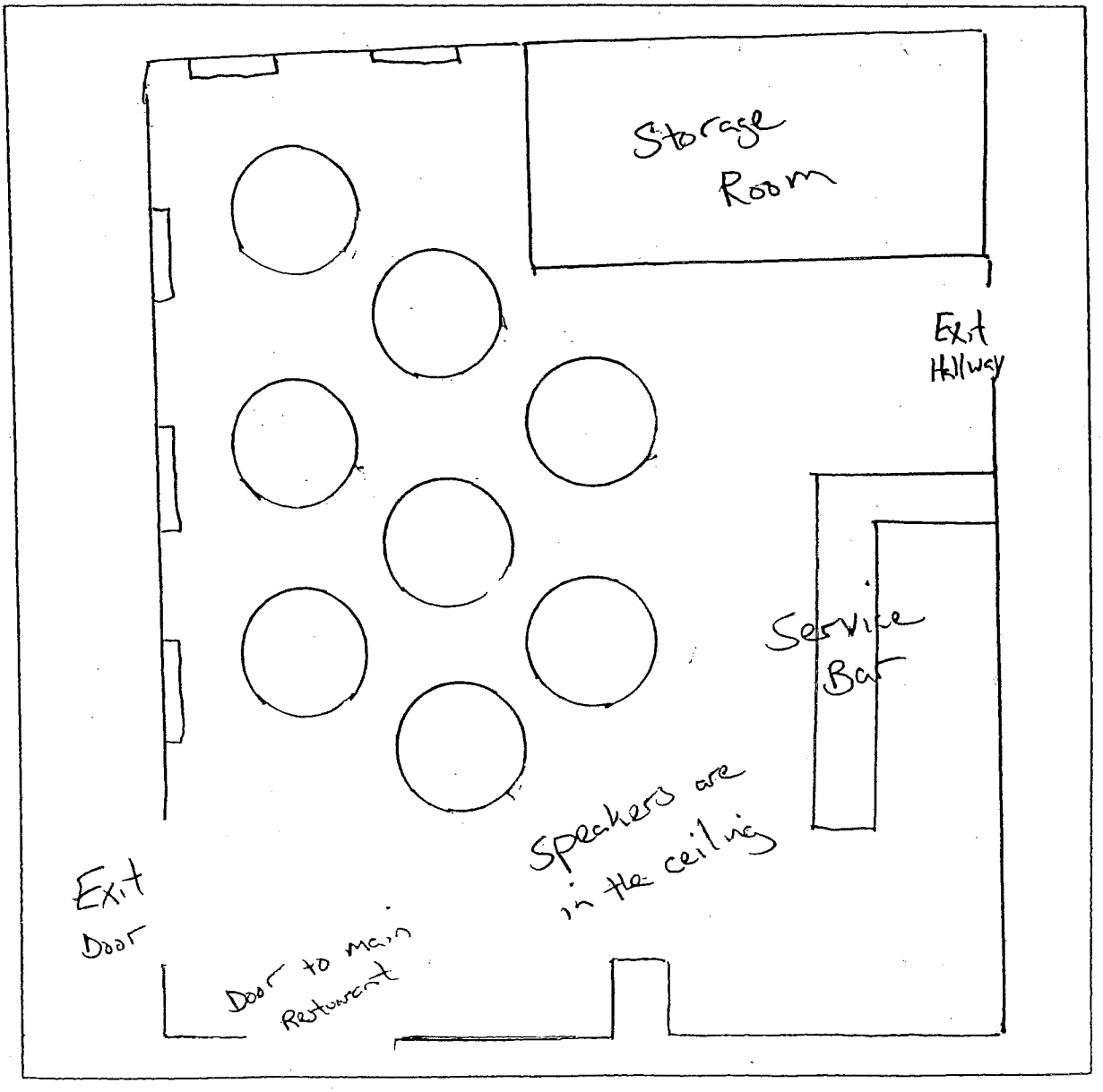
****

Hearing Date: 10/16/2012 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.



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police

TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: August 10. 2012

RE: Liquor License/Special Amusement Permit – **Pedro O'Hara's**

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

Pedro O'Hara's
134 Main Street

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 6

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fish Bones American Grill, 70 Lincoln Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Fish Bones American Grill, 70 Lincoln 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 owners have 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 Fish Bones American Grill, 70 Lincoln Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: _____ Expiration Date: 11-17-12 License fee: $116.00

X 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** X **No**

******PLEASE PRINT******

Business Name: FishBones American Grill Business Phone: 207-333-3663

Location Address: 70 Lincoln St Lewiston, Maine 04240

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

Mailing Address: 70 Lincoln St Lewiston, Maine 04240

Contact Person: Paul F Landry Home Phone: 207-576-2599

Owner of Business: Paul F Landry Date of Birth: 8-17-1962

Address of Owner: 340 East Road Wales, Maine 04280

Manager of Establishment: Paul Landry Date of Birth: 8-17-1962

Owner of Premises (landlord): Bates Mill Development Corp. LLC

Address of Premises Owner: 2 Great Falls Plaza, Auburn, Maine 04210

Does the issuance of this license directly or indirectly benefit any City employee(s)? _____ Yes X 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? X Yes ___ No If yes, please list business name(s) and location(s): FishBones America Grill 70 Lincoln St. Lewiston, Maine 04240

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

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

Corporation Name: Hospsero, Inc

Corporation Mailing Address: 340 East Road, Wales, Maine 04280

Contact Person: Paul Landry Phone: 207-576-2599

Do you permit dancing on premises? ____ Yes X 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? 1/4 Mile

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 _____
only for private functions

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: Per. Pby Title: VP + Treasure Date 10-3-2012

Printed Name: Paul Landry

****

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

Sent to Police & Fire: _____

****

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

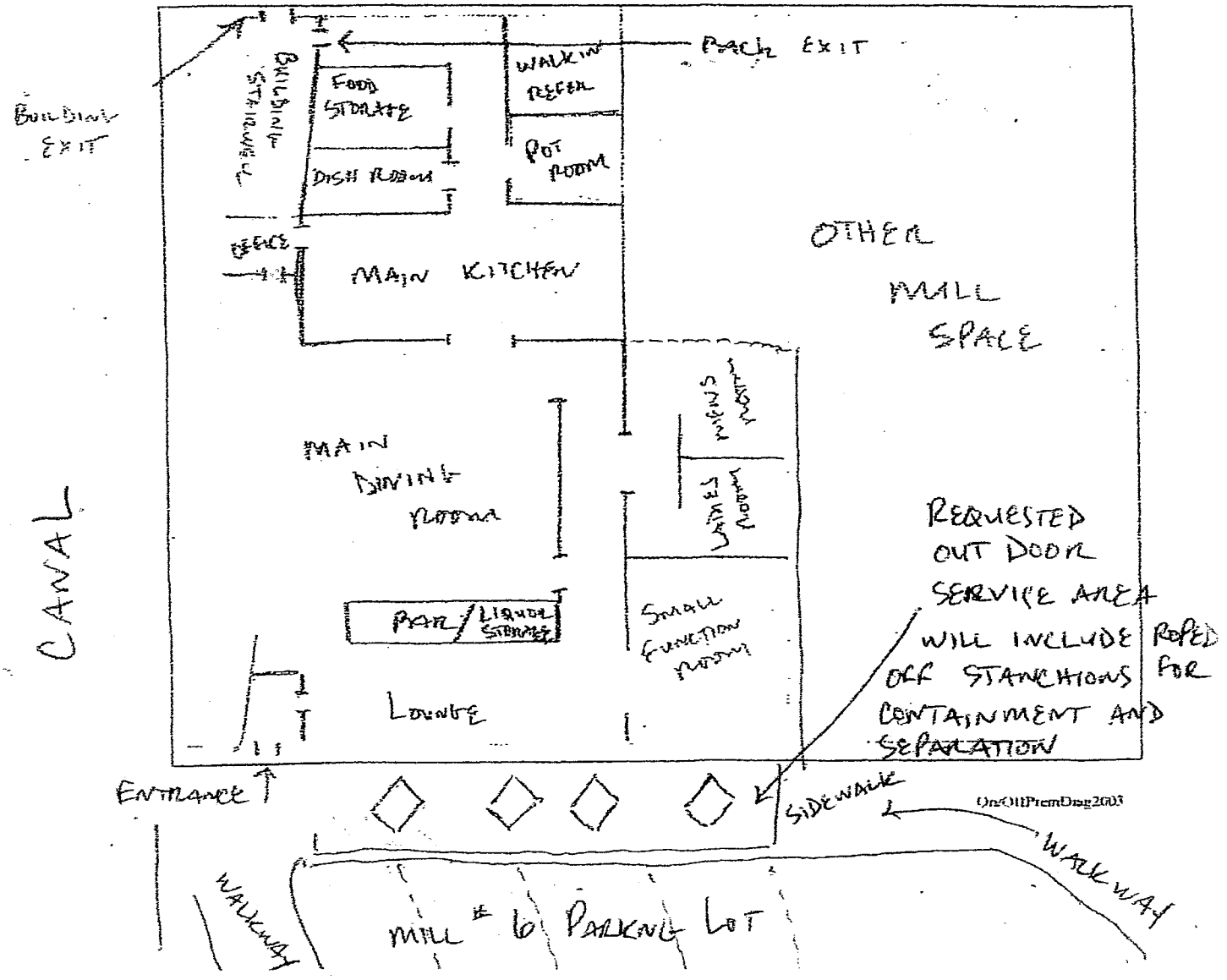
MAINE DEPT OF PUBLIC SAFETY

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

SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division 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 including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



OnOffPremDiag2003

POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police

TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 3, 2012

RE: Liquor License/Special Amusement Permit – **Fish Bones**

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

Fish Bones
70 Lincoln Street

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 7

SUBJECT:

Public Hearing on the renewal of a Special Amusement Permit for Live Entertainment for Friends Lodge, 724 Main Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Friends Lodge, 724 Main 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 Friends Lodge, 724 Main Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

RECEIVED
OCT 1 2012
LEWISTON
CITY CLERK'S OFFICE

Date of Application: 09-27-12 Expiration Date: _____ 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
X 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** X **No**

******PLEASE PRINT******

Business Name: Friends Lodge Business Phone: 207-784-7100

Location Address: 724 MAIN St Lewiston, Me. 04240

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

Mailing Address: SAME AS Above

Contact Person: Eileen Knight Home Phone: 207-844-0895

Owner of Business: Members Club Date of Birth: 7-11-57

Address of Owner: SAME AS Above

Manager of Establishment: Eileen Knight Date of Birth: 7-11-57

Owner of Premises (landlord): RAY Lombard

Address of Premises Owner: _____

Does the issuance of this license directly or indirectly benefit any City employee(s)? _____ Yes X 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 X 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 X No If yes, please explain: _____

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

Corporation Name: Friends Lodge

Corporation Mailing Address: 724 Main Street Lewiston

Contact Person: Eileen Knight Phone: 844-0893

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? 1,000 ft

Please describe the type of proposed entertainment:

☐ dancing	☐ stand up comedian	☐ piano player
☑ music by DJ	☑ karaoke	☑ other, please list Juke Box
☑ 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: Eileen M Knight Title: Secretary Date 09-27-12

Printed Name: Eileen M Knight

****

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

Sent to Police & Fire: _____

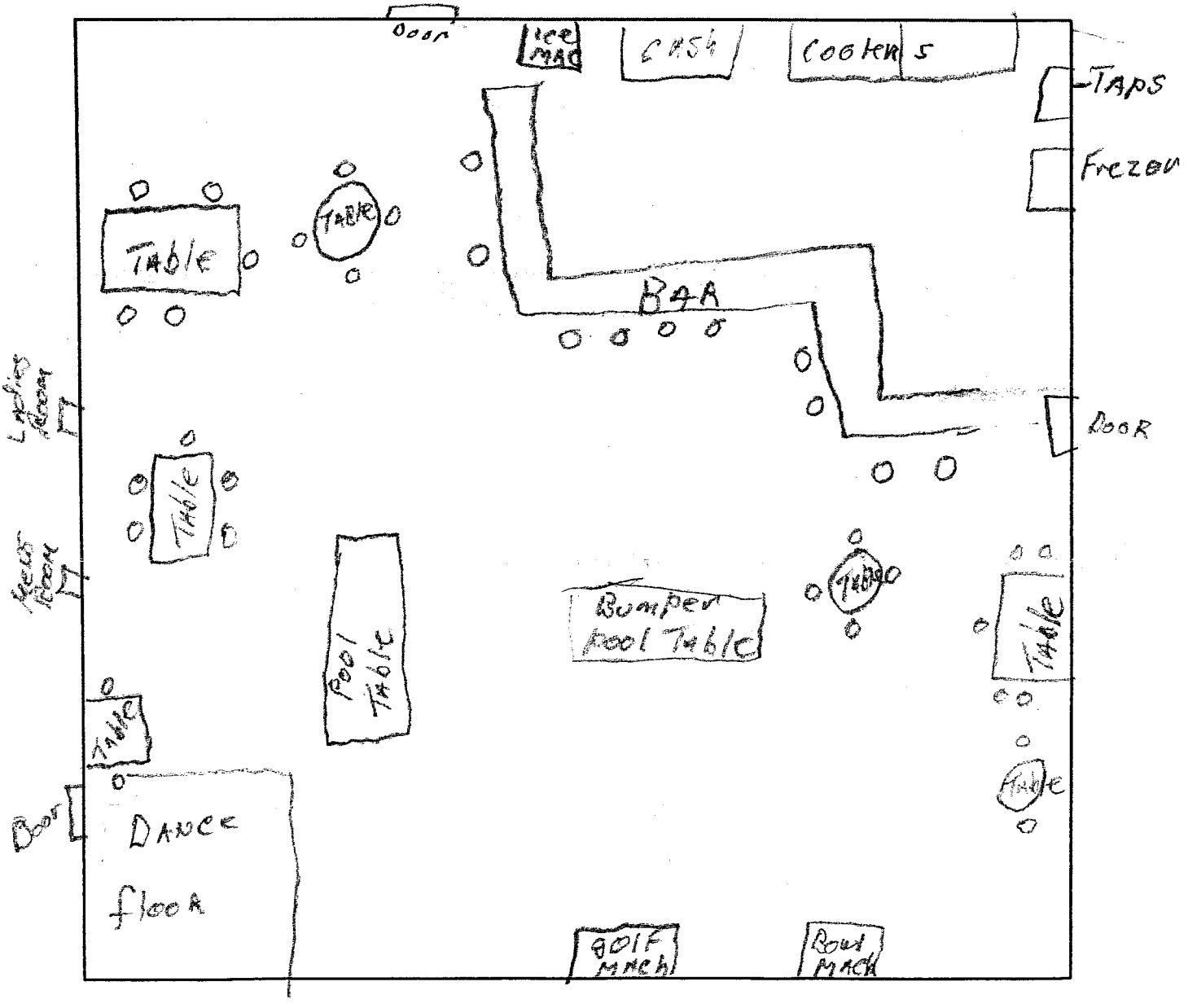
****

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.



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police

TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: August 10, 2012

RE: Liquor License/Special Amusement Permit – **Friends Lodge**

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

Friends Lodge
724 Main Street

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 8

SUBJECT:

Public Hearing on a renewal application for a Special Amusement Permit for Live Entertainment for Midtown Athletic Club, 43 Walnut Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Midtown Athletic Club, 43 Walnut 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 Midtown Athletic Club, 43 Walnut Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 9-27-12 Expiration Date: 10-03-2012 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
_X_ 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** _X_ **No**

******PLEASE PRINT******

Business Name: Midtown Athletic club Business Phone: 207-784-2915

Location Address: 43 Walnut st Lewiston Maine 04240

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

Mailing Address: Same as above

Contact Person : Carol LeBlanc Home Phone: 207 252-2495

Owner of Business: _____ Date of Birth: 11-13-65

Address of Owner: _____

Manager of Establishment: Carol LeBlanc Date of Birth: 11-13-65

Owner of Premises (landlord): Joseph Dunn

Address of Premises Owner: 263 Pine St Lewiston Maine 04240

Does the issuance of this license directly or indirectly benefit any City employee(s)? _____ Yes _Y_ 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? _X_ 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 _X_ No If yes, please explain: _____

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

Corporation Name: Midtown Athletic club

Corporation Mailing Address: 43 walnut st lew ME 04240

Contact Person: Carol LeBlanc Phone: 782-5165

Do you permit dancing on premises? X 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 X No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 2nd Floor 15 feet next building is 30 Feet

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 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: Carol LeBlanc Title: President/manager Date 9-27-12

Printed Name: _____

****

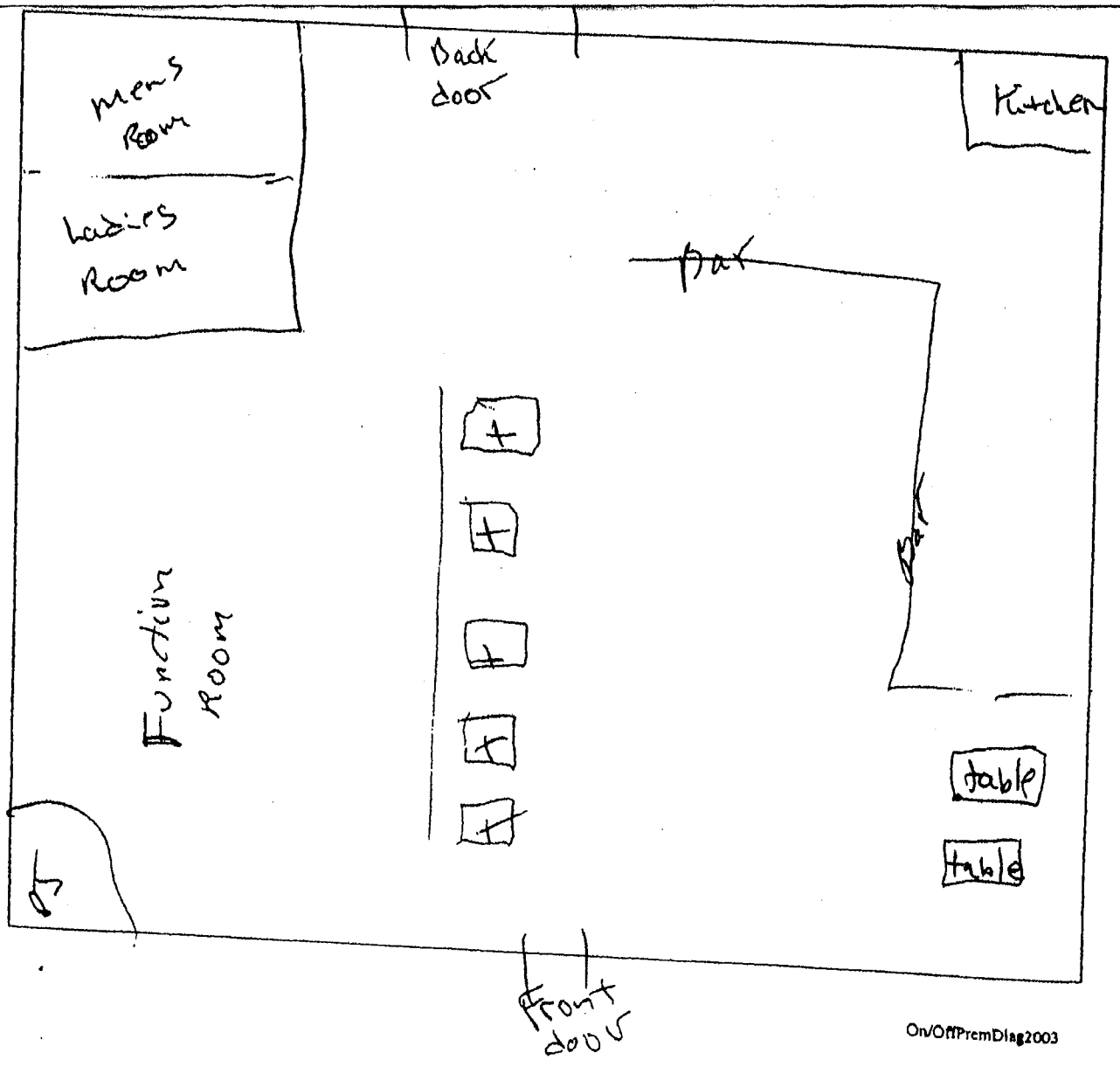
Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

Sent to Police & Fire: _____

****

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

PREMISE DIAGRAM



On/OffPremDiag2003

POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police

TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 3, 2012

RE: Liquor License/Special Amusement Permit – **Midtown Athletic Club**

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

Midtown Athletic Club
43 Walnut Street

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 9

SUBJECT:

Public Hearing on an Application for a Business License renewal for Merrimack River Medical Services, Inc. for an Outpatient Addiction Treatment Clinic at 18 Mollison Way.

INFORMATION:

Merrimack River Medical Services which operates an outpatient addiction treatment clinic (methadone clinic) at 18 Mollison Way is seeking a renewal of their annual license. The Police Department, Fire Department and Planning & Code Enforcement Department do not have any concerns with the renewal of this license.

The business license was approved last year with a set of conditions and it is recommended the Council approve the license with the same set of conditions which are attached.

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

1) To conduct a public hearing to receive citizen input and comment regarding the application submitted by Merrimack River Medical Services, Inc. for renewal of their business license to operate an Outpatient Addiction Treatment Clinic at 18 Mollison Way, Lewiston.

2) To approve the License for an Outpatient Addiction Treatment Clinic for Merrimack River Medical Services, Inc. to operate a Clinic at 18 Mollison Way, Lewiston, subject to the attached conditions.

Conditions for Outpatient Addiction Treatment Clinic License
Merrimack River Medical Services, Inc.
October 16, 2012 City Council meeting

Conditions for License to operate an Outpatient Addiction Treatment Clinic in Suite #2 on the first floor of the existing building at 18 Mollison Way:

1) Provide adequate interior client waiting space to eliminate the need for clients to queue or wait for service outside of the building, with the exception of clients waiting for public transportation.

2) Effectively monitor the exterior of the property to ensure that clients do not loiter on or adjacent to the property for any purpose other than waiting for the arrival of public transportation.

3) Within a period not less than 60 nor more than 90 days from beginning patient services, licensee shall convene a meeting inviting owners and tenants located within the Spare-Time Recreation Development to review clinic operations and any issues or concerns the parties may have. Licensee shall extend invitation to attend that meeting to the City's Chief of Police, City Administrator, and City Councilor representing the ward in which the clinic is located.

4) Designate the exit from the clinic that leads to a lobby shared with other tenants within the building as an emergency exit only and provide an audible alarm that will sound if this exit door is opened.

5) Applicant will maintain a methadone maintenance program as described in their "Treatment Components" and "Program Components". Applicant will immediately report to the police department any breaches of the security system described in the attachment.

6) Consistent with the applicant's application, the number of clients shall not exceed 500 at any given time.

7) Prior to commencing operations, the applicant will provide documentation to the City Clerk of the receipt of all approvals required by any federal or state agency or department pursuant to federal or state law.

8) The applicant will comply with the requirements of Chapter 22, Article XIV, Section 22-417 of the Code requiring the applicant to conduct two meetings per calendar year with city staff and the chief of police or his designee.

CITY OF LEWISTON
APPLICATION FOR LICENSURE
OUTPATIENT ADDICTION TREATMENT CLINIC

DATE: 9/14/2012

APPLICATION IS FOR: NEW LICENSE _____ RENEWAL OF LICENSE XX

NAME OF FACILITY/AGENCY: Merrimack River Medical Services

PHYSICAL ADDRESS OF CLINIC:
18 Mollison Way
Lewiston, ME 04240
(City, State, Zip)

MAILING ADDRESS: (if different)
(City, State, Zip)

TAX MAP & LOT NUMBER OF LOCATION OF FACILITY: Map 169, Lot 25

DIMENSIONS AND ACREAGE OF PROPERTY: 6.27 Acres

NAME OF CONTACT PERSON: Jennifer Minthorn

PHONE # 207-312-6860 FAX # 207-312-6863 EMAIL jennifer.minthorn@csachelp.com

NAME/TITLE OF ADMINISTRATOR/OPERATOR: Matthew Davis, CEO

PHONE # 603-321-5177 FAX # 603-579-2724 EMAIL matt.davis@csachelp.com

NAME OF EXECUTIVE DIRECTOR: Matthew Davis, CEO

SOCIAL SECURITY # OR EMPLOYER ID #: Federal Tax ID: 02-0510337

CORPORATION NAME/ADDRESS (if different): Health Care Resources/ CSAC
125 North Elm Street
Westfield, MA 01085

TYPE OF FACILITY/AGENCY:

Individual Proprietorship: _____ Partnership: _____
Non-Profit Corporation: _____ For-Profit Corporation: XX
Other (describe): _____

CATCHMENT AREA: (Geographic Area Served): _____

LIST THE MAXIMUM TOTAL NUMBER OF CLIENTS YOUR AGENCY WIL SERVE AT THIS LOCATION, THE AGE RANGE AND GENDER:

SERVICE: Methadone Treatment # OF CLIENTS up to 500 AGE RANGE: 18 & Above GENDER: M/F

I/We have received and read the City of Lewiston ordinance regarding Outpatient Addiction Treatment Clinics. I/We understand that this application authorizes representatives of the City of Lewiston to make such visits and inspections as may be necessary to ensure that the facility is in compliance with the laws pertaining to the operation of such facilities.

I/We also understand that the signing of this application effectively serves as a release of information and gives permission to the City of Lewiston to obtain any criminal or protective records information which may be on file in any Country, State or Federal Office.

I/We further certify that all information contained in this application (including addendums) is complete and accurate.

ORIGINAL SIGNATURES REQUIRED:

CEO DATE: 9/17/12

Applicant/Operator/Administrator

Matthew N Davis - CEO

Type or Print Name

DATE:

2ND Applicant (If Applicable)

Type or Print Name

N/A DATE:

Board President (If Applicable)

Type or Print Name

STATE OF MAINE

Department of Health & Human Services

Certificate of Licensure

ALCOHOL & DRUG TREATMENT PROGRAM

This is to certify that the licensed entity named below is hereby granted this License in accordance with Maine law.

ISSUED TO:

MERRIMACK RIVER MEDICAL
SERVICES-LEWISTON
18 Mollison Way
Lewiston ME 04240-

I.D. #: 635407

TYPE: FULL

EFFECTIVE FROM: 06/30/2012 **TO** 06/30/2014

METHADONE TREATMENT

ALCOHOL & DRUG OUTPATIENT COUNSELING

Mary C. Mayhew

Commissioner, Department of Health & Human Services

STATE RULES REQUIRE THAT THIS LICENSE/CERTIFICATE BE CONSPICUOUSLY POSTED AT THE FACILITY AT ALL TIMES.
THIS DOCUMENT IS NON-TRANSFERRABLE.

POLICE DEPARTMENT

Michael Bussiere
Chief of Police

TO: Kelly J. Mercier, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Outpatient Addiction Treatment Clinic

DATED: September 28, 2012

We have researched our records, and have no objections to the issuance of an Outpatient Addiction Treatment Clinic permit to the following:

Health Care Resources, 18 Mollison Way Suite 2

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

Lewiston
All-America City
2007

CITY OF LEWISTON

Planning & Code Enforcement

It's Happening Here!
LEWISTON · AUBURN

TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Merrimack River Medical Services
DATE: October 11, 2012

Planning and Code Enforcement staff has reviewed the application for licensure submitted by Merrimack River Medical Services to operate an outpatient addiction treatment clinic at 18 Mollison Way and recommends the license is granted with the same conditions as previously approved by the City Council.

Lewiston Fire Department

Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief

October 12, 2012

Kelly Mercier
Deputy City Clerk
City Clerk's Office
27 Pine St.
Lewiston, ME 04240

RE: Merrimack Outpatient Addiction Treatment Clinic

Dear Kelly,

The Lewiston Fire Prevention Bureau has no issues or concerns at this time that prohibits the issuance of their city license.

Respectfully,

Paul Ouellette
Fire Inspector / Certified Fire Investigator
Lewiston Fire Prevention Bureau

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 10

SUBJECT:

Public Hearing and Final Passage regarding an amendment to the Business Licensing ordinance regarding the adoption of applicable State of Maine Rules.

INFORMATION:

The Department of Planning and Code Enforcement has administratively adopted the following sets of State of Maine Rules:

1) State of Maine Food Code 2011
2) Rules Relating to Lodging Establishments
3) Rules Relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program

The State Department of Health and Human Services has requested that the City formally adopt these rules by ordinance. DHHS, for many years, has granted the City delegated authority to conduct inspections of eating and lodging establishments as well as pool and spa inspections on behalf of the State. Please see the attached memorandum from Director of Planning and Code Enforcement Gil Arsenault for additional information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB\kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

That the proposed amendment to the City Code of Ordinances, Chapter 22 "Businesses", Article II "Licenses", Section 22-49 receive final passage by a roll call vote.

AN ORDINANCE PERTAINING TO THE ADOPTION OF STATE OF MAINE RULES RELATING TO FOOD SERVICE, LODGING AND ADMINISTRATION AND ENFORCEMENT OF ESTABLISHMENTS LICENSED BY THE HEALTH INPSECTION PROGRAM

THE CITY OF LEWISTON HEREBY ORDAINS:

CHAPTER 22

BUSINESSES

ARTICLE II. LICENSES

Sec. 22-49 Adoption of State of Maine Rules.

For the purpose of protecting the public health the City hereby adopts and enacts the following State of Maine Rules:

1. State of Maine Food Code 2001 as adopted by the Maine Department of Human Services 10-144 CMR 200 and the Maine Department of Agriculture, Food and Rural Resources 01-001 CMR 331 May 1, 2001.

2. Rules Relating to Lodging Establishments, Department of Health and Human Services, Maine Centers for Disease Control and Prevention, Division of Environmental Health 10-144 CMR 206 January 1, 2003.

3. Rules Relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program, Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health Inspection Program 10-144 CMR Chapter 201 January 18, 2011.

Secs. 22-49 50– 22-70 Reserved.

REASON FOR PROPOSED AMENDMENT

The Department of Planning and Code Enforcement has administratively adopted the above referenced rules as provided in Chapter 22, Article II Section 22-35; however, the Maine Center for Disease Control (CDC) and the Maine Department of Health and Human Services (DHHS) have requested that the City specifically adopt these rules by ordinance. The CDC and DHHS via a memorandum of agreement with the City have for many years granted the City delegated authority to conduct eating and lodging establishments and pool and spa inspections on behalf of the State of Maine.

MEMORANDUM

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

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

RE: Amendment to Chapter 22, Businesses

DT: September 26, 2012

Attached please find the following document:

> Proposed amendment to Chapter 22, Article II, Sec. 22-49 Adoption of State of Maine Rules.

The Department of Planning and Code Enforcement has administratively adopted the following rules as provided for in Chapter 22, Article II, Section 22-35:

> State of Maine Food Code 2001 as adopted by the Maine Department of Human Services 10-144 CMR 200 and the Maine Department of Agriculture, Food and Rural Resources 01-001 CMR 331 May 1, 2001.
>
> Rules Relating to Lodging Establishments, Department of Health and Human Services, Maine Centers for Disease Control and Prevention, Division of Environmental Health 10-144 CMR 206 January 1, 2003.
>
> Rules Relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program, Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health Inspection Program 10-144 CMR Chapter 201 January 18, 2011.

The Maine Center for Disease Control (CDC) and the Maine Department of Health and Human Services (DHHS) have requested that the City specifically adopt these rules by ordinance. The CDC and DHHS via a memorandum of agreement with the City have for many years granted the City delegated authority to conduct eating and lodging establishments and pool and spa inspections on behalf of the State of Maine. As per this request staff has prepared a proposed amendment to Chapter 22 for the Council to consider the adoption of the above referenced rules.

I plan to attend your October 2nd meeting to provide any assistance that you may require.

LEGAL AD

PUBLIC HEARING NOTICE
CITY OF LEWISTON
PROPOSED ORDINANCE AMENDMENTS

A public hearing on the following ordinance amendments, for passage on first reading, will be held in the Council Chambers, Lewiston City Hall, on **Tuesday, October 2, 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.

ORDINANCE PERTAINING TO SIGNS

This amendment would clarify that political signs placed outside of the public right-of-way are not subject to time limits for posting.

BUSINESS ORDINANCE

These amendments would adopt the following State rules and regulations for application within the City of Lewiston: 1) the State of Maine Food Code 2001; 2) Rules Relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program and 3) Rules Relating to Lodging Establishment Health Inspection Program.

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

Kathleen M. Montejo, MMC
City Clerk

LEGAL AD - SUN JOURNAL - Thursday, September 27, 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 OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 11

SUBJECT:

Public Hearing on a Bond Issue to issue refunding bonds for the City's General Obligation Bonds issued in 2004, 2005 and 2006.

INFORMATION:

The Finance Department has done an analysis of the City's current debt to determine if it would be advantageous to refund any of the City's current outstanding obligations, and the Finance Director is recommending that the City issue refunding bonds for the General Obligation Bonds issued in 2004, 2005 and 2006.

Finance Director Heather Hunter will be present to address any questions.

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 conduct a Public Hearing to receive citizen input, and to approve the Order authorizing the issuance of refunding bonds in the amount of $ 26,290,000 for the purpose of refunding the City's General Obligation Bonds Series A dated June 1, 2004, in the amount of $11,820,000; the City's General Obligation Bonds Series A dated May 15, 2005, in the amount of $7,835,000; the City's General Obligation Bonds Series C dated May 15, 2005, in the amount of $1,290,000; and the City's General Obligation Bonds Series A dated June 15, 2006, in the amount of $5,345,000.

Lewiston
All-America City
2007

City of Lewiston Maine
City Council Order
October 16, 2012

Order, Authorizing the issuance of Refunding Bonds in the amount of $26,290,000 for the purpose of refunding the City's General Obligation Bonds Series A dated June 1, 2004, in the amount of $11,820,000; the City's General Obligation Bonds Series A dated May 15, 2005, in the amount of $7,835,000; the City's General Obligation Bonds Series C dated May 15, 2005, in the amount of $1,290,000; and the City's General Obligation Bonds Series A dated June 15, 2006, in the amount of $5,345,000.

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEWISTON THAT the Mayor and City Treasurer are authorized to issue refunding bonds in a principal amount not to exceed $26,290,000 in order to refund all or part of the principal of and interest on the City's General Obligation Bonds, Series A, dated June 1, 2004; City's General Obligation Bonds, Series A, dated May 15, 2005; City's General Obligation Bonds, Series C, dated May 15, 2005; and City's General Obligation Bonds, Series A, dated June 15, 2006 and to pay any redemption premiums thereon and costs of issuance;

Be It Further Ordered, That the City Council instruct the Finance Director to advertise for bids for the bonds or negotiate the sale of the bonds with any qualified purchaser; to award the loan; and to employ Edwards Wildman Palmer LLP to furnish the legal opinion for the same;

Be It Further Ordered, That the bonds shall be signed by the City Treasurer and Mayor;

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

Be It Further Ordered, That bonds hereunder may be subject to call for redemption or refunded on such terms as may be determined by the Finance Director.

Lewiston
All-America City
2007

City of Lewiston
Finance Department

Heather A. Hunter, Finance Director

It's Happening Here!
LEWISTON • AUBURN

TO: Mayor Macdonald and Members of the City Council

FROM: Heather Hunter, Finance Director

SUBJECT: **Refunding General Obligation Bonds Package**

DATE: September 12, 2012

In conjunction with the upcoming 2013 Lewiston Capital Improvement Plan (LCIP) general obligation bond sale, the city's outstanding debt was analyzed to determine if it would be advantageous to refund any of the City's current outstanding obligations.

Given current interest rates, the City has four existing bonds issues that would be advantageous to refund or advance refund. I will provide greater detail of each of the proposed refundings and the upcoming bond sale during my workshop presentation on Tuesday, September 19th. The following table outlines pertinent information on each proposed refunding issue. In all cases, the refinancings are projected to generate an adequate present value savings to warrant refunding the callable portion.

Bond Issue	Par Amount	Current Rate	Projected Rate	PV Savings	FV Savings
2004	$11,820,000	4.2%-5.0%	1.93%	$1,443,000	$1,584,000
2005A	$7,835,000	3.63%-4.25%	2.03%	$900,000	$1,000,000
2005C	$1,290,000	3.75%-4.0%	1.42%	$109,000	$112,000
2006	$5,345,000	4.0%-4.25%	2.08%	$470,000	$517,000

The targeted sale date for the 2013 LCIP bonds and the refunded bonds is February 12, 2013. Currently, we are anticipating a $48,646,400 bond sale which includes the 2013 LCIP and the four refundings. This is clearly one of the largest City bond sales in my tenure with the City. As we move closer to the sale date, the City Administrator and I will review current market rates to confirm the prudence of all refundings as well as the viability of each 2013 LCIP project to meet the Internal Revenue Service's 24-month spend down requirements.

27 Pine Street, Lewiston, Maine 04240; (207) 513-3127; TTY/TDD (207) 513-3007; FAX (207) 784-2959;
hhunter@ci.lewiston.me.us

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 12

SUBJECT:

Amendment to the General Assistance Policy to increase the allowance for housing assistance.

INFORMATION:

The Council is asked to adopt the new General Assistance Housing Maximums effective October 1, 2012 to October 1, 2013. The new maximums only apply to housing rates and do not affect the current overall or categorical maximums (food, personals, utilities, etc.).

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action. EPJB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M

That the maximum amounts allowed for housing assistance in the General Assistance Policy, for persons eligible to receive assistance in accordance with the standards of eligibility, be amended in accordance with the General Assistance Housing Maximums, to be effective October 1, 2012 to October 1, 2013.

Lewiston
All-America City
2007

Social Services Department
Sue Charron
Social Services Director

It's Happening Here!
LEWISTON • AUBURN

MEMORANDUM

TO: Mayor Macdonald and Members of the City Council

FR: Sue Charron, Social Services Director

RE: G.A. Maximums

DT: October 16, 2012

Enclosed are the new MMA General Assistance Housing Maximums (Appendix C- Lewiston/Auburn MSA) effective October 1, 2012 to October 1, 2013.

The new maximums only apply to the housing rates; they do not affect the current overall or categorical maximums (food, personals, and utilities). The categorical maximums are the same amounts that were adopted for the period of 10/1/2011 to10/1/2012 and will continue at the current rate until at least October 1, 2013.

The overall maximums were reduced to 90% of the maximum levels (in effect on April 1, 2012) effective July 1, 2012, and will continue at the current rate until June 30, 2013.

It is important to note that any assistance that is authorized for categorical maximums, including housing, cannot exceed the overall maximums, unless there is an emergency situation.

Each year, DHHS requires verification that the municipality has adopted the maximums.

Encs.

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.

GENERAL ASSISTANCE POLICY

HOUSING

The maximum amounts allowed for housing are:

Unheated	**Weekly**		**Monthly**	
Efficiency	~~85.00~~	89.00	~~366.00~~	381.00
1 Bedroom	~~106.00~~	103.00	~~455.00~~	445.00
2 Bedroom	~~129.00~~	139.00	~~554.00~~	597.00
3 Bedroom	~~161.00~~	178.00	~~691.00~~	766.00
4 Bedroom	~~168.00~~	180.00	~~721.00~~	774.00

Heated w/hot water	**Weekly**		**Monthly**	
Room	~~$84.00~~	90.00	~~$360.00~~	387.00
Efficiency	~~98.00~~	104.00	~~420.00~~	448.00
1 Bedroom	~~122.00~~	123.00	~~526.00~~	530.00
2 Bedroom	~~150.00~~	164.00	~~643.00~~	704.00
3 Bedroom	~~190.00~~	209.00	~~815.00~~	899.00
4 Bedroom	~~210.00~~	217.00	~~902.00~~	933.00

Housing rates apply to rooms, efficiencies, apartments, shelters and mortgage payments. Room should include everything except kitchen and bathroom facilities. Efficiency should include kitchen and bathroom facilities.

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.

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

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 13

SUBJECT:

Resolve Requesting that the Planning Board consider establishing a Business Transition Zone and recommend areas where such a zone might be appropriate.

INFORMATION:

The Council discussed this issue during an earlier workshop and discussed the City's zoning as it impacts businesses located on commercially zoned streets where the limited depth of such zones greatly limit or prevents a business expansion or development. This agenda action will send this issue to the Planning Board for their review and input.

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 requesting that the Planning Board consider establishing a Business Transition Zone and recommend areas where such a zone might be appropriate.

Lewiston
All-America City
2007

City of Lewiston Maine
City Council Resolve
October 16, 2012

Resolve, Requesting that the Planning Board Consider Establishing a Business Transition Zone and Recommend Areas Where Such a Zone Might be Appropriate.

Whereas, it has long been recognized that certain areas located along the City's major traffic corridors that originally developed residentially have gradually transitioned to commercial use and have become less attractive to residential use; and

Whereas, expanded use of the standard highway business zone may not be appropriate for these areas given that zone's development standards and the potential creation of residential non conformities; and

Whereas, it is appropriate that the City recognize the market incentives that are moving these areas toward commercial and away from residential uses while also protecting adjacent stable residential areas; and

Whereas, this may best be accomplished by establishing a Business Transition Zone that recognizes the forces promoting change while acknowledging the need to protect adjacent stable residential areas from potential negative impacts; and

Whereas, as a part of this task, it is also appropriate for the Planning Board to identify potential areas throughout the community where such a transitional zone might be appropriate;

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

That we hereby request the Planning Board to consider establishing a new zoning district that will create a framework for addressing, in advance of any particular request, those areas that are in the process of transitioning from residential to commercial use while also protecting adjacent stable neighborhoods through the application of appropriate development standards.

Be it Further Resolved

That the Planning Board also identify, in a comprehensive fashion, those areas of the community where the use of such a zone would be suitable and would support the location or expansion of appropriate businesses compatible with maintaining stable nearby neighborhoods.

MEMORANDUM

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

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

RE: Business Zoning on Arterial Streets

DT: October 10, 2012

At the City Council Workshop of October 3rd City Administrator Ed Barrett led a discussion regarding the City's zoning as it impacts businesses located on commercially zoned streets where the limited depth of such zones greatly limits and/or prevents business expansion and/or development. The discussion centered on the appropriateness of the creation of a transitional district that would permit business expansion into adjoining residential districts while offering protection to residential property owners. A straw vote was taken at the workshop and a majority of the Council expressed interest in requesting the Planning Board to explore this matter and to make a recommendation. Therefore, this topic is on your agenda for the meeting of October 16th for a vote to request the Planning Board to entertain a rezoning that would create a transitional district in areas as may be appropriate that would permit commercial activity in adjoining residential areas.

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 14

SUBJECT:

Request for Use of City Services for the Night of the Running Dead 5K event.

INFORMATION:

The event coordinators for the Night of the Running Dead 5 K road race event are seeking a waiver of fees from the City for the use of city services needed for this event. Please see the attached memorandum from Recreation Director Maggie Chisholm regarding the details for this request.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator reserves comment on this issue until the Council meeting.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

To consider the request for the use of city services from the organizers of the event entitled Night of the Running Dead 5 K and to determine a course of action.

Lewiston
All-America City
2007

City of Lewiston
Department of Recreation

TO: Honorable Mayor and Members of the City Council
FR: Maggie Chisholm, Director Lewiston Recreation Department
RE: Back 40 Event Request
DT: 10/16/12

The Night of the Running Dead 5K is requesting City Council waive the overtime fees that Public Works requires in order to set up for their 5K run and one mile walk. Public Works is needed to close one lane on Longley Bridge. Police overtime is not required; however there will be a police presence by on duty officers. The event is 10/27/12 from 7 pm to 9:30 pm, this time includes set up, actual event and tear down.

The Special Event application was received 9/11/12 and a meeting was scheduled on 9/23/12 to discuss the details, one of which was the closure of one lane on Longley Bridge which requires the need for overtime. The overtime estimate received from Public Works is $200.

This event is new and Mr. Cobb had no prior knowledge of the procedures that are required when requesting City services. As stated in his request this is a fundraiser for local athletic teams, E.L.H.S. and L.H.S. Lacrosse. This is a worthy cause for the youth in the communities and I recommend his request be considered for approval.

65 Central Ave ~ Lewiston Maine ~ Tel. 207-513-3005 ~ Fax 207-786-0783
Visit us on the world wide web at: www.lewistonmaine.gov

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

Megan Bates

Deputy Director of Highways and Open Spaces

Lewiston, Maine

Megan,

As you probably know we are planning a fund raising event for the 27th of October 2012. This event is a 5K run and 1 mile walk starting and finishing in Auburn but passing through Lewiston. I have attached a race plan discussing communications, security, volunteers, athlete safety, EMS, setup and clean up.(I am certainly open to suggestions with regard to this plan) Here is a link to the http://www.mapmyrun.com/routes/view/140325471 map showing the course route and its impact on Lewiston along with a race flyer describing the event in detail.

This is a fundraiser for local athletic teams mainly ELHS Lacrosse and Lewiston Lacrosse. Because the goal is to raise as much money as possible for these two programs we are requesting in kind city services. We have met with Maggie Chisholm from Lewiston Rec., Sgt. David Chick from Lewiston PD, and Steve Murch from Lewiston Public Works. They have informed me that the only city expense for this event would be incurred by Public Works. This would include two men and a vehicle and is estimates at $250.00. We ask that this expense be waived for our event.

Regards,

Eric Cobb

Beryle Martin

Back 40 Timing and Event Services

207-212-4044

Night of the Running Dead 5K

&

1 Mile Walk, Creep, n' Crawl

Registration for this event is open, Cost for the 5K is, from now until October 26 @ 8:00pm $20.00 online or $25.00 day of race. Cost for the 1Mile Walk, Creep, n' Crawl is $5.00 until October 26 and $8.00 on race day.

Register for this unique event as a Human or Zombie. Humans will start from Festival Plaza on Main St. in Auburn at 8:00pm. Zombies (who are required to dress in their best "undead" costume), will start 2 minutes later, chasing the hapless humans around the course. After all, isn't that what Zombies do? So we will see an army of undead chasing the living (the whole point of the race). To reiterate, Zombie costumes are required to qualify as undead.

Because this is a Halloween/Zombie-themed race we are going to take every precaution in keeping participants safe. This is just a race and no physical contact along the course will be tolerated. No props will be allowed during the race or at the event that could harm anyone (didn't your mother teach you not to run with scissors?). Each participant will be required to sign an agreement along these guidelines (see registration waiver).

Night of the Running Dead 5K is first and foremost for FUN and to raise money for local athletic teams. We ask participants to be courteous and patient with other runners and volunteers. Chip timing will be provided to ensure fast and accurate results in the 5K.

Cash prizes will be offered for First and Second place Overall in both Human and Zombie categories.

$100 for First place

$50 for Second place

Unique prizes will be offered for First and Second place in the following age groups.

19 and Under

20-29

30-39

Night of the Running Dead 5K

Communications Plan

- Pre Race communications will include contacting all businesses along the course to inform them of date and time. Along with signs along the route warning of traffic delays.
- Race day comm. Volunteers will be stationed at various corners throughout the course and will have walkie talkies. They will be in direct communications with the Race Director.

Emergency Medical Plan

- Race Director is licensed EMT and will have first aid supplies on hand
- Race Director will be in direct communication with local Fire EMS on scene
- Secondary will be United Ambulance with less than 4 minute response time

Security Plan

- Auburn Police will be on hand to assist with road closures and security
- Lewiston Police will monitor course

Volunteer Plan

- Volunteers will be stationed at all corners and intersections along the course

Set up and Cleanup Plan

- Volunteer team will be formed to assist with venue set up
- Volunteer team will be formed to sweep course for all liter and signage

CITY OF LEWISTON
Special Event Application

Applications must be submitted at least 14 days prior to the event, unless an * appears next to the permit type. *Application must be turned in 30 days prior to the event due to public hearing requirement.

RECEIVED
SEP 11 2012
LEWISTON
CITY CLERK'S OFFICE

Application Date 9-11-12

SPONSOR INFORMATION

Name of Sponsoring Organization: Back 40 Events

Name of Contact Person for Event: Eric Cobb

Title of Contact Person: President

Mailing Address: 24 Hillsdale St. Auburn Me 04210

Daytime Telephone: 207-212-4044 Cell Phone: same

Email Address: back40Timing@gmail.com

Contact Name and Cell Phone Number DURING the Event: Eric 207-212-4044

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

Non-Profit Number: _____

EVENT INFORMATION

Name of Event: Night of the Running Dead 5K

Type of Event (walk, festival, concert, etc.): 5K Run + 1mile walk

Date of Event: 10-27-12 Rain Date: —

Times of Event: Start Time including set-up: 7:00pm Ending time including clean up: 9:30pm
Actual Event Start Time: 8:00pm Actual Event End Time: 9:30pm

Estimated Attendance: 100-150

Location of Event: Festival plaza Auburn, course goes on bridge → lincoln st, simard payne park - oxford st cedar st. to bridge → Auburn in Auburn

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 X Pending

Date request submitted to the Recreation Department: 9-11-12

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: Note - A food service license may be required.		X	
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: Note- A peddling permit may be required.		X	
$11	*LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe:		X	
$16/day	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	in Auburn		
Separate fee and permit required	ALCOHOLIC BEVERAGES – Will alcoholic beverages be served?		X	
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.		X	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.		X	
N/A	PARADE – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.		X	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, ~~road race~~, etc? If yes, describe route: see map.	X		
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.		X	
N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes:		X	
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: 1 lane on Langley Bridge	X		
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.	X		

N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? none		X	
N/A	TOILETS – Please list amount at event and/or nearest location: in Auburn		X	
N/A	WASTE DISPOSAL – Please list process and location: in Auburn			
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location: in Auburn			
N/A	POTABLE WATER – Please list amount at event and location: in Auburn			
N/A	FIRST AID FACILITIES – Please list location at event: in Auburn			
$ _____	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

see flyer Attached

Signature of Applicant: [signature] Printed Name: Eric D. Cobb Date Submitted: 9-11-12

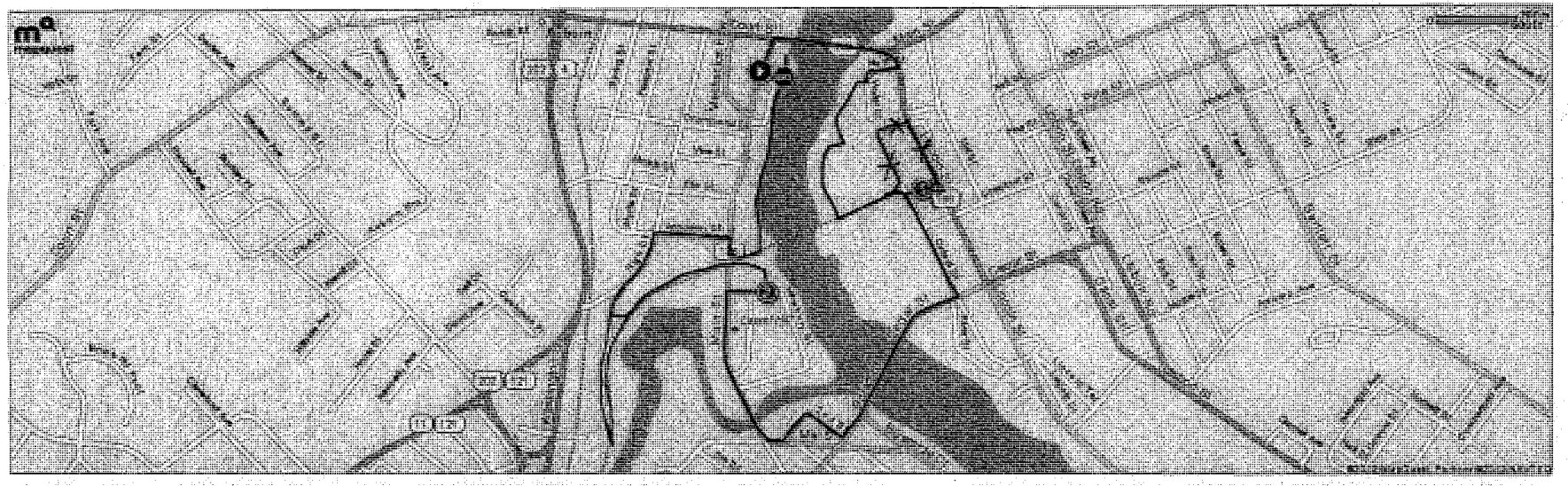
Please note that you will be contacted by City Staff if you require additional permitting.

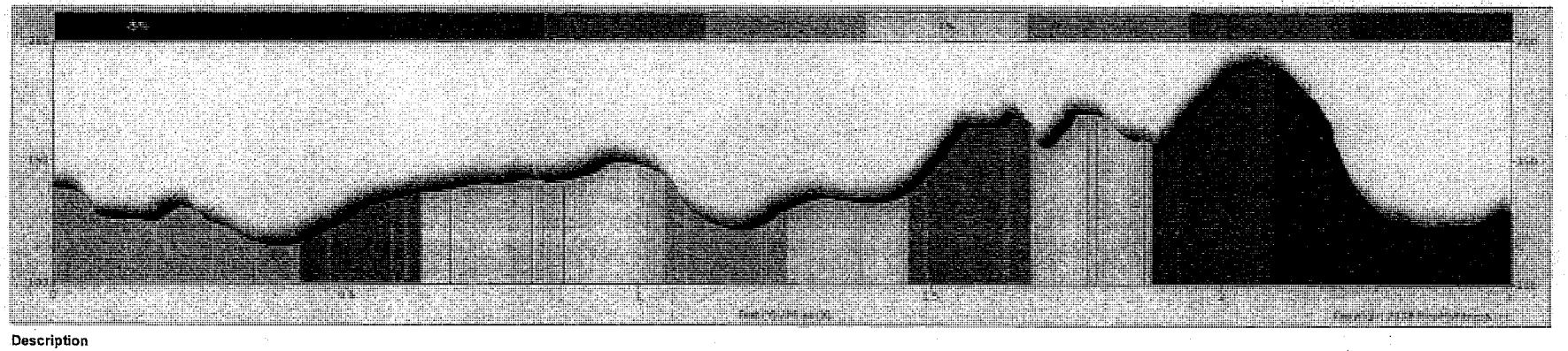
Night of the Running Dead 5K

Starts in Auburn, Maine

2.98 miles

Elevation		Ascent	Descent	Max Climb
197ft Max	112ft Min	+118ft	-125ft	< 3 %





Description

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 16, 2012

AGENDA INFORMATION SHEET: **AGENDA ITEM NO.** 17

SUBJECT:

Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue 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:

State statutes define the purposes for entering into an executive session.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.