

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
FEBRUARY 25, 2014**

*Postponed from February 18 due to weather conditions
Agenda has since been modified*

5:30 p.m. Workshop

- A. Review of Proposed New Ward Line Boundaries (15 minutes)
- B. Request to Accept Vehicle Donation for use as Evidence Technician Unit (15 minutes)

6:00 p.m. Executive Session - To discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

6:15 p.m. Executive Session - To discuss a legal matter with the City Attorney.

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Acceptance of minutes of the meeting of January 21, 2014.

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. Order Authorizing execution of several Municipal Quitclaim Deeds for Real Estate and Utility payments.
- * 2. Annual authorization for the Public Works Department to post certain roads, from March 1st to May 1st, prohibiting vehicles having a gross vehicle weight of over 23,000 pounds.

REGULAR BUSINESS:

- 3. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Bernie's Bar & Grill, 1065 Sabattus Street.
- 4. Public Hearing and Final Passage on amendments to the Traffic and Vehicles ordinance regarding speed limits.
- 5. Public Hearing and Final Passage on amendments to the Buildings and Building Regulations ordinance regarding the property maintenance code and erosion control.
- 6. Public Hearing and First Passage regarding an amendment to the Business Licensing ordinance regarding garage sale permits.
- 7. Adoption of amendments to the City Policy Manual for city department miscellaneous fees and penalties.

8. Order authorizing city staff to take the necessary steps to make the results of restaurant inspections available on the city website.
9. Condemnation Hearing for the building located at 47 Knox Street.
10. Condemnation Hearing for the building located at 10 Nomar Court.
11. Receipt of recommendation from the Finance Committee and the Planning Board on the FY2015 Lewiston Capital Improvement Plan budget.
12. Resolve regarding the Adoption of the 2015 City of Lewiston Five-Year Capital Improvement Program.
13. Request for the Lewiston Auburn Film Festival for a waiver of fees regarding the use of the Lewiston Public Library for the organization's 2014 event.
14. Order Authorizing the City Administrator to Execute a New Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME Council #93) Local 1458-00, on behalf of the Lewiston Public Works Unit.
15. Order Authorizing the City Administrator to execute the Green and Healthy Home Initiative Compact for the Cities of Lewiston and Auburn on behalf of the City of Lewiston.
16. Reports and Updates.
17. Any other City Business Councilors or others may have relating to Lewiston City Government.
18. 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.
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 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.

PROPOSED WARD REDISTRICTING TIME LINE

February 18 - City Council workshop - Review of proposed ward maps with new ward boundary lines.

If proposed ward lines are OK with the City Council:

February 19 - March 17 - City Clerk's Office staff, in conjunction with the City's GIS Coordinator, will draft the corresponding written description of the ward lines

March 4 - City Council meeting - Adoption of Resolve to consolidate to one polling place for the June election only (there will be a potential of 26 different ballot styles for voters)

March 18 - City Council meeting - First Passage of the Ordinance amendment describing and defining the new ward lines

April 1 - City Council meeting - Final Passage of Ordinance amendment describing and defining the new ward lines (effective date of June 13)

April - July/August - Manual updates to the Central Voter Registration database street list - assigning the correct street sections to the correct wards

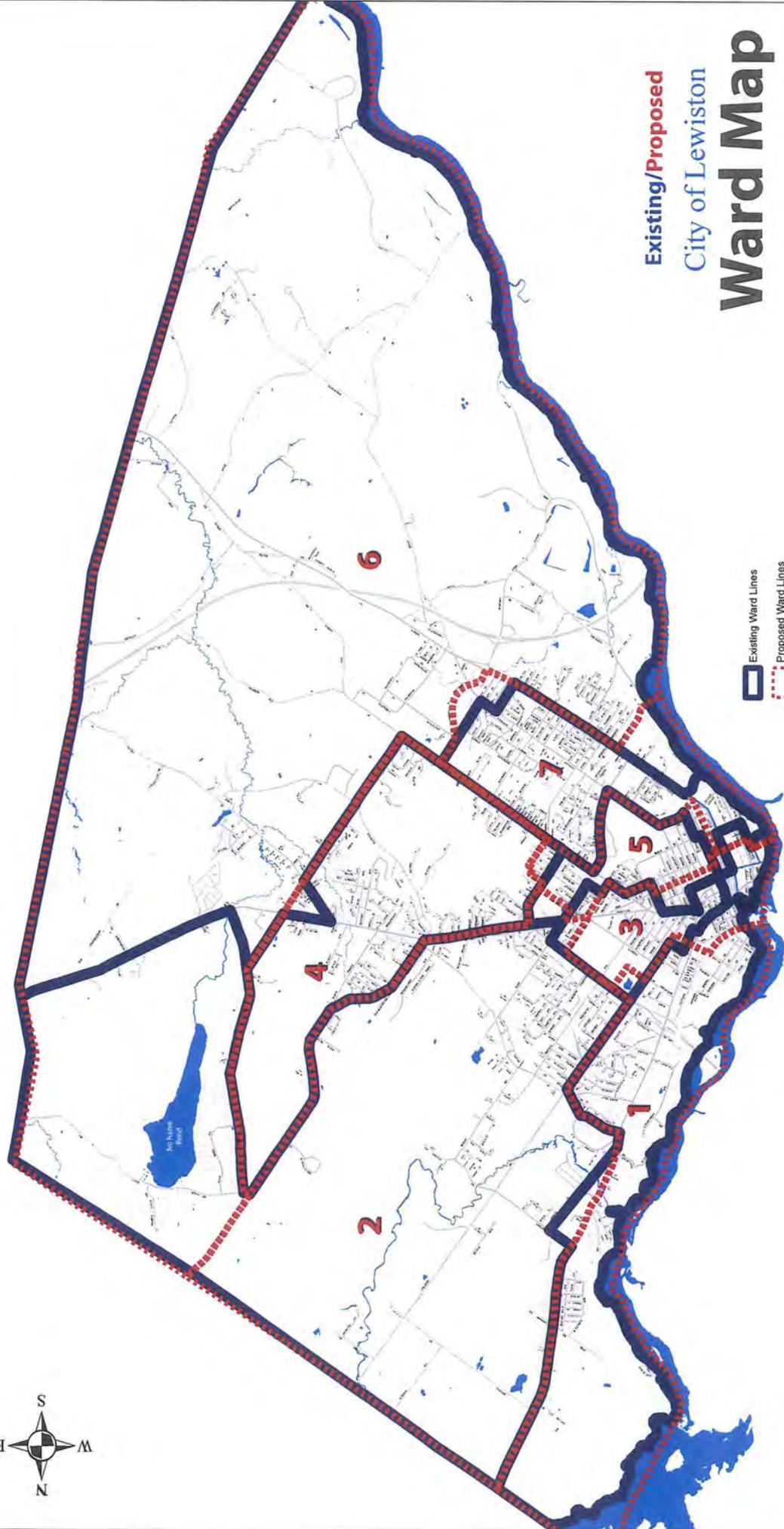
June 10 - State Primary and Special Municipal Election - citywide at Longley School

June 13 - Effective date of local ward lines

June 14 - State deadline to have local redistricting completed

October - First week - Postcard mailing to all voters whose ward has changed

November 4 - Election with new ward lines in effect

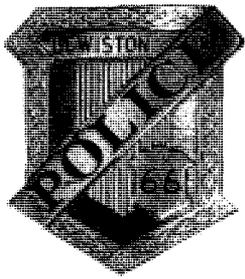


Existing Ward Lines
Proposed Ward Lines

Existing/Proposed City of Lewiston Ward Map

February 2014

Not to Scale



POLICE DEPARTMENT

James T. Minkowsky
Deputy Chief of Police



Date: 4 February 2014
To: Ed Barrett, City Administrator
From: James Minkowsky, Deputy Chief
Subject: Evidence Tech Vehicle

Ed,

Regarding the conversation you had recently with Mike Bussiere concerning the acquisitions of a vehicle from United Ambulance. I am writing this memo to provide further details of the proposed transaction. United Ambulance is in the process of replacing some of its existing fleet.

They have offered, at no cost, a 2003 Ford ambulance. With your support and the consent of the Council, we would like to convert this vehicle to an evidence tech vehicle. This would be its sole purpose. As such, CID and our evidence techs will have a secured and dedicated mobile unit to respond to scenes with all relevant equipment on board. It is simply not feasible to get every piece of required evidence collection equipment into a passenger vehicle and have the ability to itemize and detail the items at the scene. Also, the use of the command post at large scenes is not always conducive to solely evidence purposes as the vehicle serves as a multi functional unit.

Once decaled, the vehicle will be identified as "Evidence Tech Unit" or some variation. The vehicle comes nearly fully equipped with emergency lights etc. One cost associated with the re-outfit, in addition to decaling, would be changing the emergency lighting lens covers from red to blue, which is relatively inexpensive. In reality, since it is generally a non-emergency vehicle, much of these costs could be put off for a period of time.

The mileage on the vehicle is currently 176,900. While the age and mileage may be of concern, the vehicle has been well maintained and will be used minimally. With respect to future replacement, we would seek the same source to acquire another vehicle. If that is not an option, we would explore other options fully knowing that if they do not exist, we may have to go without a dedicated evidence vehicle for a period of time in the future.

In closing, I urge the City Council to support this piece of equipment. The public expects a higher level of service than ever before, and we need to supply the tools for these situations.

I appreciate your consideration, and welcome any questions.



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Professionalism Integrity Compassion Dedication Pride Dependability

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Order Authorizing execution of several Municipal Quitclaim Deeds for Real Estate and Utility payments.

INFORMATION:

The Council is asked to approve municipal quitclaim deeds for multiple properties within the city. The quitclaim deed will release any interest the City may have by virtue of undischarged real estate tax liens or utility liens on this property.

Please see the memorandum from Finance Director Heather Hunter 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
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To approve the Orders authorizing execution of municipal quitclaim deeds for real estate and utility payments.



Finance Department

Heather Hunter
Director of Finance/Treasurer
hhunter@lewistonmaine.gov



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

FROM: Heather Hunter, Finance Director/Treasurer

SUBJECT: **Quitclaim Deeds**

DATE: February 12, 2014

One of the most powerful collection tools in a municipality's arsenal is the ability to lien properties for delinquent taxes (real and special only), water and sewer balances, and, most recently, stormwater balances. Once a lien is recorded, eighteen months must lapse without payment before the lien matures. Prior to maturity, the City Council may waive the right to foreclose on a maturing lien as you have done in the past. If the lien is permitted to mature, the municipality may elect to foreclose on the property or, if subsequent payment is received, return the property to its owner via a quitclaim deed.

In the past, quitclaim deeds were processed at the department level; more recently this action has been moved to the City Council level as it coincides with other property disposition authority. Therefore, all quitclaim deeds will be placed on the City Council agenda as consent items.

At your February 18th meeting, there will be a number of quitclaim deeds dealing with matured tax and utility liens that have since been paid by the owner. At this time, I am requesting you approve the quitclaim orders for those accounts so the property can be released from the City to the owner.

Please feel free to contact me with any questions or concerns you may have. I will also be available at the meeting to address comments.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 2 Shore Road.**

WHEREAS, the owner Scott N. Therrien, Joline Lepage, and Trust Minor Children failed to pay their tax bill on a timely basis at 2 Shore Road (Tax Map 34, Lot 23, Parcel 00-014157); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8181 Page 343), and matured on December 17, 2012, in the amount of \$841.75; and

WHEREAS, payment was received in full on January 23, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 2 Shore Road to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 11 Cassell Street.**

WHEREAS, the owner Jeanne B. and Roger R. Laroche failed to pay their tax bill on a timely basis at 11 Cassell Street (Tax Map 151, Lot 058, Parcel 00-005694); and

WHEREAS, a tax lien was filed on June 16, 2010 (Book 7952 Page 266), and matured on December 16, 2011, in the amount of \$1,837.59; and

WHEREAS, payment was received in full on December 13, 2013;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON that a quitclaim be issued for 11 Cassell Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 15 Shore Road.**

WHEREAS, the owner Deedra and Victoria T. Langelier failed to pay their tax bill on a timely basis at 15 Shore Road (Tax Map 34, Lot 24, Parcel 00-013848); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8417 Page 236), and matured on December 13, 2013, in the amount of \$334.66; and

WHEREAS, payment was received in full on February 10, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 15 Shore Road to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 222 Russell Street.**

WHEREAS, the owner Robert E. Pomerleau Sr. failed to pay his tax bill on a timely basis at 222 Russell Street (Tax Map 146, Lot 075, Parcel 00-002037); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8418 Page 13), and matured on December 13, 2013, in the amount of \$207.30; and

WHEREAS, payment was received in full on January 6, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 222 Russell Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 31 Jean Street.**

WHEREAS, the owner Tammy L. Nicholson failed to pay her tax bill on a timely basis at 31 Jean Street (Tax Map 146, Lot 183, Parcel 00-005729); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8417 Page 318), and matured on December 13, 2013, in the amount of \$2,321.96; and

WHEREAS, payment was received in full on January 10, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, that a quitclaim be issued for 31 Jean Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 32 Horton Street.**

WHEREAS, the owner Robert Javande failed to pay his tax bill on a timely basis at 32 Horton Street (Tax Map 195, Lot 385, Parcel 00-010619); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8417 Page 225), and matured on December 13, 2013, in the amount of \$1,733.36; and

WHEREAS, payment was received in full on January 23, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON** that a quitclaim deed be issued for 32 Horton Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 33 Lisbon Street.**

WHEREAS, the owner ATL Holdings LLC failed to pay their tax bill on a timely basis at 33 Lisbon Street (Tax Map 207, Lot 126, Parcel 00-006158); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8416 Page 301), and matured on December 13, 2013, in the amount of \$1,114.27; and

WHEREAS, payment was received in full on January 29, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON** that a quitclaim deed be issued for 33 Lisbon Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 34 Merrill Road Rear.**

WHEREAS, the owner Sandra L. and Ronald R. Roy failed to pay their tax bill on a timely basis at 34 Merrill Road Rear (Tax Map 112, Lot 009, Parcel 00-009234); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8418 Page 47), and matured on December 13, 2013, in the amount of \$17,872.17; and

WHEREAS, payment was received in full on January 9, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 34 Merrill Road Rear to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 37 Autumn Lane.**

WHEREAS, the owner William and Kelly Curtis failed to pay their tax bill on a timely basis at 37 Autumn Lane (Tax Map 38, Lot 003, Parcel 90-020089); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8180 Page 259), and matured on December 17, 2012, in the amount of \$1,457.12; and

WHEREAS, payment was received in full on January 10, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 37 Autumn Lane to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 37 Lisbon Street.**

WHEREAS, the owner Richard A. Spiro failed to pay his tax bill on a timely basis at 37 Lisbon Street (Tax Map 207, Lot 125, Parcel 00-005779); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8181 Page 315), and matured on December 17, 2012, in the amount of \$2,256.04; and

WHEREAS, payment was received in full on February 4, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 37 Lisbon Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 48 River Street.**

WHEREAS, the owner Kenneth and Penny L. Ouellette failed to pay their sewer bill on a timely basis at 48 River Street (Tax Map 209, Lot 15, Parcel 00-001305, Account 001804); and

WHEREAS, a sewer lien was filed on March 2, 2012 (Book 8348 Page 202), and matured on September 1, 2013, in the amount of \$239.46; and

WHEREAS, a sewer lien was filed on September 15, 2011 (Book 8237 Page 35), and matured on March 16, 2013, in the amount of \$163.08; and

WHEREAS, payment was received in full on October 16, 2013;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 48 River Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 65 Old Chadbourne Road.**

WHEREAS, the owner Jacqueline Lapage and Gilbert Field failed to pay their tax bill on a timely basis at 65 Old Chadbourne Road (Tax Map 18, Lot 060, Parcel 00-013246); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8181 Page 102), and matured on December 17, 2012, in the amount of \$1,573.36; and

WHEREAS, payment was received in full on September 5, 2013;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 65 Old Chadbourne Road to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 88 Howe Street.**

WHEREAS, the owner Shawn A. and Susan E. LaBrie failed to pay their sewer bill on a timely basis at 88 Howe Street (Tax Map 195, Lot 337, Parcel 00-005431, Account 000622); and

WHEREAS, a sewer lien was filed on September 15, 2011 (Book 8237 Page 11), and matured on March 16, 2013, in the amount of \$234.87; and

WHEREAS, payment was received in full on February 5, 2014; and

WHEREAS, the owner Shawn A. and Susan E. LaBrie failed to pay their water bill on a timely basis at 88 Howe Street (Tax Map 195, Lot 337, Parcel 00-005431, Account 000622); and

WHEREAS, a water lien was filed on September 15, 2011 (Book 8237 Page 117), and matured on March 16, 2013, in the amount of \$163.90; and

WHEREAS, payment was received in full on February 5, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 88 Howe Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 99 Prospect Avenue.**

WHEREAS, the owner Anita P. Chase failed to pay her tax bill on a timely basis at 99 Prospect Avenue (Tax Map 177, Lot 103, Parcel 00-001730); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8180 Page 215), and matured on December 17, 2012, in the amount of \$2,310.74; and

WHEREAS, payment was received in full on October 1, 2013;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 99 Prospect Avenue to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 111 Sabattus Street.**

WHEREAS, the owner Bridget and Robert Cailler failed to pay their tax bill on a timely basis at 111 Sabattus Street (Tax Map 195, Lot 261, Parcel 00-001407); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8417 Page 12), and matured on December 13, 2013, in the amount of \$2,390.28; and

WHEREAS, payment was received in full on December 13, 2013;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 111 Sabattus Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 121 Webster Street.**

WHEREAS, the owner Paul F. Melanson failed to pay his tax bill on a timely basis at 121 Webster Street (Tax Map 174, Lot 43, Parcel 00-008337); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8417 Page 291), and matured on December 13, 2013, in the amount of \$2,596.52; and

WHEREAS, payment was received in full on January 23, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 121 Webster Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 128 Merrill Road Rear.**

WHEREAS, the owner Sandra L. and Ronald R. Roy failed to pay their tax bill on a timely basis at 128 Merrill Road Rear (Tax Map 112, Lot 26, Parcel 00-011825); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8418 Page 48), and matured on December 13, 2013, in the amount of \$234.61; and

WHEREAS, payment was received in full on January 9, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 128 Merrill Road Rear to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 148 Bartlett Street.**

WHEREAS, the owner Robert J. and Claudine M. Tremblett failed to pay their tax bill on a timely basis at 148 Bartlett Street (Tax Map 196, Lot 134, Parcel 00-012949); and

WHEREAS, a tax lien was filed on June 16, 2010 (Book 7953 Page 107), and matured on December 16, 2011, in the amount of \$1,098.96; and

WHEREAS, payment was received in full on December 3, 2013; and

WHEREAS, the owner Robert J. and Claudine M. Tremblett failed to pay their sewer bill on a timely basis at 148 Bartlett Street (Account # 000864); and

WHEREAS, a sewer lien was filed on March 2, 2012 (Book 8348 Page 188), and matured on September 1, 2013, in the amount of \$128.62; and

WHEREAS, payment was received in full on February 4, 2014;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim 148 Bartlett Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 155 Spring Street.**

WHEREAS, the owner Floyd and Cathy Jenkins failed to pay their tax bill on a timely basis at 155 Spring Street (Tax Map 193, Lot 18, Parcel 00-005546); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8181 Page 44), and matured on December 17, 2012, in the amount of \$3,411.58; and

WHEREAS, payment was received in full on December 11, 2013;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 155 Spring Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 184 Bartlett Street.**

WHEREAS, the owner L.J.M. LLC failed to pay their tax bill on a timely basis at 184 Bartlett Street (Tax Map 196, Lot 142, Parcel 00-002054); and

WHEREAS, a tax lien was filed on June 13, 2012 (Book 8417 Page 216), and matured on December 13, 2013, in the amount of \$1,795.92; and

WHEREAS, payment was received in full on January 23, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim 184 Bartlett Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 238 Lisbon Street.**

WHEREAS, the owner William D. Maselli and Adam Baroudi failed to pay their tax bill on a timely basis at 238 Lisbon Street (Tax Map 208, Lot 099, Parcel 00-006105); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8181 Page 127), and matured on December 17, 2012, in the amount of \$889.34; and

WHEREAS, payment was received in full on November 12, 2013;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 238 Lisbon Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 378 Pinewoods Road.**

WHEREAS, the owner Dora and John Clark failed to pay their tax bill on a timely basis at 378 Pinewoods Road (Tax Map 49, Lot 13, Parcel 00-012882); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8180 Page 277), and matured on December 17, 2012, in the amount of \$2,926.64; and

WHEREAS, payment was received in full on December 12, 2013;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 378 Pinewoods Road to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 1128 Lisbon Street.**

WHEREAS, the owner James and Timothy Wong and Tony Eng failed to pay their tax bill on a timely basis at 1128 Lisbon Street (Tax Map 150, Lot 434, Parcel 00-000938); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8182 Page 25), and matured on December 17, 2012, in the amount of \$10,467.30; and

WHEREAS, payment was received in full on January 7, 2014;

NOW, THEREFORE, BE IT ORDERED by the **CITY COUNCIL** of the **CITY of LEWISTON**, to issue a quitclaim for 1128 Lisbon Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 1153 Main Street.**

WHEREAS, the owner Forest Farnum failed to pay his tax bill on a timely basis at 1153 Main Street (Tax Map 139, Lot 002, Parcel 00-003821); and

WHEREAS, a tax lien was filed on June 17, 2011 (Book 8180 Page 307), and matured on December 17, 2012, in the amount of \$1,849.48; and

WHEREAS, payment was received in full on December 6, 2013;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 1153 Main Street to release the City's interest in the property back to the owner.



**City of Lewiston Maine
City Council Order
February 18, 2014**

**Order, Authorizing Execution of a Municipal Quitclaim Deed – Real Estate
Located at 1990 Lisbon Street.**

WHEREAS, the owner Richard Boucher failed to pay his water bill on a timely basis at 1990 Lisbon Street (Tax Map 45, Lot 10, Parcel 00-005027, Account 009501); and

WHEREAS, a water lien was filed on June 25, 2009 (Book 7728 Page 325), and matured on December 25, 2010, in the amount of \$124.79; and

WHEREAS, a water lien was filed on July 1, 2010 (Book 7967 Page 142), and matured on December 30, 2011, in the amount of \$136.34; and

WHEREAS, a water lien was filed on February 18, 2011 (Book 8118 Page 82), and matured on August 9, 2012, in the amount of \$168.84; and

WHEREAS, a water lien was filed on September 15, 2011 (Book 8237 Page 182), and matured on March 16, 2013, in the amount of \$137.49; and

WHEREAS, a water lien was filed on March 2, 2012 (Book 8348 Page 173), and matured on September 1, 2013, in the amount of \$143.72; and

WHEREAS, payment was received in full on December 6, 2013; and

WHEREAS, the owner Richard Boucher failed to pay his sewer bill on a timely basis at 1990 Lisbon Street (Tax Map 45, Lot 10, Parcel 00-005027, Account 009501); and

WHEREAS, a sewer lien was filed on June 25, 2009 (Book 7729 Page 97), and matured on December 25, 2010, in the amount of \$168.12; and

WHEREAS, a sewer lien was filed on July 1, 2010 (Book 7967 Page 16), and matured on December 30, 2011, in the amount of \$201.20; and

WHEREAS, a sewer lien was filed on February 18, 2011 (Book 8118 Page 14), and matured on August 9, 2012, in the amount of \$248.70; and

WHEREAS, a sewer lien was filed on September 15, 2011 (Book 8237 Page 93), and matured on March 16, 2013, in the amount of \$161.73; and

WHEREAS, a sewer lien was filed on March 2, 2012 (Book 8348 Page 255), and matured on September 1, 2013, in the amount of \$174.57; and

WHEREAS, payment was received in full on December 6, 2013;

NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON, to issue a quitclaim for 1990 Lisbon Street to release the City's interest in the property back to the owner.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

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

INFORMATION:

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

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA/B/kmm

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

- From March 1, 2014 to May 1, 2014:
- Ferry Road - From Cottage Road to River Road
 - River Road - From Ferry Road to Solid Waste Facility
 - Dyer Road - From Lisbon Road to Ferry Road
 - Pinewoods Road - From Ferry Road to Town Line
 - Gayton Road - From Lisbon Road to Town Line
 - Webster Road - From Old Lisbon Road to Crowley Road
 - Merrill Road - From College Road to Main Street
 - Sleeper Road - From Merrill Road to Town Line
 - Randall Road - From Sunrise Lane to Grove Street
 - Grove Street - From Randall Road to Town Line
 - Old Greene Road - From North Temple Street to Town Line
 - No Name Pond Road - From Old Greene Road to Town Line
 - Pond Road - From Cherrywood Drive to No Name Pond Road



Department of Public Works

David A. Jones, P.E.
Director



TO: Ed Barrett, City Administrator
FROM: Dave Jones, Public Works Director
DATE: February 10, 2014
SUBJECT: Weight Limit Road Postings

The Department of Public Works is requesting that the Lewiston City Council authorize the posting of the following roads prohibiting vehicles having a gross weight greater than 23,000 pounds. The proposed posting would be from March 1, 2014 to May 1, 2014, but exceptions could be made if road conditions are favorable and on a case-by-case basis by the Director of Public Works or his designee. The posting could potentially be lifted earlier if weather and road conditions are favorable.

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

Ferry Road –	from Cottage Road to River Road
River Road –	from Ferry Road to the Solid Waste Facility
Dyer Road –	from Lisbon Road to Ferry Road
Pinewoods Road –	from Ferry Road to Town Line
Gayton Road –	from Lisbon Road to Town Line
Webster Road –	from Old Lisbon Road to Crowley Road
Merrill Road –	from College Road to Main Street
Sleeper Road –	from Merrill Road to Town Line
Randall Road –	from Sunrise Lane to Grove Street
Grove Street –	from Randall road to Town Line
Old Greene Road –	from North Temple Street to Town Line
No Name Pond Road –	from Old Greene Road to Town Line
Pond Road –	from Cherrywood Drive to No Name Pond Road

Exempted vehicles would be all vehicles or combination of vehicles 23,000 pounds or less, emergency response vehicles, school buses, fuel delivery trucks, State or municipal highway maintenance vehicles, or authorized vehicles under the direction of a public jurisdiction engaged in emergency maintenance of a public highway thereof.

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

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for *Barnie's Bar & Grill*, 1065 Sabattus Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from *Barnie's Bar & Grill*, 1065 Sabattus 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
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To grant a Special Amusement Permit for Live Entertainment to *Barnie's Bar & Grill*, 1065 Sabattus Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 2/7/14 Expiration Date: 3-2-2015 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: BARNIE'S BAR & GRILL Business Phone: 726-3006

Location Address: 1065 SABBATHUS ST, LEWISTON, ME 04240

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

Mailing Address: SAME

Contact Person: ROSEANN KNIGHTLY Home Phone: 576-9627

Owner of Business: BARNIE'S BAR & GRILL, INC Date of Birth: _____

Address of Owner: 1065 SABBATHUS ST, LEWISTON, ME 04240

Manager of Establishment: ROSEANN KNIGHTLY Date of Birth: 11/17/59

Owner of Premises (landlord): VIC DOT LLC

Address of Premises Owner: 401 COLLEGE RD, BANGOR, ME 04236

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): BARNIE'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: BOTANICAL B.M. & GAILL, INC.

Corporation Mailing Address: 1065 SABBATH ST, LAUREL, MD

Contact Person: ROSEANN KNIGHTLY Phone: 576-9627

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? 200

Please describe the type of proposed entertainment:

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

If new applicant, what is your opening date?: N/A

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: Roseann Knightly Title: Treasurer Date: 3-7-14

Printed Name: Roseann Knightly

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

Sent to Police & Fire: _____

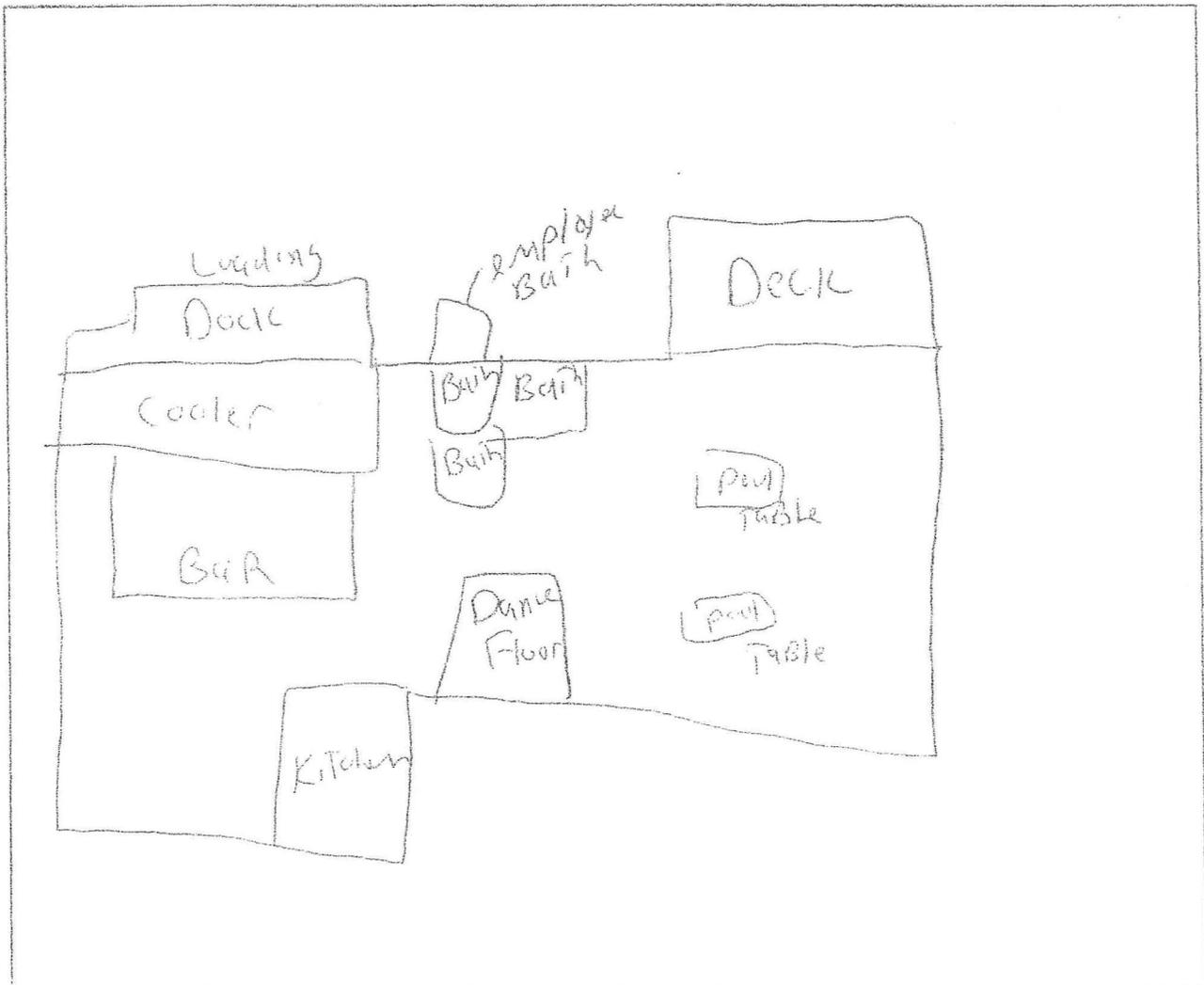
Hearing Date: _____ Approved by Council: _____ Vote No: _____



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.



CITY OF LEWISTON, MAINE

Department of City Clerk

Supplementary Questionnaire for Corporate Applicants

- 1. Exact corporate name: BARNES BAR & GRILL, INC.
- 2. Date of incorporation: 2/06
- 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
Rosanna Knightly	Lewiston	11/7/59	50	Treas.
John Conde	Lewiston	03/27/52	50	Pres.

- 6. What is the amount of authorized stock? 1000 Outstanding stock? _____
- 7. Is any principal officer of the corporation a law enforcement official?
NO

Dated at Lewiston on 2/07/14
City or Town Date

Rosanna Knightly
 SIGNATURE OF DULY AUTHORIZED OFFICER



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: February 10, 2014

RE: Liquor License/Special Amusement Permit – **Barnie's Bar & Grill**

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

Barnie's Bar & Grill
1065 Sabattus Street



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

02/07/2014 BARNIES

APT # YEAR MM DD TIME REASON ACTION CALL # SITE # VICINITY

[REDACTED] N
[REDACTED]
[REDACTED]
[REDACTED] N
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

2013 09 07 0214 POL-Assault Cleared 13-74690 1619 N

[REDACTED]

2013 08 16 2357 POL-NOISE-DISTURBANCE Cleared 13-68092 1619 N

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing and Final Passage on amendments to the Traffic and Vehicles Ordinance regarding speed limits.

INFORMATION:

City Administration is proposing to remove the language in the City Code regarding speed limits since these are all set by the State and the City Council does not have the authorization to set these on the local municipal level. Under state statute, there are standards for street limits based upon the type of street (residential, highway, alley, etc.). The state may issue exceptions to the standards for individual streets. When these are issued, they will be incorporated into the City's Traffic Schedule as an administrative action rather than requiring a City Council vote. This change will streamline the process.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EARB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That the proposed amendments to the City Code of Ordinances, Chapter 70 "Traffic and Vehicles", Section 70-83 "Speed limits at specific locations", receive final passage by a roll call vote.

AN ORDINANCE PERTAINING TO SPEED LIMITS

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 70 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 70

TRAFFIC AND VEHICLES

ARTICLE II. TRAFFIC CONTROL DEVICES

Sec. 70-83. Speed limits at specific locations.

The rates of speed and speed limits on all streets and roads within the municipality shall be determined and defined by state statute. As authorized by the Maine Department of Transportation, exceptions to the standard speed limits shall be maintained in the City of Lewiston's Traffic Schedule and may be incorporated into the Schedule based upon administrative authority and does not require action by the municipal officers.

~~Subject thereto and except in those instances where a lower speed is specified by law, it shall be prima facie lawful for the driver of a vehicle to drive at a speed not exceeding the following, but in any case when such speed would be unsafe it shall not be lawful:~~

- ~~(1) Fifteen miles an hour when passing a school during school recess or while children are going or leaving school during opening or closing hours.~~
- ~~(2) Speed in excess of 15 miles an hour when approaching within 50 feet and in traversing an intersection of ways when the driver's view is obstructed shall be unlawful, except where preference is given to through movement of traffic in one direction at the expense of cross traffic by utilization of stop signs or other control devices or by direction of a traffic officer. A driver's view shall be deemed to be obstructed when at any time during the last 50 feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the ways entering such intersection for a distance of 200 feet from such intersection.~~
- ~~(3) Twenty five miles an hour in a business or residential district, or built up portion, defined as the territory of the city contiguous to any way which is built up with structures devoted to business or where the dwelling houses are situated less than 150 feet apart for a distance of at least one quarter of a mile.~~
- ~~(4) Forty five miles an hour outside of the built up section.~~
- ~~(5) Ten miles per hour on such streets as are specified by the council.~~

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing and Final Passage regarding an amendment to the Buildings and Building Regulations ordinance regarding the property maintenance code and erosion control.

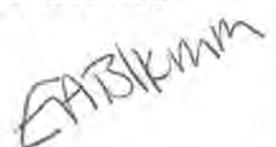
INFORMATION:

Please reference the memorandum from Gil Arsenault, Director of Planning and Code Enforcement, for the background information regarding this agenda item.

Note: Underlines are additions and strike-outs are ~~deletions~~.

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
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That the proposed amendments to the City Code of Ordinances, Chapter 18 "Buildings and Building Regulations", Section 18-52. "Amendments to the Property Maintenance Code", receive final passage by a roll call vote.

AN ORDINANCE PERTAINING TO EROSION

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 18 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 18

ARTICLE III. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 18-52 Amendments to the property maintenance code.

CHAPTER 3 GENERAL REQUIREMENTS

302.10 Erosion and sediment control. When determined by the code official that soil erosion is occurring or is likely to occur beyond the premises or into a protected natural resource as defined by M.R.S.A, Title 38 § 480-B erosion and sediment control measures shall be installed in accordance with the Maine Erosion and Sedimentation Control BMPs Pub. No. DEPLW0588, published by the Maine Department of Environmental Protection, Bureau of Land and Water Quality, (March 2003). Erosion control measures where required must be maintained until the site is permanently stabilized. Permanent erosion and sediment control measures shall be achieved with topsoil spread at a minimum compacted depth of 4 inches in keeping with the applicable best management practices as per the above referenced document. Lawfully established agricultural fields shall be exempt from this section.

Exception:

The code official may waive the requirement for the use of topsoil as the permanent soil stabilization method when determined that some other permanent soil stabilization best management practices method would be more appropriate for a given premises. Any such waiver must be requested in writing.

302.10.1 Demolition. On any premises located in the Downtown Residential District, the Neighborhood Conservation "B" District, the Centreville District, and the Riverfront District, the following provisions shall apply to demolition activity commencing on or after March 31, 2014 resulting in vacant premises:

Temporary erosion and sediment control measures in keeping with the applicable best management practices as per the above referenced document shall be in place on premises in these districts as necessary during and after the completion of demolition activity.

Permanent erosion and sediment control measures shall be in place within thirty days after the completion of demolition activity in these districts and shall be achieved with topsoil spread at a minimum compacted depth of 4 inches in keeping with the applicable best management practices as per the above referenced document.

Premises shall be barricaded within thirty days after the completion of demolition with boulders one cubic yard or larger placed around the entire perimeter of the premises at intervals of not less than six feet apart. The purpose for this provision is to discourage the unlawful use of any vacant premises for parking, storage, or related activity; however, such uses may be established subject to permitting.

Exceptions:

1. The code official may waive the requirement for the use of topsoil as the permanent soil stabilization method when determined that some other permanent soil stabilization best management practices method would be more appropriate for a given premises. Any such waiver must be requested in writing.
2. The code official may extend the thirty day provision for the installation of topsoil as the permanent soil stabilization method when determined that the redevelopment of the subject premises will likely occur within twelve months after the completion of demolition or when it is impractical due to fall and winter conditions. Any such waiver must be requested in writing.
3. The code official may waive the requirement for the placement of boulders in whole or in part when it can be demonstrated that structures on adjoining premises, topography, existing or proposed permanent fences, or other barriers are of such a nature to achieve the purpose of this section. Any such waiver must be requested in writing.

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

MEMORANDUM

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

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

RE: Erosion and Sediment Control

DT: January 29, 2014

The proposed amendment to the 2009 Edition of the International Property Maintenance Code provides erosion and sediment control for the entire community and is very similar to the provisions contained in the Zoning and Land Use Code. The main thrust of the amendment is to address lots that become vacant after March 31, 2014 in the Downtown Residential District, the Neighborhood Conservation "B" District, the Centreville District and the Riverfront District. Specifically, the proposed change requires that such lots in these districts be loamed, seeded and barricaded.

Over the past two years, some members of the public along with a limited number of City staff have debated the wisdom of requiring lots located in the above mentioned districts that become vacant as a result of demolition activity to be loamed, seeded and barricaded. A small number of lots that have become vacant have been loamed, seeded and/or barricaded. The purpose for barricading lots that become vacant in these district is to discourage the unlawful use of any vacant premises for parking, storage or related activity. The requirement for loam and seed is to prevent soil erosion on sloped sites and/or wind erosion. The other value this provision would have is to enhance the appearance of areas of the community with concentrations of vacant lots. Vacant lots are generally unsightly and contribute to the blight that negatively impacts the more heavily developed sections of the City. This provision will address this problem for lots in these districts that become vacant after March 31, 2014; however, it is not intended to require existing vacant lots to be loamed and seeded unless erosion is or will likely be a problem.

In addition to the above mentioned discussions, I received a complaint late last fall from the owner of 146 Bartlett Street. This property has been adversely impacted by wind erosion stemming from the lots located across Bartlett Street, including some Pierce Street lots that became vacant as a result of the buildings that were demolished in 2013. If this ordinance is passed the City will likely require that these vacant lots be loamed and seeded. As drafted, these lots will not be required to be barricaded; however, staff will encourage that they be barricaded, at least on a temporary basis until a permanent vegetative cover is achieved.

There are costs associated with loam, seeding and barricading. An estimate of \$6,540 was developed by a local contractor for the cost to loam, seed and barricade a 5,000 square foot lot, and the cost for a 10,000 square foot lot was estimated at \$10,585. If lots are loamed and seeded, they will need to be mowed occasionally as there is a weed ordinance for these districts requiring that all premises and exterior property be maintained free from weeds or plant growth in excess of 12". I do not have costs for maintaining weed growth on lots that would be required to be loamed and seeded if this proposed ordinance is enacted by the Council.

I plan to attend the February 4th public hearing on this matter to explain the proposed amendment in greater detail.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing and First Passage regarding an amendment to the Business Licensing ordinance regarding garage sale permits.

INFORMATION:

Under the current Business Ordinance, residents are permitted to hold two garage sales a year on their property. Several residents have requested the ability to hold three sales at their location. The reasons vary, some would like to hold one in spring, another in summer and another in fall. Some would like to be able to hold a third sale just to get rid of remaining items if their first two sales were slow due to poor weather or lack of business in previous sales.

The Police Department does not see any concerns with this regarding increased neighborhood traffic or any other concerns.

Passage is recommended.

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
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That the proposed amendment to the City Code of Ordinances, Chapter 22 "Businesses", Article X "Sale of Personal Property From Residential Premises", Section 22-282 "Permit required; conditions" receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled City Council meeting.

AN ORDINANCE PERTAINING TO SALE OF PERSONAL PROPERTY

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 22 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 22

BUSINESSES

**ARTICLE X. SALE OF PERSONAL PROPERTY FROM RESIDENTIAL
PREMISES**

Sec. 22-282. Permit required; conditions.

No person shall sell or offer for sale personal property from any residential premises except as permitted by this article. Only the sale of donated personal property and the sale of personal property owned, used and maintained for personal use only by the seller, and not for resale to the public, shall be permitted to be sold from residential premises, and only after issuance to the seller of a permit for such purposes, as follows:

- (1) A permit may be obtained from the city clerk's office. The fee for a permit shall be paid in accordance with the business fee schedule as established by the city council.
- (2) No permit shall be issued for sales of personal property upon residential premises for a period of more than three consecutive days, and no more than ~~two~~ three permits shall be issued for such sales upon a residential premises in any one calendar year. Permits required under this article shall be on forms furnished by the city clerk.

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Adoption of amendments to the City Policy Manual for city department miscellaneous fees and penalties.

INFORMATION:

During the previous City Council workshop, the Finance Director presented recommendations for increasing and adjusting the amounts for some city fees and penalties. Please see the attached memorandum for additional information. There are three items for requested action for this agenda item and each will be voted on separately - Adopting Fees currently being charged, Adopting proposed new fees and Approving suggested increased of existing fees.

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
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- 1) To adopt the Resolve Adopting City Fees Currently Being Charged into City Policy
- 2) To adopt the Resolve Adopting Proposed New City Fees
- 3) To adopt the Resolve Adopting Proposed City Fee Increases.



**City of Lewiston Maine
City Council Resolve
February 19, 2013**



Resolve, Adopting City Fees Currently Being Charged into City Policy

Whereas, in preparation of the FY2015 municipal budget, staff reviewed all locally controlled fees; and

Whereas, it was determined that some fees currently being assessed for City services were not formally incorporated in City policy; and

Whereas, it is the City's intention to adopted all fees into policy;

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

That the following municipal fees are hereby approved and adopted into City Policy:

Policy #	Department	Fee Description	Amount
7	City Clerk	Automobile Graveyards & Junkyards - pub. fee	25.00
39	Library	Video Late Fee per video, per day	0.10
39	Library	Maximum Video Fine	5.00
42	Public Works	Parking Card	5.00
42	Public Works	Replacement Parking Card	10.00
55	Public Works	Excavation Fine	526.00
81	Planning	Color Maps	10.00
81	Library	Replacement Library Cards	1.00
81	Assessing	Copy of Tax Roll	60.00
31	Social Serv.	Confidentiality of Information Penalty -maximum	100.00



**City of Lewiston Maine
City Council Resolve
February 19, 2013**



Resolve, Adopting Proposed New City Fees

Whereas, in preparation of the FY2015 municipal budget, staff reviewed all locally controlled fees; and

Whereas, it was determined that the cost of some City services was not being recovered through charging a municipal fee; and

Whereas, it is the City's intention to adopted fees that recapture some costs associated with special or direct municipal service provided to an individual vs. the general public;

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

That the following new municipal fees are hereby adopted and placed into City Policy:

Policy #	Department	Fee Description	Amount
7	City Clerk	Outdoor Liquor Service Permit	25.00
42	Public Works	Auto. Engine Block Heater Fee - 800 watts or less, per month	25.00
42	Public Works	Auto. Engine Block Heater Fee - 801 to 1600 watts, per month	40.00
81	Public Works	Faxed or E-mailed Copies of Plans & Specs, per page	5.00
81	Public Works	Faxed or E-mailed Copies of Plans & Specs, cap	25.00
81	Finance	Quitclaim Execution Fee	50.00



**City of Lewiston Maine
City Council Resolve
February 19, 2013**



Resolve, Adopting Proposed City Fee Increases

Whereas, in preparation of the FY2015 municipal budget, staff reviewed all locally controlled fees; and

Whereas, it was determined that some fees currently being assessed for City services were not recovering intended costs and had not been adjusted in a number of years; and

Whereas, it is the City's intention to adopt fees that recapture some costs associated with special or direct municipal service provided to an individual vs. the general public;

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

That the following municipal fee increases are hereby approved effective as of July 1, 2014 at which time they shall be adopted into City Policy and/or Ordinance:

Policy #	Department	Fee Description	Current	Proposed
16	Code Enf.	Business Inspection for State Licensing	40.00	56.00
7	City Clerk	Nonbusiness Hour Inspection Fee	53.00	56.00
7	City Clerk	Denied or Canceled License Fee	11.00	12.00
7	City Clerk	Adult Amusement Device - per device	1,055.00	1,108.00
7	City Clerk	Adult Entertainment License	1,580.00	1,660.00
7	City Clerk	After Hours Entertainment Events	210.00	220.00
7	City Clerk	Automobile Graveyards & Junkyards	50.00	75.00
7	City Clerk	Beano/Bingo Approval	16.00	20.00
7	City Clerk	Billiard/Pool Hall - per room	85.00	90.00
7	City Clerk	Bowling Alley	85.00	90.00
7	City Clerk	Carnivals & Circuses - per day	170.00	180.00
7	City Clerk	Class A Lounge - <1200 sq. ft.	1,400.00	1,470.00
7	City Clerk	Class A Lounge - 1201 to 2000 sq. ft.	1,725.00	1,815.00
7	City Clerk	Class A Lounge - 2001 to 3000 sq. ft.	1,945.00	2,045.00
7	City Clerk	Class A Lounge - >3001 sq. ft.	2,165.00	2,275.00
7	City Clerk	Closing Out Sales	58.00	61.00
7	City Clerk	Closing Out Sales - 60 Day Extension	27.00	28.00
7	City Clerk	Coin-operated Amusement Devices - per device	58.00	75.00
7	City Clerk	Coin-operated Amusement Devices - ten or more devices	580.00	750.00

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7	City Clerk	Flammable Liquid Storage - for retail sale	110.00	115.00
7	City Clerk	Flammable Liquid Storage - not for retail sale	58.00	61.00
7	City Clerk	Flea Market - 1-75 spaces, per day	32.00	34.00
7	City Clerk	Flea Market - >75 spaces, per day	58.00	61.00
7	City Clerk	Flea Market - Yearly Permit	550.00	578.00
7	City Clerk	Food Service Establishment - Class A - <3000 sq. ft.	325.00	350.00
7	City Clerk	Food Service Establishment - Class A - 3001 to 6000 sq. ft.	430.00	465.00
7	City Clerk	Food Service Establishment - Class A - >6000 sq. ft.	536.00	575.00
7	City Clerk	Food Service Establishment - Class B	163.00	200.00
7	City Clerk	Food Service Establishment - Class C	163.00	200.00
7	City Clerk	Food Service Establishment - Class D	116.00	150.00
7	City Clerk	Food Service Establishment - Class E	337.00	355.00
7	City Clerk	Food Service Establishment - Class F	58.00	65.00
7	City Clerk	Food Service Establishment - Class G	27.00	50.00
7	City Clerk	Games of Chance	11.00	17.00
7	City Clerk	Group Care Facilities	63.00	66.00
7	City Clerk	Innkeeper - No Alcohol	111.00	117.00
7	City Clerk	Innkeeper - Alcohol	405.00	575.00
7	City Clerk	Junk Collector	42.00	44.00
7	City Clerk	Liquor Service - Catering Permit for Offsite Service	16.00	17.00
7	City Clerk	Liquor Application for License for Incorporated Civic Organizations	16.00	17.00
7	City Clerk	Lodging House - 1 to 10 Rooms	37.00	56.00
7	City Clerk	Lodging House - > 10 Rooms	80.00	84.00
7	City Clerk	Massage Therapists Establishment - Application Fee	105.00	110.00
7	City Clerk	Massage Therapists Establishment - License Fee	185.00	195.00
7	City Clerk	Medical Marijuana - Application Fee for Registered Primary Caregiver	525.00	550.00
7	City Clerk	Medical Marijuana - Application Fee for Registered Dispensary	525.00	550.00
7	City Clerk	Mobil Home - per park	105.00	110.00
7	City Clerk	Mobil Home - per space over 20	5.00	6.00
7	City Clerk	Motion Picture Theater	275.00	300.00
7	City Clerk	Motion Picture Theater - Special 30 Day License	27.00	56.00
7	City Clerk	Outdoor Entertainment Event	11.00	50.00
7	City Clerk	Outpatient Addiction Treatment Clinic Application Fee	525.00	550.00
7	City Clerk	Pawnbroker	84.00	88.00
7	City Clerk	Peddler - In State	53.00	56.00
7	City Clerk	Peddler - Out of State	105.00	110.00
7	City Clerk	Peddler - Special Event License	37.00	39.00
7	City Clerk	Racetrack	111.00	117.00
7	City Clerk	Roller Skating Rink	58.00	61.00
7	City Clerk	Roving Diner	84.00	100.00
7	City Clerk	Secondhand Dealer	84.00	88.00
7	City Clerk	Shelter	85.00	90.00
7	City Clerk	Sound Amplification - per day	16.00	17.00
7	City Clerk	Special Amusement Permit - less than 6 months	58.00	61.00
7	City Clerk	Special Amusement Permit - Class A & B no dancing - one year	116.00	125.00
7	City Clerk	Special Amusement Permit - Class C, D, E & F w' dancing - one year	116.00	150.00
7	City Clerk	Special Food Handler - Prepackaged Food Only	42.00	44.00
7	City Clerk	Special Food Handler - Processing	84.00	88.00
7	City Clerk	Tattooing - Application Fee	105.00	110.00

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27 Pine Street Lewiston, Maine 04240 Telephone (207) 513-3017 Fax (207) 784-2959

7	City Clerk	Tattooing - License Fee	185.00	195.00
7	City Clerk	Taxicab - per cab	53.00	56.00
7	City Clerk	Taxicab - per driver	21.00	25.00
7	City Clerk	Taxicab - New Card for Cab	3.00	4.00
7	City Clerk	Taxicab - New Card for Driver	3.00	4.00
7	City Clerk	Taxicab - Transfer	11.00	12.00
81	City Clerk	Genealogy Research	5.00	6.00
81	City Clerk	Voter Card	4.00	5.00
3	Recreation	Tournament Fee	11.00	15.00
28	Library/Rec	Public Address System per session	30.00	50.00
28	Library/Rec	Tables - each	2.35	5.00
28	Library/Rec	Chairs 26-50	12.00	20.00
28	Library/Rec	Chairs 51-100	24.00	35.00
28	Library/Rec	Chairs 101-150	35.00	45.00
28	Library/Rec	Chairs 151-250	45.00	65.00
28	Library/Rec	Chairs >250	60.00	100.00
28	Library/Rec	Floor Cover & Tape	180.00	225.00
30	Fire	Annual Master Alarm Box Fee per building	345.00	350.00
30	Fire	False Alarm - Second	50.00	55.00
30	Fire	False Alarm - Third	85.00	90.00
30	Fire	False Alarm - Fourth	110.00	115.00
30	Fire	False Alarm - Fifth	140.00	145.00
30	Fire	False Alarm - Six or more	375.00	380.00
81	Police	Sec. 50-85 Penalties for Minors - Minimum	26.00	30.00
81	Police	Sec. 50-85 Penalties for Minors - Maximum	105.00	110.00
81	Police	Sec. 50-107 Discharging Fire Arms & Explosives - 1st, not to exceed	265.00	280.00
81	Police	Sec. 50-107 Discharging Fire Arms & Explosives - 2nd, not to exceed	530.00	560.00
81	Police	Sec. 50-164 Obscenity Penalty - each offense	1,050.00	1,105.00
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 1st Penalty	55.00	60.00
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 2nd Penalty	225.00	240.00
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 3rd Penalty	325.00	345.00
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 4th Penalty	525.00	560.00
81	Police	Sec. 50-211 Graffiti Penalty - 1st Penalty, not to exceed	500.00	525.00
81	Police	Sec. 50-211 Graffiti Penalty - 2nd Penalty, not to exceed	1,000.00	1,050.00
81	Police	Sec. 50-211 Graffiti Penalty - 3 or more Penalties, not to exceed	2,000.00	2,100.00
81	Police	Chapter 14 - Animal Penalty - 1st & 2nd Offense	160.00	170.00
81	Police	Chapter 14 - Animal Penalty - 3 or More Offenses	530.00	560.00
81	Police	Chapter 14 Dangerous Animal Penalty - 1st Offense, no less than	500.00	525.00
81	Police	Chapter 14 Dangerous Animal Penalty - 2 or more Offenses, no less than	1,000.00	1,050.00
81	Police	Chapter 50 Discharging Firearms - 1st Offense not to exceed	265.00	280.00
81	Police	Chapter 50 Discharging Firearms - 2 or More Offenses not to exceed	530.00	560.00
81	Police	Chapter 50 Use of Consumer Fireworks - 1st Offense	110.00	115.00
81	Police	Chapter 50 Use of Consumer Fireworks - 2nd Offense	215.00	225.00
81	Police	Chapter 50 Use of Consumer Fireworks - 3rd Offense	425.00	460.00

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81	Police	Chapter 50 Use of Consumer Fireworks - 4th Offense	850.00	890.00
42	Police	Parking Ticket Exceeding Time Limit within 15 Days	17.00	18.00
42	Police	Parking Ticket Exceeding Time Limit > 15 Days	35.00	36.00
42	Police	Tickets Exceeding Metered Time Limit within 15 Days	12.00	13.00
42	Police	Tickets Exceeding Metered Time Limit > 15 Days	24.00	26.00
42	Police	Tickets too near Corner/Crosswalk within 15 Days	24.00	26.00
42	Police	Tickets too near Corner/Crosswalk > 15 Days	47.00	52.00
42	Police	Tickets Double Parking within 15 Days	24.00	26.00
42	Police	Tickets Double Parking > 15 Days	47.00	52.00
42	Police	Parking on Wrong Side of Street within 15 Days	24.00	26.00
42	Police	Parking on Wrong Side of Street > 15 Days	47.00	52.00
42	Police	Obstructing Driveway/Sidewalk/Crosswalk within 15 Days	24.00	26.00
42	Police	Obstructing Driveway/Sidewalk/Crosswalk > 15 Days	47.00	52.00
42	Police	Obstructing Taxi Stand/Bus Stop/Loading Zone within 15 Days	24.00	26.00
42	Police	Obstructing Taxi Stand/Bus Stop/Loading Zone within 15 Days	47.00	52.00
42	Police	Overnight Parking over an hour, within 15 Days	24.00	26.00
42	Police	Overnight Parking over an hour, > 15 Days	47.00	52.00
42	Police	Overnight Parking interfering with Snow Operator within 15 Days	29.00	31.00
42	Police	Overnight Parking interfering with Snow Operator > 15 Days	58.00	62.00
42	Police	Dec 1 - March 31 Prohibited Zone within 15 Days	24.00	26.00
42	Police	Dec 1 - March 31 Prohibited Zone > 15 Days	47.00	52.00
42	Police	Emergency Parking Ban Fee	30.00	32.00
42	Police	Within 15 ft. of a Fire Hydrant within 15 Days	35.00	37.00
42	Police	Within 15 ft. of a Fire Hydrant > 15 Days	68.00	74.00
42	Police	Prohibited Zone or Place within 15 Days	24.00	26.00
42	Police	Prohibited Zone or Place > 15 Days	47.00	52.00
42	Police	Parking in a Handicapped Zone within 15 Days	84.00	200.00
42	Police	Parking in a Handicapped Zone > 15 Days	168.00	200.00
42	Police	Interference with Enforcement - minimum	55.00	60.00
42	Police	Interference with Enforcement - maximum	1,055.00	1,110.00
45	Police	False Alarms - Second	50.00	55.00
45	Police	False Alarms - Third	85.00	90.00
45	Police	False Alarms - Four or more	110.00	115.00
81	All Dept.	DVD of Meetings, per DVD - All Departments	20.00	20.00
81	Police	Police Research Fee per hour	27.00	30.00
81	Police	Hourly Research Rate - Clerical	12.00	15.00
81	Police	Fingerprints	5.50	6.00
81	Police	Contractor Meter Bag / Per Day	5.00	6.00
81	Finance	Bad Check Fee	25.00	35.00
81	All Dept.	Postage & Handling Fee for Documents - Standard First Class	2.00	3.00
81	All Dept.	Admin. Fee on Refunds except for overpayments of taxes & utilities	6.00	10.00
81	Recreation	Nonresident Program Participation Fee	15.00	20.00
81	All Dept.	Photocopies except library or as otherwise noted - first page	0.30	1.00
81	All Dept.	Photocopies except library or as otherwise noted - page 2 or more	0.30	0.30
81	All Dept.	Map, Engineer, Plans & Spec Copies per page	5.25	5.25
81	Public Works	Plan Copy 24x36, per page	3.25	Delete
81	Public Works	Plan Copy 30x42, per page	4.25	Delete

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27 Pine Street Lewiston, Maine 04240 Telephone (207) 513-3017 Fax (207) 784-2959



Finance Department

Heather Hunter
Director of Finance/Treasurer
hhunter@lewistonmaine.gov



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

FROM: Heather Hunter, Finance Director

SUBJECT: **Proposed New Fees & Fee Increases**

DATE: February 13, 2014

Periodically, the City undertakes a review of our various departmental fees to determine if an increase is warranted. In addition to potential fee adjustments, consideration was given to proposing new fees for service. However, many fees that we might target for increases are set by the State and not included in the detail provided.

The attached resolves addresses fees in several categories. The first resolve formalizes into City policy certain fees that are now being charged but which are not included in these policies. This will basically formalize existing practice. The second resolve establishes a number of new fees for services now provided at no cost. The third adjusts existing fees to reflect increases in the costs associated with providing the services.

The bullets below provide the general rational to the detail that's proposed on the attached list:

- Most proposed increases hover around the 5% mark and the last mass fee adjustment was made in FY2009.
- Fees such as building inspections and library charges were set in tandem with the City of Auburn and recently adjusted so they remain unchanged for the most part.
- The City Clerk polled several municipalities and discovered some of our business licenses are well below the average charged, thus providing the support for those larger increases.
- Some items are noted as "currently being charged", but aren't listed in a policy so these become housekeeping items to formally incorporate those fees in a policy.
- Solid waste associated fees were deliberately left at the current rate as we are at the higher end of the municipalities; and/or we didn't want to create a greater hardship for trash removal so that the City experiences further random dumping especially in the downtown area.

- Given labor intensity, the following items represent new fees for service: quitclaim execution fee, engineering plan spec circulation, and "exempt" non-City of Lewiston organizations facility rental.

These proposed new fees and fee increases have been vetted by the departments and have been previously discussed with the Council in a workshop setting where several adjustments were made and incorporated. During the workshop, the nonresident facility use fees for the recreation and library were discussed and a number of questions were raised regarding those organizations that currently qualify for fee exemptions. Based on that discussion, it became clear that additional evaluation was required in this area, so no adjustments for these fees are included in the attached resolve. Our plan is to return to the Council at a later date with a clear recommendation on how to proceed in this area.

In addition to the three resolves, I have also attached the full spreadsheet that was presented at the Council workshop.

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
Building Construction Electrical & Plumbing Permits:					
4	Code Enf.	Single Family New Construction/Additions Base	25.00		7/1/2013
4	Code Enf.	Single New Construction - per sq. ft.	0.25		7/1/2013
4	Code Enf.	Mobile Homes New/Used/Additions Base	25.00		7/1/2013
4	Code Enf.	Mobile Homes - per sq. ft.	0.15		7/1/2013
4	Code Enf.	Mobile Homes Additions - per sq. ft.	0.25		7/1/2013
4	Code Enf.	Odd Renovations - lump sum	25.00		7/1/2013
4	Code Enf.	Odd Renovations - per thousand dollar of estimated value	5.00		7/1/2013
4	Code Enf.	Structure Accessory Base	25.00		7/1/2013
4	Code Enf.	Structure Accessory - per sq. ft.	0.07		7/1/2013
4	Code Enf.	Multi-family New Constructions/Additions Base	25.00		7/1/2013
4	Code Enf.	Multi-family New Constructions/Additions - per sq. ft.	0.30		7/1/2013
4	Code Enf.	Multi-family Renovations Base	25.00		7/1/2013
4	Code Enf.	Multi-family Renovations - per thousand dollar of estimated value	5.00		7/1/2013
4	Code Enf.	Commercial New Construction/Renovations Base	25.00		7/1/2013
4	Code Enf.	Commercial New Construction - per sq. ft. per floor	0.35		7/1/2013
4	Code Enf.	Commercial Renovations - per thousand dollar of estimated value	7.00		7/1/2013
4	Code Enf.	Underground Tank - first tank	50.00		7/1/2013
4	Code Enf.	Underground Tank - additional tanks same location	15.00		7/1/2013
4	Code Enf.	Demolition - Interior	50.00		7/1/2013
4	Code Enf.	Demolition < 1000 sq. ft.	27.00		7/1/2013
4	Code Enf.	Demolition > 1000 sq. ft. but < 5000 sq. ft. Base	80.00		7/1/2013
4	Code Enf.	Demolition > 5000 sq. ft. Base	210.00		7/1/2013
4	Code Enf.	Demolition - per sq. ft.	0.02		7/1/2013
4	Code Enf.	Foundation Only Base	25.00		7/1/2013
4	Code Enf.	Foundation Only - per thousand dollar of estimated value	5.00		7/1/2013
4	Code Enf.	Moving Permit	100.00		7/1/2013
4	Code Enf.	Occupancy Permit Penalty	260.00		7/1/2013
4	Code Enf.	Change of Use	40.00		7/1/2013
4	Code Enf.	Fence	25.00		7/1/2013
4	Code Enf.	Pools - Above Ground	35.00		7/1/2013
4	Code Enf.	Pools - In-ground	80.00		7/1/2013
4	Code Enf.	Driveways	25.00		7/1/2013
4	Code Enf.	Parking Lot Base	50.00		7/1/2013
4	Code Enf.	Parking Lot - per space	3.00		7/1/2013
4	Code Enf.	Signage Base	25.00		7/1/2013
4	Code Enf.	Signage - per sq. ft.	0.50		7/1/2013
4	Code Enf.	Belated Fees	Double		7/1/2013
16	Code Enf.	Residential Minimum Fee	32.00		6/28/2010
16	Code Enf.	Commercial Minimum Fee	42.00		6/28/2010
16	Code Enf.	Dwelling Units Minimum Fee	58.00		6/28/2010
16	Code Enf.	Manufactured Homes Minimum Fee	42.00		6/28/2010
16	Code Enf.	Temporary Services	30.00		6/28/2010
16	Code Enf.	Single Phase Meter & up to 100 amp Panel Base	12.00		6/28/2010
16	Code Enf.	Additional 100 amp Increment	7.00		6/28/2010
16	Code Enf.	Additional Meter	7.00		6/28/2010
16	Code Enf.	Additional Subpanel up to 100 amps	7.00		6/28/2010
16	Code Enf.	Subpanel Additional 100 amp increments	10.00		6/28/2010
16	Code Enf.	Three Phase Meter & Panel up to 100 amps	30.00		6/28/2010
16	Code Enf.	Three Phase Meter Additional 100 amp increments	7.00		6/28/2010
16	Code Enf.	Additional Three Phase Meter	7.00		6/28/2010
16	Code Enf.	Three Phase Additional Subpanel up to 100 amp	10.00		6/28/2010
16	Code Enf.	Additional Three Phase Subpanel 100 amp increments	10.00		6/28/2010
16	Code Enf.	120 Volt Wiring Openings - 1-10 Openings	12.00		6/28/2010
16	Code Enf.	120 Volt Wiring Openings - 11-30 Openings	15.00		6/28/2010
16	Code Enf.	120 Volt Wiring Openings - 31-60 Openings	20.00		6/28/2010
16	Code Enf.	120 Volt Wiring Openings - >61 Openings per openings	0.50		6/28/2010
16	Code Enf.	120 Volt Appliances	5.00		6/28/2010
16	Code Enf.	240 Volt Appliances	10.00		6/28/2010
16	Code Enf.	Heating - Electric per kw	3.00		6/28/2010
16	Code Enf.	Heating - Gas or Other	12.00		6/28/2010
16	Code Enf.	Pools - Above Ground	40.00		6/28/2010
16	Code Enf.	Pools - In-ground	50.00		6/28/2010
16	Code Enf.	Hot Tub, Spas, Saunas	37.00		6/28/2010
16	Code Enf.	Alarms - up to 10 Devices	18.00		6/28/2010
16	Code Enf.	Alarms - over 10 Devices per device	0.55		6/28/2010
16	Code Enf.	Transformers, Generators & UPS Battery Backup - to 10 kw/kva	18.00		6/28/2010
16	Code Enf.	Transformers, Generators & UPS Battery Backup - 11 to 25 kw/kva	24.00		6/28/2010
16	Code Enf.	Transformers, Generators & UPS Battery Backup - over 25 kw/kva	30.00		6/28/2010
16	Code Enf.	Circuses, Fairs, Special Events, Mass Gatherings - up to 400 amps	50.00		6/28/2010
16	Code Enf.	Circuses, Fairs, Special Events, Mass Gatherings - over 400 amps	100.00		6/28/2010
16	Code Enf.	Motors - to 5 hp	8.00		6/28/2010
16	Code Enf.	Motors - 6 to 10 hp	12.00		6/28/2010

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
16	Code Enf.	Motors - 11 to 25 hp	18.00		6/28/2010
16	Code Enf.	Motors - over 25 hp in 5 hp increments	2.00		6/28/2010
16	Code Enf.	Signs - Permanent	25.00		6/28/2010
16	Code Enf.	Signs - Portable	15.00		6/28/2010
16	Code Enf.	Battery Emergency Lights - per unit	7.00		6/28/2010
16	Code Enf.	Water, Sewer, Gas, Well Pumps - per unit	10.00		6/28/2010
16	Code Enf.	Private Request Electrical Inspection & Report	150.00		6/28/2010
16	Code Enf.	Business Inspection for State Licensing	40.00	56.00	6/28/2010
16	Code Enf.	Belated Fees - First Offense per Calendar Year	200.00		6/28/2010
16	Code Enf.	Belated Fees - Two or More Offenses per Calendar Year	1,600.00		6/28/2010
43	Code Enf.	Plumbing Fee - Minimum	40.00		9/4/2012
43	Code Enf.	Plumbing Fee per fixture	10.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Nonengineered	250.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Field Only	150.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Treatment Tank Only - Nonengineered	150.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Engineered	300.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Treatment Tank Only - Engineered	120.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Holding Tank	150.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Other Components	50.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Separate Laundry Disposal Field	50.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Seasonal Conversion	75.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Variance	50.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Primitive System	150.00		9/4/2012
43	Code Enf.	Subsurface Waste Water - Alternative Toilet Only	75.00		9/4/2012
43	Code Enf.	Belated Plumbing Fees	Double		9/4/2012
81	Code Enf.	Maximum Code Violation Fee	1,055.00		
81	Code Enf.	Civil Penalties - First Violation	110.00		
81	Code Enf.	Civil Penalties - Second Violation	215.00		
81	Code Enf.	Civil Penalties - Third Violation	425.00		
81	Code Enf.	Civil Penalties - Four or More Violations	850.00		
Zoning & Board of Appeal Fees:					
71	Planning	Board of Appeals - per appeal	150.00		6/28/2010
71	Planning	Code Amendment - Text & Map plus advertising	400.00		6/28/2010
71	Planning	Minor Site Plan Review - Staff	200.00		6/28/2010
71	Planning	Site Plan Review - Major plus advertising	500.00		6/28/2010
71	Planning	Site Plan Amendment - Staff	100.00		6/28/2010
71	Planning	Subdivision & Mobile Home Park 0-3 Lots	750.00		6/28/2010
71	Planning	Additional Lots, per each	100.00		6/28/2010
71	Planning	Delegated Review, plus plan review fee	1,000.00		6/28/2010
71	Planning	Zoning Conformance/Rebuild Letter	50.00		6/28/2010
72	Planning	Vacating Proposed Ways - 1-50 Names	55.00		7/16/2008
72	Planning	Vacating Proposed Ways - 51-100 Names	80.00		7/16/2008
72	Planning	Vacating Proposed Ways - 100 Names	105.00		7/16/2008
City Clerk Licenses & Fees:					
7	City Clerk	Nonbusiness Hour Inspection Fee	53.00	56.00	7/1/2008
7	City Clerk	Denied or Canceled License Fee	11.00	12.00	7/1/2008
7	City Clerk	Adult Amusement Device - per device	1,055.00	1,108.00	7/1/2008
7	City Clerk	Adult Entertainment License	1,580.00	1,660.00	7/1/2008
7	City Clerk	After Hours Entertainment Events	210.00	220.00	7/1/2008
7	City Clerk	Automobile Graveyards & Junkyards	50.00	75.00	7/1/2008
7	City Clerk	Automobile Graveyards & Junkyards - pub. fee currently charging	25.00		
7	City Clerk	Beano/Bingo Approval	16.00	20.00	7/1/2008
7	City Clerk	Billiard/Pool Hall - per room	85.00	90.00	7/1/2008
7	City Clerk	Bowling Alley	85.00	90.00	7/1/2008
7	City Clerk	Carnivals & Circuses - per day	170.00	180.00	7/1/2008
7	City Clerk	Class A Lounge - <1200 sq. ft.	1,400.00	1,470.00	7/1/2008
7	City Clerk	Class A Lounge - 1201 to 2000 sq. ft.	1,725.00	1,815.00	7/1/2008
7	City Clerk	Class A Lounge - 2001 to 3000 sq. ft.	1,945.00	2,045.00	7/1/2008
7	City Clerk	Class A Lounge - >3001 sq. ft.	2,165.00	2,275.00	7/1/2008
7	City Clerk	Closing Out Sales	58.00	61.00	7/1/2008
7	City Clerk	Closing Out Sales - 60 Day Extension	27.00	28.00	7/1/2008
7	City Clerk	Coin-operated Amusement Devices - per device	58.00	75.00	7/1/2008
7	City Clerk	Coin-operated Amusement Devices - ten or more devices	580.00	750.00	7/1/2008
7	City Clerk	Flammable Liquid Storage - for retail sale	110.00	115.00	7/1/2008
7	City Clerk	Flammable Liquid Storage - not for retail sale	58.00	61.00	7/1/2008
7	City Clerk	Flea Market - 1-75 spaces, per day	32.00	34.00	7/1/2008
7	City Clerk	Flea Market - >75 spaces, per day	58.00	61.00	7/1/2008
7	City Clerk	Flea Market - Yearly Permit	550.00	578.00	7/1/2008
7	City Clerk	Food Service Establishment - Class A - <3000 sq. ft.	325.00	350.00	7/1/2008
7	City Clerk	Food Service Establishment - Class A - 3001 to 6000 sq. ft.	430.00	465.00	7/1/2008
7	City Clerk	Food Service Establishment - Class A - >6000 sq. ft.	536.00	575.00	7/1/2008
7	City Clerk	Food Service Establishment - Class B	163.00	200.00	7/1/2008
7	City Clerk	Food Service Establishment - Class C	163.00	200.00	7/1/2008

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
7	City Clerk	Food Service Establishment - Class D	116.00	150.00	7/1/2008
7	City Clerk	Food Service Establishment - Class E	337.00	355.00	7/1/2008
7	City Clerk	Food Service Establishment - Class F	58.00	65.00	7/1/2008
7	City Clerk	Food Service Establishment - Class G	27.00	50.00	7/1/2008
7	City Clerk	Games of Chance	11.00	17.00	7/1/2008
7	City Clerk	Garage Sale Permits	10.00	10.00	7/1/2008
7	City Clerk	Group Care Facilities	63.00	66.00	7/1/2008
7	City Clerk	Innkeeper - No Alcohol	111.00	117.00	7/1/2008
7	City Clerk	Innkeeper - Alcohol	405.00	575.00	7/1/2008
7	City Clerk	Junk Collector	42.00	44.00	7/1/2008
7	City Clerk	Liquor Service - Catering Permit for Offsite Service	16.00	17.00	7/1/2008
7	City Clerk	Liquor Application for License for Incorporated Civic Organizations	16.00	17.00	7/1/2008
7	City Clerk	Lodging House - 1 to 10 Rooms	37.00	56.00	7/1/2008
7	City Clerk	Lodging House - > 10 Rooms	80.00	84.00	7/1/2008
7	City Clerk	Massage Therapists Establishment - Application Fee	105.00	110.00	7/1/2008
7	City Clerk	Massage Therapists Establishment - License Fee	185.00	195.00	7/1/2008
7	City Clerk	Medical Marijuana - Application Fee for Registered Primary Caregiver	525.00	550.00	7/1/2008
7	City Clerk	Medical Marijuana - Application Fee for Registered Dispensary	525.00	550.00	7/1/2008
7	City Clerk	Mobil Home - per park	105.00	110.00	7/1/2008
7	City Clerk	Mobil Home - per space over 20	5.00	6.00	7/1/2008
7	City Clerk	Motion Picture Theater	275.00	300.00	7/1/2008
7	City Clerk	Motion Picture Theater - Special 30 Day License	27.00	56.00	7/1/2008
7	City Clerk	Outdoor Liquor Service Permit		25.00	
7	City Clerk	Outdoor Entertainment Event	11.00	50.00	7/1/2008
7	City Clerk	Outpatient Addiction Treatment Clinic Application Fee	525.00	550.00	7/1/2008
7	City Clerk	Pawnbroker	84.00	88.00	7/1/2008
7	City Clerk	Peddler - In State	53.00	56.00	7/1/2008
7	City Clerk	Peddler - Out of State	105.00	110.00	7/1/2008
7	City Clerk	Peddler - Special Event License	37.00	39.00	7/1/2008
7	City Clerk	Racetrack	111.00	117.00	7/1/2008
7	City Clerk	Roller Skating Rink	58.00	61.00	7/1/2008
7	City Clerk	Roving Diner	84.00	100.00	7/1/2008
7	City Clerk	Secondhand Dealer	84.00	88.00	7/1/2008
7	City Clerk	Shelter	85.00	90.00	7/1/2008
7	City Clerk	Sound Amplification - per day	16.00	17.00	7/1/2008
7	City Clerk	Special Amusement Permit - less than 6 months	58.00	61.00	7/1/2008
7	City Clerk	Special Amusement Permit - Class A & B no dancing - one year	116.00	125.00	7/1/2008
7	City Clerk	Special Amusement Permit - Class C, D, E & F w/ dancing - one year	116.00	150.00	
7	City Clerk	Special Food Handler - Prepackaged Food Only	42.00	44.00	7/1/2008
7	City Clerk	Special Food Handler - Processing	84.00	88.00	7/1/2008
7	City Clerk	Tattooing - Application Fee	105.00	110.00	7/1/2008
7	City Clerk	Tattooing - License Fee	185.00	195.00	7/1/2008
7	City Clerk	Taxicab - per cab	53.00	56.00	7/1/2008
7	City Clerk	Taxicab - per driver	21.00	25.00	7/1/2008
7	City Clerk	Taxicab - New Card for Cab	3.00	4.00	7/1/2008
7	City Clerk	Taxicab - New Card for Driver	3.00	4.00	7/1/2008
7	City Clerk	Taxicab - Transfer	11.00	12.00	7/1/2008
Ord	City Clerk	Section 10-85 Special Amusement Permit Penalty - First Offense	525.00		
Ord	City Clerk	Section 10-85 Special Amusement Permit Penalty - Second Offense	1,050.00		
Ord	City Clerk	Section 10-85 Special Amusement Permit Penalty - Three or more	2,100.00		
Ord	City Clerk	Sec. 10-168 After Hours Entertainment Penalty - First Offense	525.00		
Ord	City Clerk	Sec. 10-168 After Hours Entertainment Penalty - Second Offense	1,050.00		
Ord	City Clerk	Sec. 10-168 After Hours Entertainment Penalty - Three or more	2,100.00		
Ord	City Clerk	Sec. 22-404 Massage Establishments & Therapist - minimum	265.00		
Ord	City Clerk	Sec. 22-404 Massage Establishments & Therapist - maximum	530.00		
Ord	City Clerk	Sec. 22-419 O/P Addiction Treat. Clinics Penalty - min. per violation, per day	105.00		
Ord	City Clerk	Sec. 22-419 O/P Addiction Treat. Clinics Penalty - max. per violation, per day	2,630.00		
City Hall Misc. Fees:					
81	City Clerk	Genealogy Research	5.00	6.00	
81	City Clerk	Lineage verification fee for the purchase of certified copies	2.00		
81	City Clerk	Voter Card	4.00	5.00	
7	City Clerk	Zoning & Land Use Code	30.00		
7	City Clerk	Entire Voter List - CD	80.00	Set by State	
7	City Clerk	One Ward/House District - CD	21.00	Set by State	
7	City Clerk	Democrats Only - CD	42.00	Set by State	
7	City Clerk	Republicans Only - CD	21.00	Set by State	
7	City Clerk	Other Only - CD	11.00	Set by State	
7	City Clerk	Unenrolled Only - CD	32.00	Set by State	
7	City Clerk	Entire Voter List - Paper	185.00	Set by State	
7	City Clerk	One Ward/House District - Paper	42.00	Set by State	
7	City Clerk	Democrats Only - Paper	90.00	Set by State	
7	City Clerk	Republicans Only - Paper	42.00	Set by State	
7	City Clerk	Unenrolled Only - Paper	63.00	Set by State	

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
81	City Clerk	Administering Oath as a Dedimus Justice	5.00		
81	City Clerk	Wedding Ceremonies	75.00		
Ord.	Social Serv.	Confidentiality of Information Penalty - minimum	30.00		
Ord.	Social Serv.	Confidentiality of Information Penalty - maximum	105.00	100.00	1 by State
Recreation & Library Facility Rental Fees:					
3	Recreation	Field fee per game	30.00		7/1/2013
3	Recreation	Tournament Fee	11.00	15.00	7/1/2013
28	Recreation	Gymnasium Rental - Commercial per hour	60.00	75.00	Currently charging
28	Recreation	Gymnasium Rental - Nonprofit per hour	25.00	50.00	Currently charging
28	Recreation	Gymnasium Rental - Exempt Non-City of Lewiston per hour		25.00	
28	Library/Rec	Facility/Field Use Nonrefundable Deposit/Application Fee	50.00		4/2/2013
28	Library/Rec	Armory Main Hall - Commercial Revenue - 1st day	465.00		4/2/2013
28	Library/Rec	Armory Main Hall - Commercial Revenue - 2nd day	345.00		4/2/2013
28	Library/Rec	Armory Main Hall - Commercial Revenue - 3rd day	290.00		4/2/2013
28	Library/Rec	Armory Main Hall - Commercial Nonrevenue - 1st day	345.00		4/2/2013
28	Library/Rec	Armory Main Hall - Commercial Nonrevenue - 2nd day	290.00		4/2/2013
28	Library/Rec	Armory Main Hall - Commercial Nonrevenue - 3rd day	230.00		4/2/2013
28	Library/Rec	Armory Main Hall - Nonprofit Revenue - 1st day	230.00		4/2/2013
28	Library/Rec	Armory Main Hall - Nonprofit Revenue - 2nd day	205.00		4/2/2013
28	Library/Rec	Armory Main Hall - Nonprofit Revenue - 3rd day	175.00		4/2/2013
28	Library/Rec	Armory Main Hall - Nonprofit Nonrevenue - 1st day	175.00		4/2/2013
28	Library/Rec	Armory Main Hall - Nonprofit Nonrevenue - 2nd day	145.00		4/2/2013
28	Library/Rec	Armory Main Hall - Nonprofit Nonrevenue - 3rd day	115.00		4/2/2013
28	Library/Rec	Armory Meeting Rooms - Commercial Revenue	60.00		4/2/2013
28	Library/Rec	Armory Meeting Rooms - Commercial Nonrevenue	45.00		4/2/2013
28	Library/Rec	Armory Meeting Rooms - Nonprofit Revenue	35.00		4/2/2013
28	Library/Rec	Armory Meeting Rooms - Nonprofit Nonrevenue	25.00		4/2/2013
28	Library/Rec	Activity Room - Commercial Revenue	145.00		4/2/2013
28	Library/Rec	Activity Room - Commercial Nonrevenue	115.00		4/2/2013
28	Library/Rec	Activity Room - Nonprofit Revenue	90.00		4/2/2013
28	Library/Rec	Activity Room - Nonprofit Nonrevenue	60.00		4/2/2013
28	Library/Rec	Senior Room - Commercial Revenue	115.00		4/2/2013
28	Library/Rec	Senior Room - Commercial Nonrevenue	90.00		4/2/2013
28	Library/Rec	Senior Room - Nonprofit Revenue	60.00		4/2/2013
28	Library/Rec	Senior Room - Nonprofit Nonrevenue	45.00		4/2/2013
28	Library/Rec	Library Callahan Hall - Commercial Revenue	315.00		4/2/2013
28	Library/Rec	Library Callahan Hall - Commercial Nonrevenue	210.00		4/2/2013
28	Library/Rec	Library Callahan Hall - Nonprofit Revenue	210.00		4/2/2013
28	Library/Rec	Library Callahan Hall - Nonprofit Nonrevenue	160.00		4/2/2013
28	Library/Rec	Library Computer Lab - Commercial Revenue	315.00		4/2/2013
28	Library/Rec	Library Computer Lab - Commercial Nonrevenue	210.00		4/2/2013
28	Library/Rec	Library Computer Lab - Nonprofit Revenue	210.00		4/2/2013
28	Library/Rec	Library Computer Lab - Nonprofit Nonrevenue	160.00		4/2/2013
28	Library/Rec	Library Couture Room - Commercial Revenue	65.00		4/2/2013
28	Library/Rec	Library Couture Room - Commercial Nonrevenue	55.00		4/2/2013
28	Library/Rec	Library Couture Room - Nonprofit Revenue	35.00		4/2/2013
28	Library/Rec	Library Couture Room - Nonprofit Nonrevenue	30.00		4/2/2013
28	Library/Rec	Library Conference Room - Commercial Revenue	65.00		4/2/2013
28	Library/Rec	Library Conference Room - Commercial Nonrevenue	55.00		4/2/2013
28	Library/Rec	Library Conference Room - Nonprofit Revenue	35.00		4/2/2013
28	Library/Rec	Library Conference Room - Nonprofit Nonrevenue	30.00		4/2/2013
28	Library/Rec	Public Address System per session	30.00	50.00	4/2/2013
28	All	Exempt Non-City of Lewiston Meeting Room Fee	passed		
28	Library/Rec	Tables - each	2.35	5.00	4/2/2013
28	Library/Rec	Chairs 26-50	12.00	20.00	4/2/2013
28	Library/Rec	Chairs 51-100	24.00	35.00	4/2/2013
28	Library/Rec	Chairs 101-150	35.00	45.00	4/2/2013
28	Library/Rec	Chairs 151-250	45.00	65.00	4/2/2013
28	Library/Rec	Chairs >250	60.00	100.00	4/2/2013
28	Library/Rec	Floor Cover & Tape	180.00	225.00	4/2/2013
77	Recreation	Park Application Fee	50.00		4/2/2013
77	Recreation	Dufresne Park Fee - per day (Lewiston Based Nonprofits pay 20% of fee)	265.00		4/2/2013
77	Recreation	Simard-Payne Park Fee - per day (Lewiston Based Nonprofits pay 20% of fee)	135.00		4/2/2013
Fire Alarm Fees:					
30	Fire	Annual Master Alarm Box Fee per building	345.00	350.00	7/1/2010
30	Fire	False Alarm - Second	50.00	55.00	7/1/2010
30	Fire	False Alarm - Third	85.00	90.00	7/1/2010
30	Fire	False Alarm - Fourth	110.00	115.00	7/1/2010
30	Fire	False Alarm - Fifth	140.00	145.00	7/1/2010

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
30	Fire	False Alarm - Six or more	375.00	380.00	7/1/2010
81	Fire	Chapter 38 Class B or C Gas Leak	1,050.00		
Library Fines & Publication Fees:					
39	Library	Nonresident Fee	60.00		6/30/2013
39	Library	Late Fee per item, per day	0.10		6/30/2013
39	Library	Maximum Fine	5.00		6/30/2013
39	Library	Video Rentals per 7 day period	1.00		6/30/2013
39	Library	Video Late Fee per video, per day	0.10	Currently charging not on schedule	6/30/2013
39	Library	Maximum Video Fine	5.00	Currently charging not on schedule	6/30/2013
Parking Rates & Violations:					
42	Public Works	Parking Card	5.00	Currently charging not on schedule	
42	Public Works	Replacement Parking Card	10.00	Currently charging not on schedule	
42	Public Works	Hourly Rate (1st hour free), per hour	1.00		
42	Public Works	Maximum Daily Rate	6.00		
42	Public Works	Monthly Parking Pass	55.00		
42	Public Works	Annual Parking Pass	600.00		
42	Public Works	Downtown Resident Monthly Parking Pass	42.00		
42	Public Works	Major Employers - 50 or More Passes on Annual Program	540.00		
42	Public Works	Major Employers - 150 + Passes at Oak St. or Southern Gateway per month	35.00		
42	Public Works	Canal Street Lot Monthly Fee	69.00		
42	Public Works	Canal Street Lot Signage Fee	40.00		
42	Public Works	Hourly Parking Meter Fee	0.50	1.00	Costs assc
42	Public Works	Automobile Engine Block Heater Fee - 800 watts or less, per month		25.00	
42	Public Works	Automobile Engine Block Heater Fee - 801 to 1600 watts, per month		40.00	
Police Penalties:					
81	Police	Sec. 50-85 Penalties for Minors - Minimum	26.00	30.00	
81	Police	Sec. 50-85 Penalties for Minors - Maximum	105.00	110.00	
81	Police	Sec. 50-107 Discharging Fire Arms & Explosives - 1st, not to exceed	265.00	280.00	
81	Police	Sec. 50-107 Discharging Fire Arms & Explosives - 2nd, not to exceed	530.00	560.00	
81	Police	Sec. 50-164 Obscenity Penalty - each offense	1,050.00	1,105.00	
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 1st Penalty	55.00	60.00	
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 2nd Penalty	225.00	240.00	
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 3rd Penalty	325.00	345.00	
81	Police	Sec. 50-185 Operation of Noise Creating Device in Public - 4th Penalty	525.00	560.00	
81	Police	Sec. 50-211 Graffiti Penalty - 1st Penalty, not to exceed	500.00	525.00	
81	Police	Sec. 50-211 Graffiti Penalty - 2nd Penalty, not to exceed	1,000.00	1,050.00	
81	Police	Sec. 50-211 Graffiti Penalty - 3 or more Penalties, not to exceed	2,000.00	2,100.00	
81	Police	Chapter 14 - Animal Penalty - 1st & 2nd Offense	160.00	170.00	
81	Police	Chapter 14 - Animal Penalty - 3 or More Offenses	530.00	560.00	
81	Police	Chapter 14 Dangerous Animal Penalty - 1st Offense, no less than	500.00	525.00	
81	Police	Chapter 14 Dangerous Animal Penalty - 2 or more Offenses, no less than	1,000.00	1,050.00	
81	Police	Chapter 50 Discharging Firearms - 1st Offense not to exceed	265.00	280.00	
81	Police	Chapter 50 Discharging Firearms - 2 or More Offenses not to exceed	530.00	560.00	
81	Police	Chapter 50 Use of Consumer Fireworks - 1st Offense	110.00	115.00	
81	Police	Chapter 50 Use of Consumer Fireworks - 2nd Offense	215.00	225.00	
81	Police	Chapter 50 Use of Consumer Fireworks - 3rd Offense	425.00	460.00	
81	Police	Chapter 50 Use of Consumer Fireworks - 4th Offense	850.00	890.00	
81	Police	Chapter 50 Aggressive Panhandling - 1st Offense	100.00		9/2013
81	Police	Chapter 50 Aggressive Panhandling - 2nd Offense	200.00		9/2013
81	Police	Chapter 50 Aggressive Panhandling - 3rd Offense	300.00		9/2013
81	Police	Chapter 50 Aggressive Panhandling - 4th Offense	400.00		9/2013
42	Police	Parking Ticket Exceeding Time Limit within 15 Days	17.00	18.00	9/2012
42	Police	Parking Ticket Exceeding Time Limit > 15 Days	35.00	36.00	9/2012
42	Police	Tickets Exceeding Metered Time Limit within 15 Days	12.00	13.00	9/2012
42	Police	Tickets Exceeding Metered Time Limit > 15 Days	24.00	26.00	9/2012
42	Police	Tickets too near Corner/Crosswalk within 15 Days	24.00	26.00	9/2012
42	Police	Tickets too near Corner/Crosswalk > 15 Days	47.00	52.00	9/2012
42	Police	Tickets Double Parking within 15 Days	24.00	26.00	9/2012
42	Police	Tickets Double Parking > 15 Days	47.00	52.00	9/2012
42	Police	Parking on Wrong Side of Street within 15 Days	24.00	26.00	9/2012
42	Police	Parking on Wrong Side of Street > 15 Days	47.00	52.00	9/2012
42	Police	Obstructing Driveway/Sidewalk/Crosswalk within 15 Days	24.00	26.00	9/2012
42	Police	Obstructing Driveway/Sidewalk/Crosswalk > 15 Days	47.00	52.00	9/2012
42	Police	Obstructing Taxi Stand/Bus Stop/Loading Zone within 15 Days	24.00	26.00	9/2012
42	Police	Obstructing Taxi Stand/Bus Stop/Loading Zone within 15 Days	47.00	52.00	9/2012
42	Police	Overnight Parking over an hour, within 15 Days	24.00	26.00	9/2012
42	Police	Overnight Parking over an hour, > 15 Days	47.00	52.00	9/2012
42	Police	Overnight Parking interfering with Snow Operator within 15 Days	29.00	31.00	9/2012

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
42	Police	Overnight Parking interfering with Snow Operator > 15 Days	58.00	62.00	9/2012
42	Police	Dec 1 - March 31 Prohibited Zone within 15 Days	24.00	26.00	9/2012
42	Police	Dec 1 - March 31 Prohibited Zone > 15 Days	47.00	52.00	9/2012
42	Police	Emergency Parking Ban Fee	30.00	32.00	9/2012
42	Police	Within 15 ft. of a Fire Hydrant within 15 Days	35.00	37.00	9/2012
42	Police	Within 15 ft. of a Fire Hydrant > 15 Days	68.00	74.00	9/2012
42	Police	Prohibited Zone or Place within 15 Days	24.00	26.00	9/2012
42	Police	Prohibited Zone or Place > 15 Days	47.00	52.00	9/2012
42	Police	Parking in a Handicapped Zone within 15 Days	84.00	200.00	9/2012
42	Police	Parking in a Handicapped Zone > 15 Days	168.00	200.00	9/2012
Ord. 70	Police	Sec. 80-26 Interference with Enforcement - minimum	55.00	60.00	
Ord. 70	Police	Sec. 80-26 Interference with Enforcement - maximum	1,055.00	1,110.00	
Police False Alarm Fees & Civil Penalties:					
45	Police	False Alarms - Second	50.00	55.00	7/2010
45	Police	False Alarms - Third	85.00	90.00	7/2010
45	Police	False Alarms - Four or more	110.00	115.00	7/2010
Ord. 50	Police	Civil Penalties - 1st citation	110.00		
Ord. 50	Police	Civil Penalties - 2nd citation	215.00		
Ord. 50	Police	Civil Penalties - 3rd citation	425.00		
Ord. 50	Police	Civil Penalties - 4 or more	850.00		
Solid Waste Fees:					
52	Public Works	Punch Passes - First pass	20.00		FY2010
52	Public Works	Punch Passes - Second pass	40.00		FY2010
52	Public Works	Abbreviated Punch Pass	10.00		FY2010
52	Public Works	Tipping Fee per ton	95.00		FY2010
52	Public Works	Minimum Tipping Charge	7.00		FY2010
52	Public Works	Special Waste in addition to tipping & state charge, per ton	11.00		FY2010
52	Public Works	Commercial & Construction Debris minimum charge	8.00		FY2010
52	Public Works	Scale Weights	10.00		FY2010
52	Public Works	Wood Waste per ton	90.00		FY2010
52	Public Works	Asphalt, Bricks, Concrete w/o rebar per ton	6.00		FY2010
52	Public Works	Asphalt Shingles & Sheetrock (March-October) per ton	79.00		FY2010
52	Public Works	Asphalt Shingles & Sheetrock (November-February) per ton	90.00		FY2010
52	Public Works	Bulky Waste per ton	79.00		FY2010
52	Public Works	20# Propane Tanks per tank	3.00		FY2010
52	Public Works	Refrigerant Containing Appliances per appliance	11.00		FY2010
52	Public Works	Mix Loads per ton	180.00		FY2010
52	Public Works	Tires up to 16" w/o rim	3.00		FY2010
52	Public Works	Tires up to 16" with rim	6.00		FY2010
52	Public Works	16-24" Tires	6.00		FY2010
52	Public Works	>24" Tires	22.00		FY2010
52	Public Works	Apartment Building Collection per unit	170.00		FY2010
52	Public Works	One Time Apartment Building Application Fee	100.00		FY2010
Ord	Public Works	Sec. 62-16 Apartment Building Summons - first offense	210.00		FY2010
Ord	Public Works	Sec. 62-16 Apartment Building Summons - second offense	420.00		FY2010
Ord	Public Works	Hazardous Waste Violation per day, per offense	1,055.00		FY2010
52	Public Works	Sec. 62-12 Waste Disposal Permits - Annual Commercial	55.00		FY2010
52	Public Works	Sec. 62-12 Waste Disposal Permits - Individual	11.00		FY2010
52	Public Works	Sec. 62-12 Waste Disposal Permits - Commercial Waste Hauler	110.00		FY2010
Public Works Permits:					
55	Public Works	Annual Excavation Permit	580.00		May-13
55	Public Works	Single Occurrence Excavation Permit	58.00		May-13
55	Public Works	Operating Borrow Pit & Mobile Home Park	158.00		May-13
55	Public Works	Excavation Fine	500.00	526.00	May-13
55	Public Works	Minimum Street Opening Fee	58.50		May-13
55	Public Works	Maximum Street Opening Fee	1,735.00		May-13
55	Public Works	Schedule 1 Street Pavement 2-25 s.y. - Arterial	16.50		May-13
55	Public Works	Schedule 1 Street Pavement >25 s.y. - Arterial	11.00		May-13
55	Public Works	Schedule 1 Street Pavement 2-25 s.y. - Collector	10.20		May-13
55	Public Works	Schedule 1 Street Pavement >25 s.y. - Collector	6.90		May-13
55	Public Works	Schedule 1 Street Pavement 2-25 s.y. - Residential/Rural	6.90		May-13
55	Public Works	Schedule 1 Street Pavement >25 s.y. - Residential/Rural	4.40		May-13
55	Public Works	Schedule 1 Street Pavement 2-25 s.y. - Gravel	1.65		May-13
55	Public Works	Schedule 1 Street Pavement >25 s.y. - Gravel	1.10		May-13
55	Public Works	Schedule 1 Sidewalk Pavement 2-25 s.y. - New Concrete	16.25		May-13
55	Public Works	Schedule 1 Sidewalk Pavement >25 s.y. - New Concrete	11.00		May-13
55	Public Works	Schedule 1 Sidewalk Pavement 2-25 s.y. - Bricks/Pavers	13.20		May-13
55	Public Works	Schedule 1 Sidewalk Pavement >25 s.y. - Bricks/Pavers	8.80		May-13

City of Lewiston
 Master City Fee Schedule excluding Water, Sewer & Storm Water Rates
 Fiscal Year 2015 Fee Increases

Policy #	Department	Description	Current Rate	Proposed Rate	Last Adjusted
55	Public Works	Schedule 1 Sidewalk Pavement 2-25 s.y. - Asphalt	3.85		May-13
55	Public Works	Schedule 1 Sidewalk Pavement >25 s.y. - Asphalt	2.75		May-13
55	Public Works	Schedule 1 Sidewalk Pavement 2-25 s.y. - Gravel	1.65		May-13
55	Public Works	Schedule 1 Sidewalk Pavement >25 s.y. - Gravel	1.10		May-13
55	Public Works	Schedule 1 Esplanade per s.y.	2.50		May-13
55	Public Works	Schedule 1 Granite Curbing per l.f.	2.75		May-13
55	Public Works	Schedule 1 Bituminous Curbing per l.f.	1.65		May-13
56	Public Works	Sidewalk Occupancy & Road Shoulder Permit	30.00		May-13
56	Public Works	Sidewalk Occupancy per day charge	1.40		May-13
56	Public Works	Sidewalk & Road Shoulder per day charge - nonmetered	2.50		May-13
56	Public Works	Sidewalk & Road Shoulder per day charge - metered	7.15		May-13
56	Public Works	Alleyway Occupancy	45.00		May-13
56	Public Works	Alleyway Occupancy - per day charge	5.00		May-13
56	Public Works	Street Occupancy Permit	58.00		May-13
56	Public Works	Street Occupancy per day charge - nonmetered	6.00		May-13
56	Public Works	Street Occupancy per day charge - metered	7.15		May-13
56	Public Works	Maximum amount of Street Occupancy	232.00		May-13
Utility Fees:					
66	Public Works	Sanitary Sewer Impact Fee - New Single Family Structure	1,055.00		
66	Public Works	Sanitary Sewer Impact Fee - Multil. Family Structure per unit	790.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 5/8 inch	790.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 3/4 inch	1,140.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 1 inch	2,020.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 2 inches	8,075.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 3 inches	18,165.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 4 inches	32,290.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 6 inches	72,650.00		
66	Public Works	Sanitary Sewer Impact Fee - Nonresidential 8 inches	129,150.00		
67	Public Works	Sewer Fee Application	53.00		
67	Public Works	Sewer Fee Inspection Call-in	27.00		
Miscellaneous Fees & Penalties:					
None	All Dept.	DVD of Meetings, per DVD	20.00		
81	Planning	Map & Engineer Copies per page	5.25		
81	Planning	Color Maps	10.00		
81	Police	VHS Tape Copies	7.50		
81	Police	Cassette Tapes	2.75		
81	Police	Photo Printout & Disk	5.50		
81	Police	Photocopies & Narrative Reports per page	2.75		
81	Police	Accident Reports per page	10.00		
81	Police	Police Research Fee per hour	27.00	30.00	
81	Police	Hourly Research Rate - Clerical	12.00	15.00	
81	Police	Faxed Accident Reports per page	10.00		
81	Police	Fingerprints	5.50	6.00	
81	Police	Contractor Meter Bag / Per Day	5.00	6.00	
81	Fire	Fire Report, per page	2.75		
81	Public Works	Plan Copy 24x36, per page	3.25		
81	Public Works	Plan Copy 30x42, per page	4.25		
81	Public Works	Faxed or E-mailed Copies of Plans & Specs, per page		5.00	
81	Public Works	Faxed or E-mailed Copies of Plans & Specs. cap		25.00	
81	Finance	Faxes, per page	1.25		
81	Finance	Bad Check Fee	25.00	35.00	
81	Finance	Quitclaim Execution Fee		50.00	
39	Library	Photocopy machine	0.20		
39	Library	Nonresident Library Research Fee	50.00		
39	Library	Test Proctoring - Resident	5.00		7/1/2010
39	Library	Test Proctoring - Nonresident	20.00		7/1/2010
81	Library	Replacement Library Cards	1.00		
81	All Dept.	Postage & Handling Fee for Documents - Standard First Class	2.00	3.00	
81	All Dept.	Admin. Fee on Refunds except for overpayments of taxes & utilities	6.00	10.00	
81	Recreation	Nonresident Program Participation Fee	15.00	20.00	n't support
81	All Dept.	Notary Services	5.00		
81	All Dept.	Photocopies except library or as otherwise noted	0.30	1.00	
81	Assessing	Photocopies	1.25		
81	Assessing	Copy of Tax Roll	60.00		

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Order authorizing city staff to take the necessary steps to make the results of restaurant inspections available on the city website.

INFORMATION:

Councilor Lachance suggested placing the city's restaurant health inspections on the city's website similar to the City of Portland. A notice was mailed out to approximately 210 businesses in the city inviting them to attend the meeting to offer their comments on this proposal.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy decision of the City Council.

EAB/kmm

REQUESTED ACTION:

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

To adopt the Order authorizing city staff to take the necessary steps to make the results of restaurant inspections available on the city website.



**City of Lewiston Maine
City Council Order
February 18, 2014**



Order, Authorizing City Staff to Take the Necessary Steps to Make the Results of Restaurant Inspections Available on the City Web Site

Whereas, the City of Lewiston inspects restaurants in the City on an annual basis; and

Whereas, these inspections are for the purpose of protecting the health and welfare of the public; and

Whereas, inspection reports are available to the public as a matter of state law; and

Whereas, making these reports available on the City's web site would make accessing them easier;

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

City staff is hereby authorized to make the results of restaurant inspections available on the City's web site for those inspections occurring on and after March 1, 2014 along with an indication of whether the inspected restaurant passed or failed the inspection.

To: Honorable Mayor and Members of the City Council
From: Ben Bogard, Intern with Lewiston City Administrator
Date: 1/10/14
Subject: Restaurant Inspections on City Website

Lewiston City Council,

Recently, Councilor Lachance requested that staff evaluate the feasibility of posting restaurant inspections on the city website. Sue Reny, the city's Sanitarian and restaurant inspector, advises that Lewiston could provide this information in a similar fashion to that used by Portland on their website. Please see the attached from Portland's site.

To replicate such a system here, Ms. Reny will send the results of her inspections to our Management Information System Department which will then place the inspection reports as links to a page on the city website. In this format, residents will be able to see whether restaurants passed or failed. If they wish to seek further explanation, a link to the full Health Inspection Report as a PDF will be available. We suggest that if this approach is adopted, it be done on a going forward basis and be applied initially to all class A restaurants. Since these facilities are inspected on an annual basis, it will take about a year for reports on all of them to be available on line.

In terms of the requirements for a passing grade, Ms. Reny uses the following system. If a facility has more than three critical non-compliance items on its report, it will receive a failing grade. A critical item under the Maine Health Inspection Program is any issue that is "more than likely than other regulatory violations to pose a risk of contamination, illness, or an imminent health hazard." Additionally, if a facility receives more than ten non-critical items, then it also receives a failing grade.

By way of background, a restaurant receives its inspection report as soon as Ms. Reny finishes on-site. Under the Maine Freedom of Access Act, these records are open to the public; therefore, it is appropriate for the City to make this information available on the city's website. At the same time, it would be appropriate for us to notify these facilities in advance of implementing this new system so that they are aware the information will be more readily available than in the past.

Please let me know if you have any further questions or need any additional information.

Attachments: Portland Web Site and Sample Inspection Report

Portland Public Health Division | 389 Congress Street | Portland, Maine 04101 | (207) 874-8764

[City](#)
 [HHS Home](#)
 [Elder Services](#)
 [Public Health](#)
 [Social Services](#)
 [Jobs](#)

To reach the City Food Service Inspector(s), please call 756-8365 or email phweb@portlandmaine.gov. Please do not drop in at City Hall, as the inspector(s) spend nearly all of their time in the field and are not available without an appointment.

If you witness unsafe food handling practices at a food establishment, or experience illness immediately after eating or drinking at an establishment, please call the Maine Center for Disease Control and Prevention's 24-hour, 7 days a week disease reporting line at **1 (800) 821-5821**.

[Certified Food Protection Manager Class and Exam for \\$115.](#)

food service inspections

[-A-](#) [-B-](#) [-C-](#) [-D-](#) [-E-](#) [-F-](#) [-G-](#) [-H-](#) [-I-](#) [-J-](#) [-K-](#) [-L-](#) [-M-](#)
[-N-](#) [-O-](#) [-P-](#) [-Q-](#) [-R-](#) [-S-](#) [-T-](#) [-U-](#) [-V-](#) [-W-](#) [-X-](#) [-Y-](#) [-Z-](#)

A MOVEABLE FEAST - 439 CONGRESS ST

7/29/2013-[Passed](#)

AMATO'S - INDIA ST - 69 INDIA ST

8/13/2013-[Passed](#)

AMATO'S - ST. JOHN ST - 312 ST JOHN ST

11/18/2012-[Passed](#)

1/2/2014-[Passed](#)

AMATO'S ENTERPRISES - 1379 WASHINGTON AVE

8/14/2013-[Passed](#)

AMISTAD, INC. - 66 STATE ST

10/25/2013-[Passed](#)

ANANIA'S VARIETY - CONGRESS ST - 1227 CONGRESS

ST

10/11/2013-[Passed](#)

ANANIA'S VARIETY - WASHINGTON - 606

WASHINGTON AVE

10/17/2013-[Passed](#)

ANDY'S PUB - 94 COMMERCIAL ST

10/15/2013-[Passed](#)

ANGELONE NORTH - 788 WASHINGTON AVE

7/26/2013-[Passed](#)

ANTHONY'S ITALIAN KITCHEN - 66 PEARL ST

8/8/2013-[Passed](#)

APPLEBEE'S - 1032 BRIGHTON AVE

10/28/2011-[Failed](#)

10/29/2011-[Failed](#)

12/18/2012-[Passed](#)

About Us

HHS Health Data & Reports

HHS Health Services A-Z

Links

browse city services a-z

browse facts and links a-z

search this site

Search



Failed Closed IHH

State of Maine Health Inspection Report

Establishment Name APPLEBEE'S NEIGHBORHOOD GRILL & BAR		As Authorized by 22 MRSA § 2496		No. of Risk Factor/Intervention Violations 4	Date 10/28/2011
License Expiry Date/EST. ID# 9/12/2013 / 8766		Address 1032 BRIGHTON AVE	City PORTLAND	Zip Code 04102-1030	Telephone 207-791-2810
License Type MUN - EATING PLACE - SEATING		Owner Name APPLE NEW ENGLAND LLC	Purpose of Inspection Change of Ownership	License Posted	Risk Category High
No. of Repeat Risk factor / Intervention Violations 0				Score (optional)	Time In 8:00 AM
					Time Out 9:00 AM

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item
 IN=in compliance OUT=not in compliance N/O=not observed N/A=not applicable

Mark "X" in appropriate box for COS and/or R
 COS=corrected on-site during inspection R=repeat violation

Compliance Status						Compliance Status					
Supervision											
1	IN	PIC present, demonstrates knowledge, and performs duties									
Employee Health											
2	IN	Management awareness; policy present									
3	IN	Proper use of reporting, restriction & exclusion									
Good Hygienic Practices											
4	IN	Proper eating, tasting, drinking, or tobacco use									
5	IN	No discharge from eyes, nose, and mouth									
Preventing Contamination by Hands											
6	IN	Hands clean & properly washed									
7	OUT	No bare hand contact with RTE foods or approved alternate method properly followed				X					
8	OUT	Adequate handwashing facilities supplied & accessible									
Approved Source											
9	IN	Food obtained from approved source									
10	IN	Food received at proper temperature									
11	IN	Food in good condition, safe, & unadulterated									
12	IN	Required records available: shellstock tags parasite destruction									
Protection from Contamination											
13	OUT	Food separated & protected					X				
14	OUT	Food-contact surfaces: cleaned and sanitized									
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food									

Compliance Status						Compliance Status					
Potentially Hazardous Food Time/Temperature											
16	IN	Proper cooking time & temperatures									
17	IN	Proper reheating procedures for hot holding									
18	IN	Proper cooling time & temperatures									
19	IN	Proper hot holding temperatures									
20	IN	Proper cold holding temperatures									
21	IN	Proper date marking & disposition									
22	IN	Time as a public health control: procedures & record									
Consumer Advisory											
23	IN	Consumer advisory provided for raw or undercooked foods									
Highly Susceptible Populations											
24	IN	Pasteurized foods used; prohibited foods not offered									
Chemical											
25	IN	Food additives: approved & properly used									
26	IN	Toxic substances properly identified, stored & used									
Conformance with Approved Procedures											
27	IN	Compliance with variance, specialized process, & HACCP plan									

Risk Factors are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health Interventions are control measures to prevent foodborne illness or injury.

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is not in compliance Mark "X" in appropriate box for COS and/or R COS=corrected on-site during inspection R=repeat violation

Compliance Status						Compliance Status					
Safe Food and Water											
28	IN	Pasteurized eggs used where required									
29	IN	Water & ice from approved source									
30	IN	Variance obtained for specialized processing methods									
Food Temperature Control											
31	IN	Proper cooling methods used; adequate equipment for temperature control									
32	IN	Plant food properly cooked for hot holding									
33	IN	Approved thawing methods used									
34	X	Thermometers provided and accurate									
Food Identification											
35	X	Food properly labeled; original container									
Prevention of Food Contamination											
36	X	Insects, rodents, & animals not present									
37	X	Contamination prevented during food preparation, storage & display					X				
38	IN	Personal cleanliness									
39	X	Wiping cloths: properly used & stored					X				
40	IN	Washing fruits & vegetables									
Proper Use of Utensils											
41	X	In-use utensils: properly stored					X				
42	IN	Utensils, equipment, & linens: properly stored, dried, & handled									
43	IN	Single-use & single-service articles: properly stored & used									
44	X	Gloves used properly						X			
Utensils, Equipment and Vending											
45	IN	Food & non-food contact surfaces cleanable properly designed, constructed, & used									
46	IN	Warewashing facilities: installed, maintained, & used; test strips									
47	IN	Non-food contact surfaces clean									
Physical Facilities											
48	X	Hot & cold water available; adequate pressure							X		
49	X	Plumbing installed; proper backflow devices									
50	IN	Sewage & waste water properly disposed									
51	IN	Toilet facilities: properly constructed, supplied, & cleaned									
52	IN	Garbage & refuse properly disposed; facilities maintained									
53	X	Physical facilities installed, maintained, & clean									
54	X	Adequate ventilation & lighting; designated areas used									

Person in Charge (Signature)

Date: 10/28/2011

Health Inspector (Signature)

Follow-up: YES NO Date of Follow-up: 11/10/2011

State of Maine Health Inspection Report

Page 2 of 5

Establishment Name APPLEBEE'S NEIGHBORHOOD GRILL & BAR		As Authorized by 22 MRSA § 2496		Date <u>10/28/2011</u>
License Expiry Date/EST. ID# 9/12/2013 / 8766	Address 1032 BRIGHTON AVE	City / State PORTLAND / ME	Zip Code 04102-1030	Telephone 207-791-2810

Temperature Observations

Location	Temperature	Notes
VEG SOUP HH	151F	
CRM CHICK SOUP	147F	
DW	180F	
REAR HW	91F	NEEDS TURNING UP, TO MAINTAIN 110F, REGARDLESS OF DRAW INSTRUCT ALL EMPLOYEES TO USE THE OTHER ONE, UNTIL OCCURS. (TAKE OUT OF SERVICE UNTIL)
HW	151	
3-BAY	151F	
R1	38F	

Person in Charge (Signature)

Date: 10/28/2011

Health Inspector (Signature)

State of Maine Health Inspection Report

Page 3 of 5

Establishment Name APPLEBEE'S NEIGHBORHOOD GRILL & BAR					Date 10/28/2011	
License Expiry Date/EST. ID# 9/12/2013 / 8766	Address 1032 BRIGHTON AVE	City / State PORTLAND ME	Zip Code 04102-1030			

Observations and Corrective Actions

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 and 8-406.11 of the Food Code

7: 3-301.11: C: Food employees with dirty hands are handling ready to eat foods with bare hands.

INSPECTOR NOTES: COS, BARE HAND CONTACT W/READY TO EAT FOODS

8: 6-501.18: N: Handwash facilities are not clean / properly maintained.

INSPECTOR NOTES: COS, HW SINK DIRTY @ OTHER END OF COOKLINE

8: 5-203.11: C: Inadequate number of handwash facilities.

INSPECTOR NOTES: COS, NO PROPERLY DESIGNATED HW @ BAR 0 FULL OF DISHES & NO SPLASH GUARD. NEEDS SOAP, TOWLES, SIGNAGE

13: 3-302.11: N: Cooked and/or prepared foods are subjected to cross contamination.

INSPECTOR NOTES: COS, IMPROPER FOOD STORAGE - GRND HAMBURG UNDER WHOLE MEATS

14: 4-602.11.(C): C: Potentially hazardous food contact surfaces are not cleaned with proper frequency. At least every 4 hours.

INSPECTOR NOTES: CEILING AREA OF SODA MACHINE NEEDS ATTENTION (COS); CEILING AREA OF MICROWAVE NEEDS THOROUGH CLEAN'G; ICE MACHINE HOSES NEED MOLD REMEDIATION ASAP

34: 4-302.12: N: Inadequate number of temperature measuring devices provided.

INSPECTOR NOTES: LOCATE ALL INTERNAL THERMOMETERS (ALL REFRIG UNITS) AND MOVE THEM WHERE VISIBLE

35: 3-302.12: N: Food/ingredients containers not properly labeled.

INSPECTOR NOTES: COS, UNLABELED SPRAY BOTTLES

36: 6-501.111.(D): N: Evidence of insects, rodents or other pests.

INSPECTOR NOTES: FRUIT FLIES PRESENT

37: 3-305.11.(A).(B): N: Food not protected from contamination during storage.

INSPECTOR NOTES: COS, DISHTRAYS & OVEN TRAYS ON FLR., W/I FREEZER BOX ON FLOOR

39: 3-304.14.(B).(1): N: Wiping cloths not dry and improperly used.

INSPECTOR NOTES: COS, NO WET CLOTH USE, UNLESS ACTIVE W/SANITIZER, NO SANI BUCKET @ BAR

41: 3-304.12: N: Improper between-use storage of utensils..

INSPECTOR NOTES: COS, DO NOT STORE UTENSILS IN STANDING WATER, KEEP TONG HANDLES OUT OF PRODUCTS.

Person in Charge (Signature)

Date: 10/28/2011

Health Inspector (Signature)

State of Maine Health Inspection Report

Page 4 of 5

Establishment Name APPLEBEE'S NEIGHBORHOOD GRILL & BAR					Date 10/28/2011
License Expiry Date/EST. ID# 9/12/2013 / 8766		Address 1032 BRIGHTON AVE		City / State PORTLAND ME	Zip Code 04102-1030

Observations and Corrective Actions

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 and 8-406.11 of the Food Code

44: 3-304.15.(A): N: Single use gloves not clean.

INSPECTOR NOTES: COS, IMPROPER GLOVE USE

48: 5-103.11.(B): C: Insufficient hot water supply.

INSPECTOR NOTES: COS, REAR HW NOT COMING TO TEMP, OUT OF SERVICE, UNTIL REPAIR

49: 5-205.15: C: Plumbing system not properly maintained in good repair.

INSPECTOR NOTES: HW SINK LEAK BY 3-BAY NEEDS REPAIR

49: 5-202.13: C: Air gap required.

INSPECTOR NOTES: NEED AIR GAP @ 1ST ICE BIN (ON LEFT). CK. ALL AIR GAPS. FOOD PREP OCCURRING IN 3-BAY W/OUT PROPER AIR GAP (DISCUSSED ALTERNATIVE), DIPPER WELLS NEED AIR GAPS

53: 6-501.16: N: Mops are not being properly stored.

INSPECTOR NOTES: COS, MOPS MUST HANG BETW. USE, AIR DRYING (HANDLE SIDE UP)

53: 6-501.11: N: The physical facilities are in disrepair.

INSPECTOR NOTES: FLOOR TILES NEED GROUTING IN KITCHEN, NO CARDBOARD OR DUCT TAPE USE FOR REPAIRS

53: 6-201.13.(A): N: Floor and wall junctures are not enclosed and sealed.

INSPECTOR NOTES: NEED CAULKING AROUND ALL IMMOVABLE EQUIPMENT, BROKEN/MISSING COVERED MOPBOARD NEEDS REPAIR, NEED SPLASH GUARD @ REAR HW STA. & BAR HW

54: 6-501.14.(A): N: Ventilation not clean.

INSPECTOR NOTES: CEILING & DISHWASHER VENTS NEED CLEANING

54: 6-202.11: N: Lights not shielded.

INSPECTOR NOTES: CEILING VENTS & DW VENT NEED CLEANING

Person in Charge (Signature)

Date: 10/28/2011

Health Inspector (Signature)

State of Maine Health Inspection Report

Page 5 of 5

Establishment Name APPLEBEE'S NEIGHBORHOOD GRILL & BAR				Date 10/28/2011	
License Expiry Date/EST. ID# 9/12/2013 / 8766	Address 1032 BRIGHTON AVE	City / State PORTLAND ME	Zip Code 04102-1030		

Inspection Notes

INFO PACKET W/ADM. RULES PROVIDED & CFPM DISCUSSED
CRITICALS NEED REPAIR W/IN 10 DAYS, NON-CRITICALS W/IN 60 DAYS (AS AGREED)
CFPMS
JANE SHELTON #4459 4/7/09-14
JASON MARTIN #4561 9/14/10-15
NOTE: FR. & REAR SMOKING DEPOTS NEED TO BE 20' FROM DOORS, VENTS, OR OPEN/ING WINDOWS
20 V / 6 C / 3 C COS / 8 NC COS
FAILED

Person in Charge (Signature)

Date: 10/28/2011

Health Inspector (Signature)



City of Lewiston, Maine

Department of City Clerk

Kathleen M. Montejo, MMC
City Clerk & Registrar of Voters

Kelly J. Brooks, CMC
Deputy City Clerk

*Mailed to
210 establishments*



INVITATION FOR COMMENT:

Proposal to place restaurant inspection reports on the City of Lewiston's website

This notice is sent to all businesses with a current Food Service Establishment licensed by the City of Lewiston and the Maine Department of Health and Human Services:

The Lewiston City Council is currently reviewing a request to place all of the completed state inspection reports for Food Service Establishments onto the City's website for public review.

This will be modeled after the City of Portland's process which can be viewed at this website link: <http://www.portlandmaine.gov/hhs/foodsafetyinspect.asp>

The City Council is scheduled to discuss the matter at their regular meeting of Tuesday, February 18, 2014 at 7pm. The meeting will be held in the City Council Chambers, First Floor, Lewiston City Hall at 27 Pine Street. This meeting is open to the public and an opportunity for public input and comment will be provided for all in attendance.

If you would like to offer comment in advance of the meeting, comments can be mailed or emailed no later than Monday, February 17 to:

Kathleen Montejo, City Clerk
Lewiston City Hall, 27 Pine Street
Lewiston, ME 04240
kmontejo@lewistonmaine.gov

Questions about the City Council meeting can be directed to the City Clerk's Office at 513-3124.

Kathy Montejo

From: Dwforrest <dwforrest61@yahoo.com>
Sent: Friday, February 07, 2014 1:27 PM
To: Kathy Montejo
Subject: Inspection

I am writing in regards to the city of Lewiston posting the state inspection reports on the cities website,my thoughts and questions:

Are you posting the entire report or just stating the restaurant failed Will you post the violation or just that it failed Will you post another report when the establishment adheres and makes good on the violation Will you keep the reports up-to date Will all establishments be posted and reveal both the passing ones and the establishments with a violation Will you have any explanations of the violations and what the requirements should be Will you list the establishments the city as inspected

Thank you and

I disagree on posting this report, the city inspects and if any codes or if the establishment doesn't meet the standards and they are given a set time to fix the violation and still fails then shut the doors till they meet the requirements

Dwf

Sent from my iPad



Randy Wadleigh <randy@governorsrestaurant.com>

Comment on proposed posting of restaurant inspections

1 message

Randy Wadleigh <randy@governorsrestaurant.com>

Thu, Feb 6, 2014 at 9:13 AM

To: kmontejo@lewistonmaine.gov

Cc: Mike Carney <mcarney@governorsrestaurant.com>, Carlene Barnies <cbarnies@governorsrestaurant.com>, Angela Wadleigh <angelaw@governorsrestaurant.com>, Jason Clay <jclay@governorsrestaurant.com>

Dear Ms. Montejo,

Please accept the following comments about the proposal to post restaurant inspections via the internet for all to see and modeled after the City of Portland.

First and foremost, food safety is our number one priority. Nothing else comes close in comparison. There is no company in the state of Maine that has more certified food handlers than our company as we have a Serve Safe professional on our staff that teaches this course. We take great pride at working with our local inspectors and in fact encourage them to come by more often as an extra set of eyes is very helpful and helps insure our own food safety standards.

During my nearly 30 year career in this business, we certainly have "passed" many more inspections than we have failed. And during those rare times we have failed corrective action is immediately taken and follow up inspections are always passed.

Governor's is NOT in favor of this proposal:

1. We would favor inspection reports posted should a restaurant fail a a follow up inspection. Any restaurant that fails consecutive inspections has a strong negative impact on our entire industry.
2. The general public is ignorant to the inspection process. The education process should be between the restaurant and the local inspector. I dare say that municipalities are already strapped with budget issues and spending more time educating the public on the forms, "lingo" and process is unattainable.
3. The city of Lewiston has made great strides promoting business. Implementing this new proposal sends a strong message that you want to be like Portland which has a strong history of not being business friendly. This may be a slippery slope and may damage the gains you have already made?
4. We already have a strong, positive relationship with our local inspector in Lewiston. Why add more work load to that position?

I appreciate you taking the time to listen to our concerns and apologize that I am unable to attend the public hearing on the 18th of February.

Sincerely,

Randy Wadleigh, Owner
Governor's Management Company
963 Stillwater Ave
Old Town, Me 04468
207.827.7630
207.827.6118 fax

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Condemnation Hearing for the building located at 47 Knox Street.

INFORMATION:

The City has begun the process for condemnation of the property at 47 Knox Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of 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.

EABlkmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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1) To conduct a hearing to determine if the building located at 47 Knox 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 47 Knox 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.

MEMORANDUM

To: Mayor McDonald; Lewiston City Council
From: Gildace Arsenault, Director, Lewiston Planning Department
Date: February 18, 2014
RE: Dangerous Buildings Hearings for 47 Knox Street and 10 Nomar Court

Dear Mayor and City Council,

At the Council meeting on February 18, the Planning Department will be presenting evidence as to why 47 Knox Street and 10 Nomar Court are dangerous buildings within the meaning of 17 M.R.S. § 2851. We will be requesting that the Council find that these properties are dangerous buildings and order that they be demolished.

To assist your decision I have included the following materials for each property:

- Documents establishing the identity of the current owner;
- The Notice of Hearing and proof of service on the owners and any party in interest;
- Previous correspondence, notices, or citations to the owner, if any; and
- Photographs depicting the dilapidation at the property.

At the meeting, the Planning Department will present this evidence as well as testimony showing why these properties are dangerous and should be demolished. I will also prepare for the Council proposed findings of fact, conclusions of law, and proposed orders of demolition.

LEWISTON CITY COUNCIL MEETING
FEBRUARY 18, 2014
DANGEROUS BUILDINGS HEARING
47 KNOX STREET
10 NOMAR COURT
CITY OF LEWISTON PLANNING DEPARTMENT EXHIBITS

47 KNOX STREET

OWNERSHIP DOCUMENTS

WARRANTY DEED

Harry W. Stilphen and Cheryl A. Stilphen, of Lewiston Maine, in consideration of Eighty-Five Thousand and 00/100 Dollars (\$85,000.00) Dollars grant to Laurence Smith and Colleen Smith, husband and wife, as joint tenants and not as tenants in common, whose mailing address is 254 Libby Road, Pownal, Maine,

with Warranty Covenants

A certain lot or parcel of land, together with the buildings and improvements thereon, situated in Lewiston, County of Androscoggin and State of Maine bounded and described as follows:

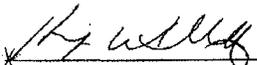
Beginning on the westerly line of Knox Street at a point one hundred fifty (150) feet southerly from the southerly line of Birch Street, thence running southerly on said westerly line of Knox Street twenty-five (25) feet to the northeasterly corn or lot deeded to Jesse Davis on August 5, 1879; thence westerly at a right angel and by the northerly boundary of said Jesse Davis lot one hundred (100) feet; thence northerly at a right angle twenty-five (25) feet; thence easterly at a right angle one hundred d(100) feet to the said westerly line of Knox Street and the point of beginning.

Subject to the restrictions that no buildings erected thereon shall be place nearer the line of Knox Street than fifteen (15) feet.

The above described premises are subject to a right of way now existing as described in a warrant deed given by Lizzie J. McDonough to one Martin Drigate dated October 3, 1912, recorded in the Androscoggin County Registry of Deeds in Book 246, page 82.

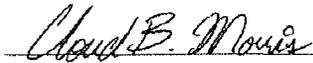
Being the same premises conveyed to Harry W. Stilphen and Cheryl A. Stilphen by deed dated August 6, 2002 and recorded with Androscoggin Registry of Deeds at Book 5079, Page 311.

Witness our hands on this day of November, 2004


Harry W. Stilphen


Cheryl A. Stilphen

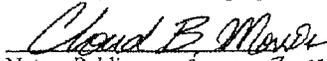
Signed, Sealed and Delivered in the presence of:

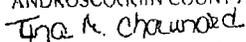

CLOUD B. MORRIS

STATE OF MAINE

Androscoggin County

On this date 11/19/04 , before me, the undersigned notary public, personally appeared Harry W. Stilphen and Cheryl A. Stilphen proved to me through satisfactory evidence of identification, which was a driver's license and/or [] _____ to be the person whose name is signed on the preceding or attached document; and acknowledge to me that she signed it voluntarily for is stated purpose.


Notary Public; CLOUD B. MORRIS
My Commission Expires:

ANDROSCOGGIN COUNTY

REGISTER OF DEEDS

CLOUD B. MORRIS
Notary Public, Maine
My Commission Expires January 18, 2011

MAINE REAL ESTATE
TRANSFER TAX PAID



**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

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

Laurence Smith
275 Libby Road
Pownal, Maine 04069

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Colleen Smith
254 Libby Road
Pownal, Maine 04069

47 KNOX STREET, LEWISTON, MAINE

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

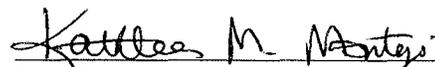
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 47 Knox Street, Lewiston, Maine, identified as Lot 289 on Tax Map 196, and further described in a Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 6162, Page 23, 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: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS



Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
47 KNOX STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

On 1-18, 2014, ^{12:25 PM} I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Laurence Smith, as follows:

Laurence Smith
276 Libby Road
Pownal, ME 04069

Costs of Service:

Service:	\$	<u>16.00</u>
Travel:	\$	<u>13.78</u>
Postage:	\$	<u>.30</u>
Other:	\$	<u>8.78</u>
TOTAL:	\$	<u>38.86</u>

Deputy
Steven E. Roberts

Signature

CCSO
Agency

attempt 1-17 5:31pm card



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

Laurence Smith
275 Libby Road
Pownal, Maine 04069

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Colleen Smith
254 Libby Road
Pownal, Maine 04069

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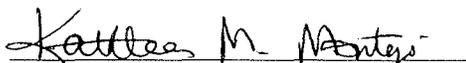
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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Dated: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
47 KNOX STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

On 1-18-14 ^{12:40 PM}, 2014, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Colleen Smith, as follows:

Colleen Smith
254 Libby Road
Pownal, ME 04069

Costs of Service:

Service:	\$	<u>16.00</u>
Travel:	\$	<u>13.78</u>
Postage:	\$	<u>.30</u>
Other:	\$	<u>8.78</u>
TOTAL:	\$	<u>38.86</u>

Deputy
Steven E Roberts
Signature

CCO
Agency

attempt 1-17 5:34 pm - card left



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

Laurence Smith
275 Libby Road
Pownal, Maine 04069

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Colleen Smith
254 Libby Road
Pownal, Maine 04069

47 KNOX STREET, LEWISTON, MAINE

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

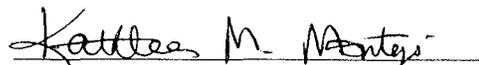
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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Dated: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

1263rn

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
47 KNOX STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

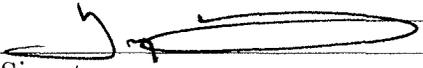
On JAN 21 2014, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on a person authorized to accept service on Green Tree Servicing, LLC by delivering a copy of same at the following address:

Green Tree Servicing, LLC
c/o CT Corporation System, Agent
1536 Main Street
Readfield, ME 04355

Costs of Service:

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

TOTAL: \$ _____


Signature

HARRY MCKENNEY
Chief Civil Deputy
Agency WINNEBEC COUNTY
SHERIFF'S OFFICE

EXHIBIT E

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

Laurence Smith
275 Libby Road
Pownal, Maine 04069

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Colleen Smith
254 Libby Road
Pownal, Maine 04069

47 KNOX STREET, LEWISTON, MAINE

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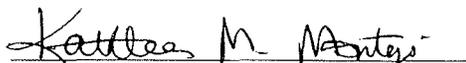
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Dated: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 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**

April 25, 2013

Les Smith
254 Libby Road
Pownal ,ME 04069

RE: 47 Knox Street, Lewiston, Maine

Dear Mr. Smith,

It has come to the attention of this office that the building at 47 Knox Street is vacant 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, 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 is without necessary facilities such as heat, hot potable water, electricity and has been abandoned. Due to obsolescence of the mechanical systems, dilapidation and deterioration of the structural elements and unsanitary conditions, substantial rehabilitation is required for re-occupancy or the building must be demolished.

I hereby condemn and placard the building and property at 47 Knox 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 June 15,2013.

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

EXHIBIT F

above referenced Code Section IPMC-108.4.1 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 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,



Jeff Baril

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



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LES SMITH
254 LIBBY ROAD
POWNA ME 04069

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (*Printed Name*) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*) Yes

7012 1640 0001 6643 8153

PHOTOGRAPHS

47 Knox Street

Photo # 1 Photo taken 9-24-2013. Front view



Photo # 2 Rear of building showing deteriorated porch and stairs..



EXHIBIT G

Photo # 3 Displacement of masonry units and deterioration of mortar resulting in an unstable foundation and structure.



Photo # 4 Severely displaced masonry making for an unstable foundation and increased potential for collapse.



Photo # 5 Collapsing foundation due to loss of masonry units and mortar resulting in the settling of the corner of the structure.



Photo # 6 Broken window making for unsafe conditions.



Photo # 7 Filth about the building and damaged plaster.

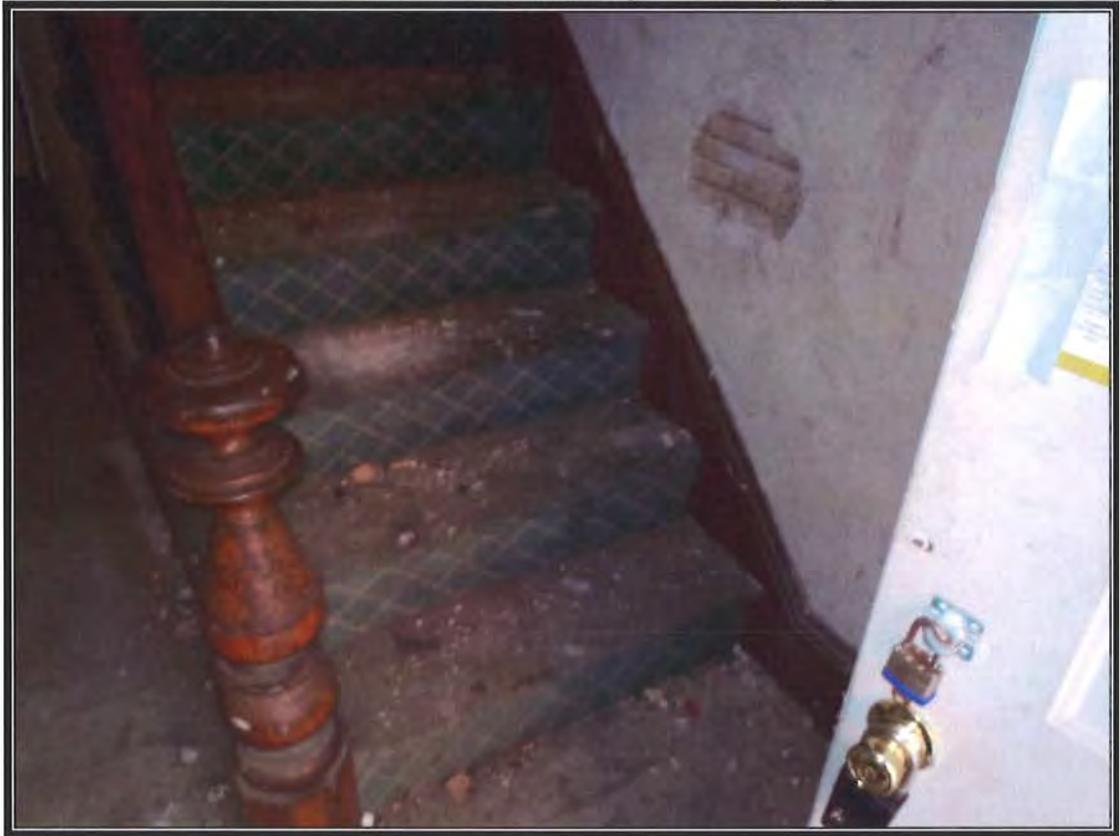


Photo # 8 The suspended ceiling has collapsed or has been removed. The plaster ceiling has collapsed making for a pathway for fire and hot gases to move through the building at an accelerated rate increasing the danger of fire due to stack effect.



Photo # 9 A second room with collapsed ceilings and open lathing to the joist bays proving a pathway for fire and gases. Also note broken, deteriorated and obsolete window.



Photo # 10 A third room with collapsed ceilings, broken windows and removed copper heat piping.



Photo # 11 Example of damaged and deteriorated plaster. The openings in the wall increase the risk of the accelerated spread of fire through the building due to the open chase and balloon framing.



Photos # 12 & 13 Severely deteriorated bathrooms without water resistant flooring in violation of Code. Removed toilets allowing the entry of sewer gases making for dangerously unsanitary conditions.



Photo # 13 the opening around the drain stack, the gaps in the sub-flooring and the toilet flange make for pathways for fire and hot gases increasing the threat of the spread fire.



Photo # 13 Severely deteriorated flooring not continuously water resistant.



Photo # 14 Primary means of egress stairs an average of less than 6 feet not 6 feet 8 inches as required by Code.

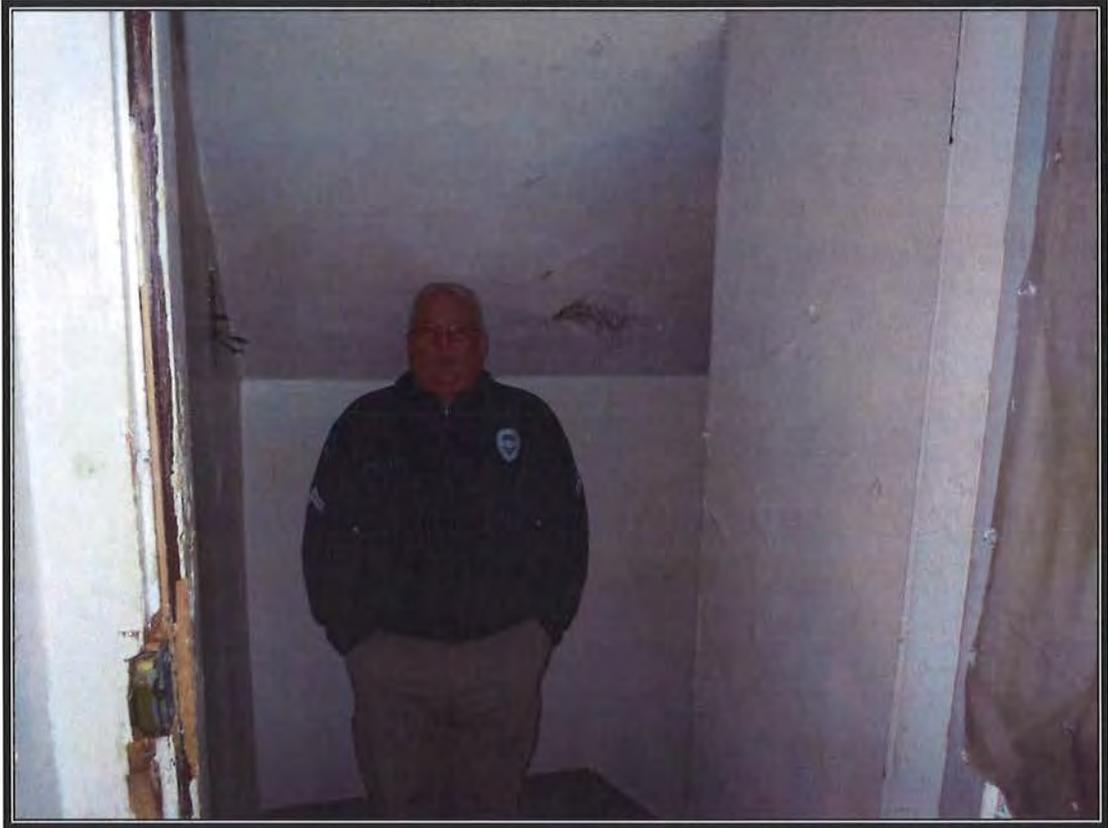


Photo # 15 Attempts to repair ceiling damage due to roof leak.



Photo # 16 Severely deteriorated shower stall with delaminating porcelain coating, and severe mold.



Photo #17 Stripped heating registers.



LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Condemnation Hearing for the building located at 10 Nomar Court.

INFORMATION:

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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/Kmm

REQUESTED ACTION:

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

1) To conduct a hearing to determine if the building located at 10 Nomar Court 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 10 Nomar Court, 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.

MEMORANDUM

To: Mayor McDonald; Lewiston City Council
From: Gildace Arsenault, Director, Lewiston Planning Department
Date: February 18, 2014
RE: Dangerous Buildings Hearings for 47 Knox Street and 10 Nomar Court

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- Photographs depicting the dilapidation at the property.

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LEWISTON CITY COUNCIL MEETING
FEBRUARY 18, 2014
DANGEROUS BUILDINGS HEARING
47 KNOX STREET
10 NOMAR COURT
CITY OF LEWISTON PLANNING DEPARTMENT EXHIBITS

10 NOMAR COURT

OWNERSHIP DOCUMENTS

QUIT CLAIM DEED

THE GRANTOR, ROBERTA PRATT of 93 Goff St.
City of AUBURN, County of ANDROSCOGGIN
State of MAINE, for the consideration of ONE DOLLAR

CONVEY and QUIT CLAIM to WIN/WIN, INC
of P.O. Box 2134, City of AUBURN, County of ANDROSCOGGIN
State of MAINE, all interest in the following described real estate situated in
the County of ANDROSCOGGIN, in the State of MAINE, to wit:

10-12 NOMAR COURT

MAINE REAL ESTATE
TRANSFER TAX PAID

Dated this 10th day of AUGUST, 19 2005

[Signature]
Grantor

Grantor
Roberta H Pratt
(Print or type names under signatures)

STATE OF Maine
COUNTY OF Androscoggin

I, Licia Sherwood, Notary Public in and for the state of
Maine, do hereby certify that on this 10th day of August, 2005,
personally appeared before me Roberta H. Pratt known to be the
individual described in and who executed the within instrument and acknowledged
that Roberta H. Pratt signed the same as Grantor
free and voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and official seal this 10th day of August, 19 2005
Commission expires December 16, 19 2005

Licia Sherwood (Cox)
Notary Public

ANDROSCOGGIN COUNTY
Lina K. Charnock
REGISTER OF DEEDS



SEAL

MAINE SHORT FORM WARRANTY DEED

We, **ROBERT H. ECCLES and BARBARA ECCLES**, of Auburn, Androscoggin County, Maine, for consideration paid, grant to **ROBERTA H. PRATT**, whose mailing address is 93 Goff Street, Auburn, Maine, 04210, with **WARRANTY COVENANTS**, a certain lot or parcel of land, with any buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, being further described in the attached Exhibit A.

The premises are conveyed subject to any easements and restrictions of record, and this deed includes all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

WITNESS our hands this 14th day of September, 2004.

[Signature]
Witness

[Signature: Robert H. Eccles]
Robert H. Eccles

[Signature]
Witness

[Signature: Barbara Eccles]
Barbara Eccles

MAINE REAL ESTATE
TRANSFER TAX PAID

STATE OF MAINE
COUNTY OF Androscoggin, SS

Then personally appeared the above named Robert H. Eccles and Barbara Eccles, known to me, this 14th day of September, 2004 and acknowledged before me the foregoing instrument to be their free act and deed.

[Signature]
Notary Public
Name: _____
My commission expires: _____

LIANA M. HENAULT
Notary Public
My Commission Expires January 1 2010

N:\WPDOCS\DIANET\2004\04-1800\04-1899.WD2



Order No: 943876 (04-1899)

EXHIBIT 'A'

A CERTAIN LOT OR PARCEL OF LAND, WITH THE BUILDINGS THEREON, SITUATED IN THE CITY OF LEWISTON, COUNTY OF ANDROSCOGGIN AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING IN THE NORTHEASTERLY LINE OF ALLEN COURT, NINETY-FOUR AND FOURTEEN HUNDREDTHS (94.14) FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY LINE OF OAK STREET; THENCE IN A SOUTHEASTERLY DIRECTION BY THE SAID NORTHEASTERLY LINE OF SAID ALLEN COURT FORTY-FIVE (45) FEET; THENCE IN A NORTHEASTERLY DIRECTION BY AN INTERNAL ANGLE OF EIGHTY-NINE DEGREES AND FIFTY-SIX MINUTES (89° 56'), ONE HUNDRED (100) FEET; THENCE IN A NORTHWESTERLY DIRECTION BY A LINE PARALLEL WITH THE SAID NORTHEASTERLY LINE OF SAID ALLEN COURT, FORTY-FIVE (45) FEET; THENCE IN A SOUTHWESTERLY DIRECTION ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING ON THE NORTHEASTERLY LINE OF SAID ALLEN COURT.

THE GRANTORS HEREBY CONVEY TO THE GRANTEE A RIGHT OF WAY IN A DRIVEWAY TO BE USED IN COMMON WITH RICHARD H. BOULET AND MARIETTE J. BOULET, TWELVE (12) FEET IN WIDTH AND ONE HUNDRED (100) FEET IN LENGTH AND LOCATED NORTHWESTERLY HEREIN PREMISES HEREIN CONVEYED AND DESCRIBED ABOVE.

BEING THE SAME PREMISES DESCRIBED IN THE DEED FROM GEORGE A. HESS AND C. MARTIN BERMAN AS PERSONAL REPRESENTATIVES OF THE ESTATE OF ROSARIO L. PAQUETTE TO GARY L. CADMAN AND MARILYN E. CADMAN DATED OCTOBER 19, 1989 AND RECORDED IN BOOK 2485, PAGE 3.

ANDROSCOGGIN COUNTY
Tina K. Chouard
REGISTER OF DEEDS

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

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

Win/Win, Inc.
c/o Roberta Pratt
93 Goff Street
Auburn, Maine 04211

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Roberta H. Pratt
93 Goff Street
Auburn, Maine 04211

10 NOMAR COURT, LEWISTON, MAINE

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

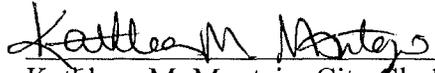
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 10 Nomar Court, Lewiston, Maine, identified as Lot 447 on Tax Map 194, and further described in a Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 6079, Page 32, 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: January 15, 2014

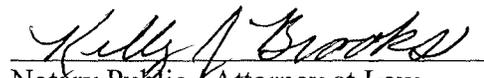

Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

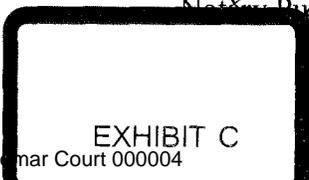
January 15, 2014

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

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS


Notary Public, Attorney at Law

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018



Return
A

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
10 NOMAR COURT, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

On 1-24, 2014, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Win/Win, Inc., as follows:

Win/Win, Inc.
c/o Roberta H. Pratt
93 Goff Street
Auburn, ME 04211

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>cp</i>	\$	<u>2.00</u>
TOTAL:	\$	<u>25.60</u>

[Handwritten Signature]

Signature

[Handwritten: Androscoggin SO]

Agency

EXHIBIT D

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

Win/Win, Inc.
c/o Roberta Pratt
93 Goff Street
Auburn, Maine 04211

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Roberta H. Pratt
93 Goff Street
Auburn, Maine 04211

10 NOMAR COURT, LEWISTON, MAINE

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

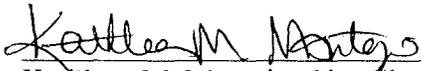
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 10 Nomar Court, Lewiston, Maine, identified as Lot 447 on Tax Map 194, and further described in a Warranty Deed recorded in the Androscoggin County Registry of Deeds at Book 6079, Page 32, 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: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

Return
5

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
10 NOMAR COURT, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

On 1-24, 2014, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Roberta H. Pratt, as follows:

Roberta H. Pratt
93 Goff Street
Auburn, ME 04211

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	_____
Postage:	\$	_____
Other:	\$	_____
 TOTAL:	\$	<u>21.00</u>

J. Phillips
Signature

Andreas Aggen SD
Agency

EXHIBIT E

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

Win/Win, Inc.
c/o Roberta Pratt
93 Goff Street
Auburn, Maine 04211

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Roberta H. Pratt
93 Goff Street
Auburn, Maine 04211

10 NOMAR COURT, LEWISTON, MAINE

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

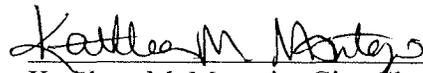
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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Dated: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
10 NOMAR COURT, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On JAN 21 2014, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on a person authorized to accept service on Green Tree Servicing, LLC by delivering a copy of same at the following address:

Green Tree Servicing, LLC
c/o CT Corporation System, Agent
1536 Main Street
Readfield, ME 04355

Costs of Service:

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

TOTAL: \$ _____


Signature

HARRY MCKENNEY
Chief Civil Deputy
Agency KENNEBEC COUNTY
SHERIFF'S OFFICE

EXHIBIT F

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

Win/Win, Inc.
c/o Roberta Pratt
93 Goff Street
Auburn, Maine 04211

Green Tree Servicing, LLC
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Roberta H. Pratt
93 Goff Street
Auburn, Maine 04211

10 NOMAR COURT, LEWISTON, MAINE

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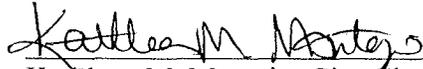
February 18, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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Dated: January 15, 2014


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

January 15, 2014

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

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

CITY
CORRESPONDENCE

**CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3245
NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE**

January 3, 2013

Win/Win, Inc.
C/O Roberta H. Pratt
P.O. Box 1556
Auburn, Maine 04211-1556

Win/Win Incorporated
Roberta H. Pratt
Maureen McDonald-Sawyer
P/O. Box 2134
Auburn, Maine 04211-2134

RE: 10 Nomar Court

Dear Owners:

An inspection conducted on January 2, 2013 by Thomas E. Maynard, Code Enforcement Officer/Constable, and myself found that the building at 10 Nomar Court is vacant and has suffered severe deterioration, damage and vandalism making it unfit for occupancy due to violation(s) of the provisions of Chapter 18, Article III, International 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). The violations include but are not limited to the following: The building is without required utilities and facilities for habitation and is a dangerous structure.

I hereby condemn and placard the building and property at 10 Nomar Court as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, International 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 IPMC-704.1 et seq of the Code of Ordinances of the City of Lewiston. You are hereby ordered to ensure this building is maintained secured from unauthorized entry and the property kept clean and orderly. 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 **February 8, 2013.**

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 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.

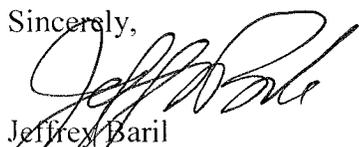
In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you 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,



Jeffrey Baril

Corporal Lewiston Police Department/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

10 Nomar Court

Photo # 1 Photos taken 1-2-2013. Front view



Photo # 2 Rear of building taken 12-16-2013



EXHIBIT H

Photo # 3 Severely deteriorated service entrance cable and deteriorated wood shingle siding.



Photo # 4 Foundation wall is deformed due to traffic and frost action causing the wall to be pushed in. Deteriorated mortar.



Photo # 5 Open stove flue and damaged plaster leaving exposed lathing and open into the flue chase. This allows for the rapid spread of fire due to stack effect. Debris contributing to fire loading.

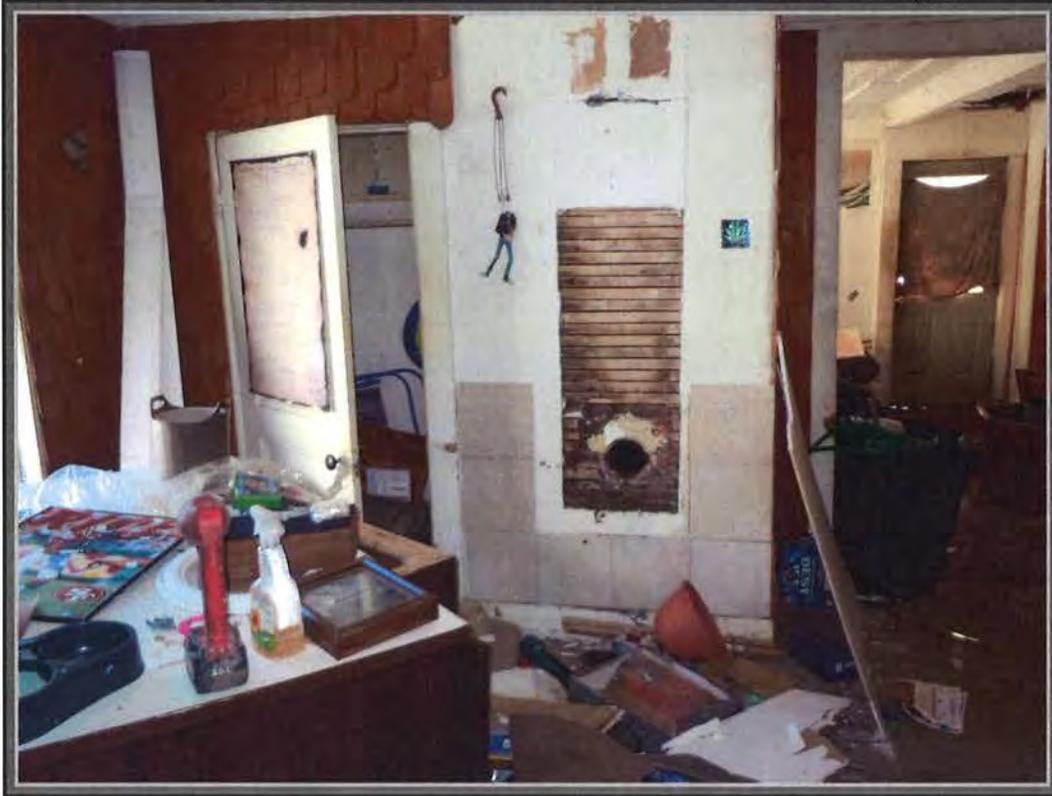


Photo # 6 Damaged kitchen cabinets with missing doors and debris contributing to fire load.



Photo # 7 Debris contributing to fire loading. Ceiling damage.



Photo # 8 Damaged plaster walls, obsolete windows incapable of properly sealing.



Photo # 9 Open chase creating a pathway for fire due to stack effect.

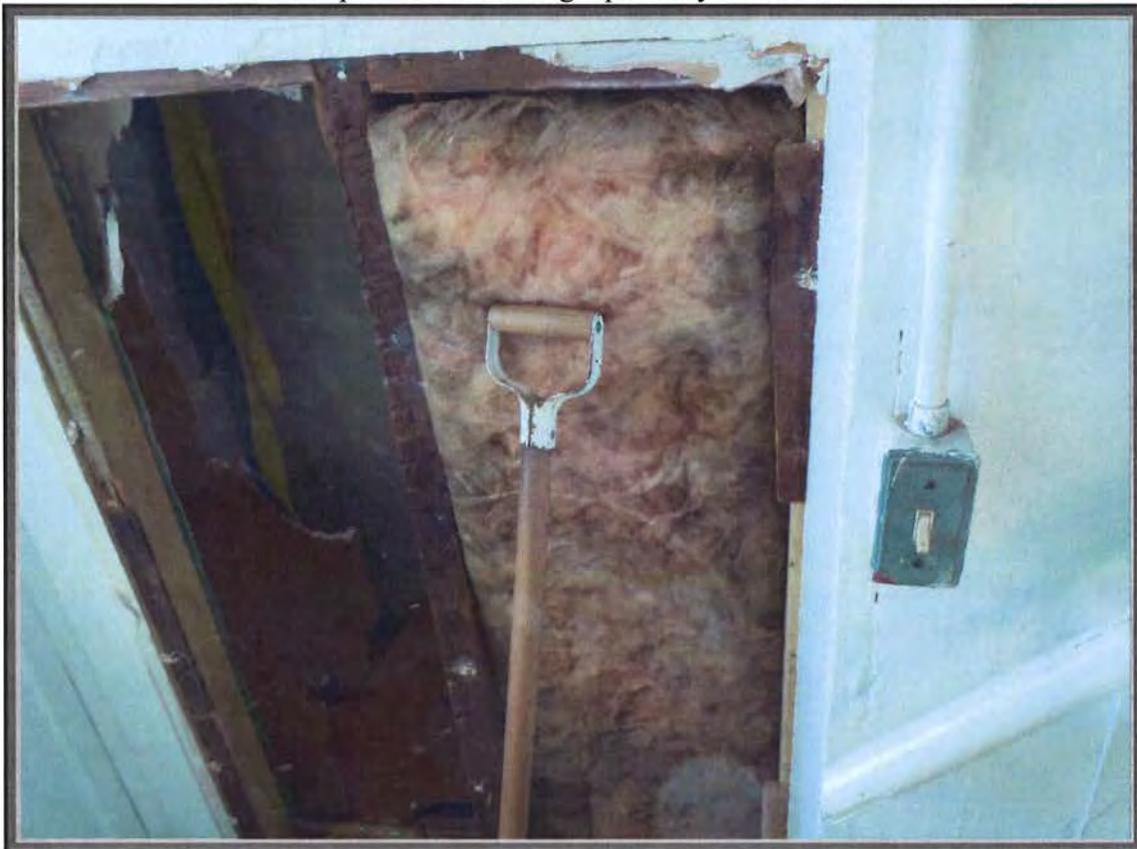


Photo # 10 Inadequate means of egress stair that is too steep, not of sufficient width or headroom.

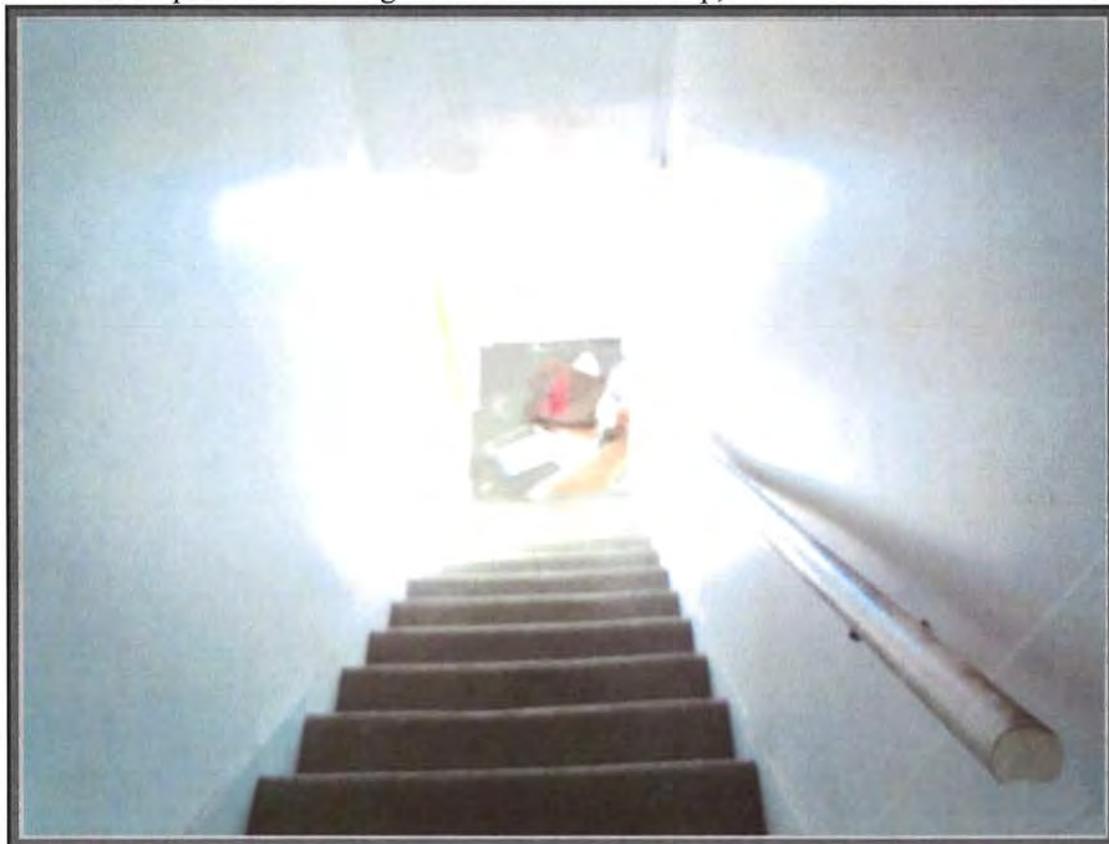


Photo # 11 Broken window throughout the building



Photo # 12 Removed wall coverings in an apparent attempt to renovate without permits.



Photo # 13. Damaged plaster leaving the wall open to the rafters



Photo # 14 Replaced drywall without appropriate installation of electrical outlets as required by Code and without appropriate permits.



Photo # 15 Accumulation of debris contributing to fire loading and unsupported wiring hanging from the ceiling.



Photo # 16 Evidence of squatters in the basement.

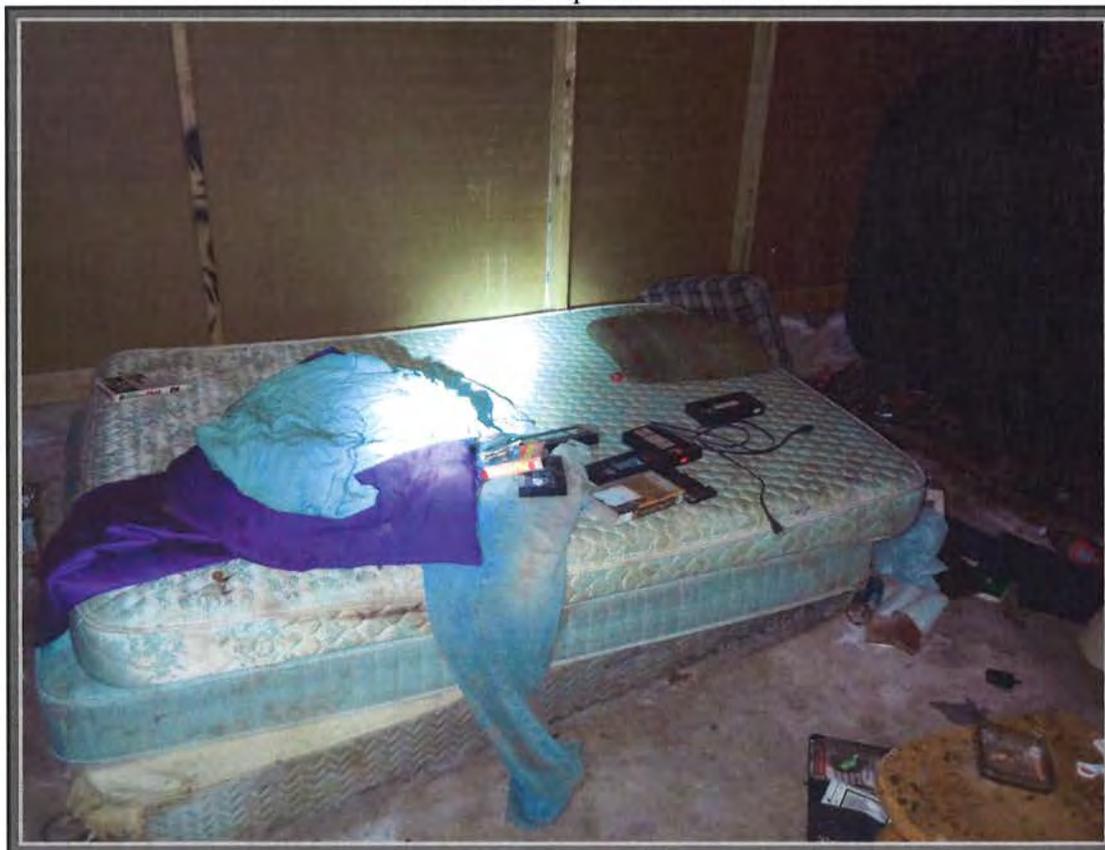


Photo # 17 Debris contributing to fire loading, unsupported wiring and a disconnected oil line.

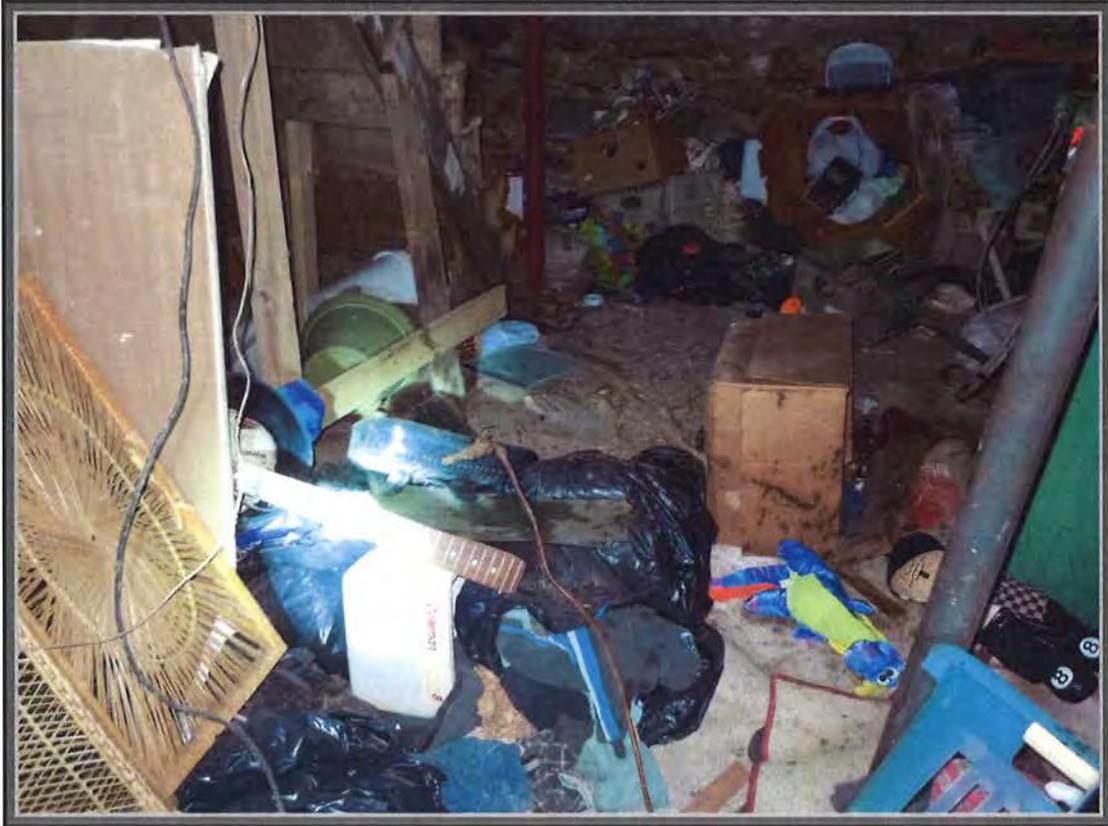


Photo # 18 Damaged and inoperative boiler with copper pipes removed. Insufficient chimney size without flue liner making for an increased threat of fire.



Photo # 19 Wall deformation due to frost and vehicular traffic. This is the inside view of the wall shown on photo # 4.



LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Receipt of recommendations from the Finance Committee and the Planning Board on the FY2015 Lewiston Capital Improvement Plan budget.

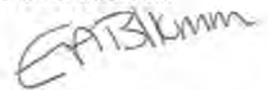
INFORMATION:

The Planning Board, at their February 10, 2014 meeting, voted to send a favorable recommendation to the City Council to adopt the FY2015 LCIP. Their comments are attached. Also attached to this is the response from the Public Works Director regarding the various questions and issues raised by the Planning Board.

The Finance Committee met on February 10, 2014 to review the proposed LCIP projects and their recommendation is also attached.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Charter requires a recommendation on the LCIP from both of these committees.



REQUESTED ACTION:

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

To receive and review the recommendations from the Finance Committee and the Planning Board regarding the FY15 Lewiston Capital Improvement Plan.



City of Lewiston Finance Department

Norman Beauparlant, Director of Budget/Purchasing



February 10, 2014

The Honorable Robert Macdonald, Mayor
And Members of the City Council
City Hall
Lewiston, Maine 04240

Dear Mayor and Members of City Council:

At a meeting of the Finance Committee held on February 10, 2014 the Committee took the following action relative to recommendation of the FY2015 Capital Improvement Program:

On motion of Councilor Christ, seconded by Mr. Reed it was

VOTED:

The Finance Committee has reviewed the Fiscal Year 2015 Lewiston Capital Improvement Program. The Finance Committee recognizes that this document is a long term planning tool utilized by the City Council and Administration, and that all projects are subject to the scrutiny of the budget process. If projects as requested are approved, including the Administrator's recommendation and School Department recommendations, the proposed FY15 bond authorization amount would exceed the 80% bond issue authorization limitation as established by City Ordinance (Chapter 2, Article II, Section 2-34: Council action on bond authorization).

The purpose of the 80% limit is to aggressively reduce our heavy long term debt while minimizing the impact on the current year. Whereas the City of Lewiston overrode the limit by 188% just two short years ago, thereby dissolving any gradual gains, we urge the Council to hold the line this year.

Further, the Committee expresses concern about the level of debt service carried in each of the Enterprise Funds as the rate and fee structures impact the personal budgets of Lewiston residents as much as the General Fund does with its mil rate and tax structure and the school side borrowing to be carried by the property taxpayers of the City of Lewiston. Therefore, we would recommend that City Ordinance (Chapter 2, Article II, Section 2-34: Council action on bond authorization) be revised to include provisions aimed at reducing debt separately in each category: municipal debt, school debt supported by the property tax, and Enterprise Fund debt.

The Finance Committee wishes to commend the staff and administration of the City for the recent work in refinancing the outstanding debt as had been recommended in last year's LCIP review. We urge the City to continue those efforts as the opportunities present themselves. We also recommend the utilization of the unallocated balances in future bonds should first be used

to reduce the principal outstanding before considering additional purchases not previously requested or indicated. We also ask that scrutiny be given to the amounts requested as we often see significant changes in estimates versus actual purchases, creating many of these unallocated fund balances.

We encourage City management to be prudent in spending of funds and focus on core services and those items deemed necessary at this time. Exceptions should be made where continued use of existing property would be more expensive in terms of operations and maintenance than the cost of purchasing new.

VOTE: 5-0

Sincerely,

Norman J. Beauparlant, Clerk
Finance Committee





City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director
MEMORANDUM



To: Honorable Mayor and Members of the City Council
From: David Hediger
Date: February 11, 2014
Subject: Planning Board Action: LCIP

The Planning Board took the following action at their meeting held on February 10, 2014 regarding the Lewiston Capital Improvement Program (LCIP).

The following motion was made:

MOTION: By **Michael Marcotte** pursuant to Article VII, Section 4(e) of the Zoning and Land Use Code to send a favorable recommendation, with the following adjustments made by the Planning Board, for the City Council's consideration the adoption of the FY 2015 LCIP, subject to the following:

1. To not fund the purchase of the existing Aircraft Hangar;
2. To add \$150,000 to the LCIP for FY 2015 for implementation of the Comprehensive Plan, including if appropriate and available, consideration of hiring additional staff to assist with the plans implementation;
3. To withhold funding for improvements to Pettingill Park; (Note: this was followed by a separate unanimous motion outside of the LCIP discussion that the Council withholds any action on the use of the Pettingill site until adoption of the new comprehensive plan.)
4. To reduce the City share of funding for FY 2015 for acquisition and demolition from \$400,000 to \$300,000;
5. To not fund the Public Works Building Vehicle/Equipment Wash Facility;
6. To increase funding for the Riverfront Island Master Plan Implementation for FY2015 from \$500,000 to \$1,000,000;
7. To amend the Street Maintenance/Road Resurfacing Schedule with Acadia Avenue moved from FY 2018 to FY 2015 and Webster Street from FY 2015 to FY 2016;
8. To remove \$175,000 from the PW Municipal Garage Vehicle and Equipment Replacement specifically allocated for the purchase of a Telescopic Bucket Truck.

Second by **Kevin Morissette**.

VOTED: 7-0 (Passed)

c: Ed Barrett, City Administrator
Planning Board Members

Public Works Info on Planning Board Recommendations for the FY2015 LCIP

The Feb 13, 2014 letter from David Hediger to the Mayor and City Council identified recommendations of the Planning Board and background information on the discussions during their February 10, 2014 meeting. The following are bullets to address their concerns and comments regarding Public Works related items:

Recommendation 5. To not fund the Public Works Building Vehicle/Equipment Wash Facility

- Recognized value in having wash facility to extend life of City vehicles
 - PW Response – As mentioned in the LCIP write-up on page 38 of the book, an even more compelling reason for the wash facility is address environmental issues associated with washing equipment outside and meeting the regulatory requirements of the Maine DEP Pollution Discharge Elimination Program and meet the requirements of the Storm Water Pollution Prevention Plan.
- Felt there was insufficient funds to build facility (last year's request was \$1.2 Million)
 - PW Response – The \$1.2 million project was an automatic system to run essentially continuously with 1 truck after another. The current project is to only meet our municipal needs with perhaps a few vehicles or pieces of equipment from others using it occasionally. This project was developed as a minimalist approach to satisfy the needs to maintain the equipment and meet the environmental requirements. We agree the funding on this project would be very tight, but is achievable.
- Suggested waiting for private sector to build a facility the City could use
 - PW Response – The City is already known throughout the region as center for material distribution centers. The Walmart Distribution Center, Estes Trucking, Federal Express, Max Finklestein Tire Distribution, and numerous others (especially in the Exit 80 area) have hundreds and perhaps thousands of trucks already coming into and departing Lewiston daily. If this level of need has not already justified this service in the private sector, it is unlikely to happen.
- City should build facility for City vehicles only
 - PW Response – The Department has no issue with this recommendation as the minimalist approach to this project already had assumed there would likely be no partners joining in unless we could get the Western Maine Transportation and Hudson Bus Companies interested in investing.
- Concern about future operation and maintenance costs
 - There would be costs for utilities (water, electricity, heat), for consumables (soap, detergent, sponges etc), maintenance (doors, HVAC, wash equipment, oil/water separators, etc). The costs would be dependent upon amount of use, but would be required.

Recommendation 6. To increase funding for the Riverfront Island Master Plan Implementation for FY2015 from \$500,000 to \$1,000,000.

- Additional support is needed for the implementation
 - PW Response – More funding would accelerate the implementation of the Riverfront Island Master Plan. It would be helpful to understand what parts of the plan would be next on the priority list.

Recommendation 7. To amend the Street Maintenance/Road Resurfacing Schedule with Acadia Avenue moved from FY2018 to FY2015 and Webster Street from FY2015 to FY2016.

- Board believes the road condition of Acadia Avenue warrants immediate attention over the proposed improvement to Webster St.
 - PW Response – Webster St is classified as a Collector Road on the Federal Functional Classification and is part of the National Highway System. This section of Webster St has an Average Annual Daily Traffic (AADT) count of 7,670 vehicles per day (2011 count). Acadia

Avenue is a local street, with significantly less traffic. Unfortunately, the City has not yet invested in a pavement management software, which helps prioritize pavement maintenance based upon condition and use. We have requested funding for this again in this year's budget. We disagree that the road condition of Acadia Ave warrants immediate attention over Webster St.

Recommendation 8. To remove \$175,000 from PW Municipal Garage Vehicle and Equipment Replacement specifically allocated for the purchase of a Telescopic Bucket Truck.

- Board questioned need for equipment based upon \$10,000 per year cost expended on rentals/lifts. Renting appears to be cheaper and more economical.
 - PW Response – This Planning Board comment was about the bucket truck to replace having to rent equipment for the parks and open space crews and is addressed on page 86 of the book. (Their comment is not about the replacement for the Unit #40, used by the street light crew to address street light and traffic signal repairs, which is addressed on page 84.) Further review indicates we spend closer to ~\$16,000-\$18,000 per year on rental units, which have been unreliable or in poor condition creating a safety issue, we do not have with our own equipment. Of 20 pieces of equipment to replace, the Telescopic Bucket Truck was listed as priority #16. We do not disagree with the Planning Board regarding the work currently done not justifying the purchase cost.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Resolve regarding the Adoption of the 2014 City of Lewiston Five-Year Capital Improvement Program.

INFORMATION:

The Lewiston Capital Improvement Program (LCIP) is required by State Law and the City Charter. The LCIP is an important and necessary planning tool for the City's consideration in financial and development issues. It is a working document, and adoption does not constitute approval and/or funding of the various projects within the program. Each project will require funding approval from the City Council at a later date. The complete LCIP booklet was distributed to Council earlier for review and a workshop and public hearing have also been held on this issue.

The Planning Board and Finance Committee recommendations regarding the LCIP are presented as a separate agenda item.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The 2014 program is limited to those projects which are important to the continued maintenance and development of the City. Each project will be reviewed prior to receiving funding.

EATB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That pursuant to Article VI, Section 6.07(d) of the City Charter, the City Council hereby approves the Resolve adopting the 2014 City of Lewiston Five-Year Capital Improvement Program, as prepared by the City Administrator.

(Note - Copy of full Resolve is attached.)



**City of Lewiston Maine
City Council Resolve
February 19, 2013**



Resolve, Adopting the 2014 City of Lewiston Five-Year Capital Improvement Program

Whereas, the City Charter requires that a capital improvement program be prepared annually for review by the Planning Board, Finance Committee, and City Council and be adopted by the City Council at least four months prior to the end of the current fiscal year; and

Whereas, the intent of such a program is to outline a five year plan to address the community's infrastructure and other capital improvement needs and, more specifically, to outline those projects anticipated for the coming year in advance of consideration of the annual budget; and

Whereas, as proposed, the plan calls for \$130,335,046 in projects, \$62,830,763 of which would be supported from City resources including \$30,637,500 in tax supported general obligation bonds and \$22,924,300 in enterprise supported bonds; and

Whereas, the plan proposes authorizing \$7,075,000 in general obligation bonds and \$5,749,750 in enterprise bonds during Fiscal Year 2014; and

Whereas, \$744,507 in general obligation bonds falls outside of the \$6,330,493 ordinance limitation on annual bond authorizations, thus allowing for these bonds to be issued by a simple majority vote of the Council; and

Whereas, adopting this plan will provide guidance to the Council and staff but does not constitute formal authorization to proceed with the projects included, the funding for which must be separately authorized by the City Council;

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

that the 2014 City of Lewiston Five-Year Capital Improvement Program is hereby adopted.

FY 2015 Lewiston Capital Imp. Project Summary

by Department /Agency

PROJECT	PAGE	FY2015		FY2016		FY2017		FY2018		FY2019	
AIRPORT:											
Grind and Overlay of Taxiway B	11	285,300	F/S								
		15,850	COB								
		15,850	Other								
Purchase of Existing Hanger	12	1,100,000	CBI								
		1,100,000	Other								
Construct Nested T- Hanger	14			250,000	CBI	250,000	CBI	250,000	CBI		
				250,000	Other	250,000	Other	250,000	Other		
Realign and Reconstruct Airport Terminal Parking Lot	15			600,000	F/S						
				50,000	CBI						
				50,000	Other						
Replace Operations Service Vehicle	16	15,000	COB								
		15,000	Other								
EMERGENCY 9-1-1:											
Replacement/Expansion of Recording System	18	14,113	COB								
		14,113	Other								
Radio Replacement	19			1,025,000	CBI						
				1,025,000	Other						
TRANSIT COMMITTEE:											
Replacement Buses for the Fixed Route Bus System	29	320,000	F/S	320,000	F/S	360,000	F/S	360,000	F/S	360,000	
		40,000	COB	40,000	COB	45,000	COB	45,000	COB	45,000	
		40,000	Other	40,000	Other	45,000	Other	45,000	Other	45,000	
ECONOMIC & COMMUNITY DEVELOPMENT:											
Acquisition/Demolition Fund	30	400,000	COB	400,000	COB	400,000	COB	400,000	COB	400,000	
		50,000	COB	50,000	COB	50,000	COB	50,000	COB	50,000	
Acquisition of Lewiston Steam Substation	31			250,000	CBI						
				3,000	COB						
Riverfront Island Master Plan Implementation	32	500,000	CBI	500,000	CBI	500,000	CBI	500,000	CBI	500,000	
MIS DEPARTMENT:											
Software Replacement	33			200,000	CBI						
Fiber Connectivity - Solid Waste Facility & Ops Center	34	35,000	COB								
FIRE DEPARTMENT:											
Apparatus Replacement Engine # 6 (1988 E-One Pumper)	35	575,000	CBI								
PUBLIC WORKS - (BLDG):											
City Hall Second Floor Restoration - BLDG 1	37			120,000	CBI	100,000	CBI				
PW Vehicle/Equipment Wash Facility - BLDG 2	38	450,000	CBI								
Main St. Fire Station Expansion - BLDG 3	39			50,000	CBI	600,000	CBI				
Parking Garages Signage Improvements - BLDG 4	40	60,000	CBI								
City Buildings Security System - BLDG 5	41			50,000	COB						
Police Department Building Expansion - BLDG 6	42			50,000	CBI	2,450,000	CBI				
City Hall Window Replacement Project - BLDG 7	43					500,000	CBI				
Library Elevator Control Replacement - BLDG 8	44					100,000	CBI				
Central Fire Station Roof Replacement - BLDG 9	45					140,000	CBI				
Sabattus St. Fire Station Relocation or Rehab. - BLDG 10	46							50,000	CBI	1,000,000	
Lisbon St. Fire Station Expansion - BLDG 11	47									50,000	
Recreation Dept. Office Renovation - BLDG 12	48									100,000	
City Hall Exterior Rehab. Project - BLDG 13	49									200,000	
PUBLIC WORKS - HIGHWAY:											
Road Rehabilitation Program	50	575,000	CBI	588,000	CBI	510,000	CBI	530,000	CBI	540,000	
Street Maintenance Program	52	877,000	COB	867,000	COB	865,000	COB	872,000	COB	890,000	
Birch Street Road and Sidewalk Rehabilitation	54			925,000	CBI						
Lincoln Street Alley Bridge Removal	55	30,000	COB								
Canal Street Project Main to Cedar	56			490,000	CBI						
Circulation Study. Ash St. & Canal St. Intersection	57			100,000	CBI						
Bates St. Bike Lanes - Bus Station Area	59			50,000	CBI						
Cedar St. Traffic-Bike-Pedestrian Improvements	61	100,000	CBI								
PUBLIC WORKS - HIGHWAY MDOT PROJECTS:											
Rt 196 Lisbon St. Resurfacing - MDOT 2	63	700,000	F/S								

**FY 2015 Lewiston Capital Imp. Project Summary
by Department /Agency**

PROJECT	PAGE	FY2015		FY2016		FY2017		FY2018		FY2019
Veterans Memorial Bridge Resurfacing - MDOT 3	64	665,144	F/S	473,876	F/S					
Bartlett St Rehab. (East Ave. to College) - MDOT 6	65	1,350,000	F/S							
		150,000	CBI							
River Road Recon. (Mount Hope Ave. to Razel Way) - MDOT 8	66	45,000	F/S					1,125,000	F/S	
		5,000	COB					125,000	CBI	
MTA Exit 80 Interchange Improvements - MDOT 10	67	8,500,000	F/S	9,800,000	F/S					
MTA Androscoggin Bridge Repair - MDOT 11	68	2,500,000	Other							
MTA No Name Brook Culvert Repair - MDOT 12	69	300,000	Other							
River Road Recon. (Razel Way to A.A. Plourde) - MDOT 13	70							1,350,000	F/S	
								150,000	CBI	
2015 TIP Signal Upgrades - MDOT 14	71	450,000	F/S							
		50,000	CBI							
PUBLIC WORKS - ATRC:										
South Ave Rehabilitation (Lisbon St to Lincoln St) - ATRC 1	72					180,000	F/S	1,800,000	F/S	
						20,000	COB	200,000	CBI	
Lisbon St Mill & Fill (Adams Ave. to Chestnut St) - ATRC 10	73					360,000	F/S			
						40,000	COB			
PUBLIC WORKS - STREET LIGHTING:										
Replace Mercury Street Lighting	74	100,000	COB	100,000	COB	65,000	COB			
Street Light Wiring Replacement (Lisbon St - Main St to Chestnut St.)	75	70,000	COB							
Hydro-Electric Generation Turbine Repairs	76					125,000	CBI	400,000	CBI	
Retrofit Downtown Decorative Street Lights	77	240,000	CBI							
PUBLIC WORKS - OPEN SPACES:										
Park Improvements-Various Locations	78									100,000
Pettingill Park	79	65,000	CBI							
Kennedy Park Master Plan Improvements	80			372,000	CBI	42,000	CBI	308,000	CBI	503,000
						260,000	CBI			
Marcolte Park Playground Improvements	82	130,000	Other	120,000	Other					
		75,000	CBI							
PUBLIC WORKS - MUNICIPAL GARAGE:										
Equipment Replacement	83	1,991,000	CBI	1,235,000	CBI	1,230,500	CBI	1,214,000	CBI	1,018,000
Fleet Tracking System (GPS System)	89							62,000	CBI	
PUBLIC WORKS - SOLID WASTE:										
Landfill Paved Road Maintenance	90	120,000	COB							
SCHOOL DEPARTMENT (SCH):										
Martel School Site Work for 2 Portable Classrooms	91	89,000	SCH							
Farwell School Site Work for 8 Portable Classrooms	92	490,000	SCH	595,000	SCH					
Lewiston High School Ventilation Improvements	93	177,000	SCH							
Montello School Restroom Renovations & Flooring Abatement	94	238,000	SCH							
Montello School Roof Replacement	95			600,000	SCH					
District-wide Playground Upgrades	96			200,000	SCH					
Upper Franklin Field Lights	97			32,500	SCH					
				32,500	CBI					
School Financial Software Migration	98	150,000	SCH							
New School Project (Replace Martel School)	99							28,500,000	F/S	
				200,000	SCH	650,000	SCH	650,000	SCH	
PUBLIC WORKS - WATER DIVISION (W):										
LAWPC Land Acquisition Program	100	125,000	WOB	125,000	WOB	125,000	WOB	125,000	WOB	125,000
		125,000	Other	125,000	Other	125,000	Other	125,000	Other	125,000
Lewiston-Auburn Water Treatment Program	101	1,230,000	WBI	250,000	WBI	250,000	WBI	250,000	WBI	250,000
		1,230,000	Other	250,000	Other	250,000	Other	250,000	Other	250,000
Distribution Water Main Replacement/Rehab	102	1,768,650	WBI	1,709,550	WBI	1,785,000	WBI	1,707,000	WBI	1,650,000
Water Meter Replacement/Testing Program	107	160,000	WBI	160,000	WBI	160,000	WBI	160,000	WBI	160,000
Dual River Crossing	109					2,000,000	WBI			
Water Storage (Ice Pig and Scour at Ferry Road Site)	110	90,000	WBI	100,000	WBI					
Equipment Replacement Program - Water	111	108,000	WOB	108,000	WOB	90,000	WOB	89,000	WOB	100,000
PUBLIC WORKS - SEWER DIVISION (S):										
Rehab of Old Sanitary Sewer Mains	114	1,000,000	SBI	1,000,000	SBI	1,000,000	SBI	1,000,000	SBI	1,000,000

FY 2015 Lewiston Capital Imp. Project Summary

by Department /Agency

PROJECT	PAGE	FY2015	FY2016	FY2017	FY2018	FY2019
Pump Station Upgrades	116	292,000 SBI	56,000 SBI	25,000 SBI	27,000 SBI	40,000 SBI
Interceptor Inspection & Rehabilitation	118	200,000 SBI				
Inflow/Infiltration Removal Program	120	50,000 SIF				
Equipment Replacement Program - Sewer	122	47,000 SOB	35,000 SOB	35,000 SOB	83,000 SOB	105,000 SOB
PUBLIC WORKS - STORM WATER (SW):						
CSO Separation - Various Areas	124	150,000 SWBI				
		150,000 SBI				
Storm Drain for Road Rehabilitation Projects	125	109,100 SWBI	108,000 SWBI	91,000 SWBI	66,000 SWBI	60,000 SWBI
NPDES Ph. II Permit	127	65,000 SWOB				
Hart Brook Water Quality Restoration	130	500,000 SWBI	300,000 SWBI	300,000 SWBI	250,000 SWBI	250,000 SWBI
Jordan Road Bridge	134		210,000 SWBI			
North Temple Storm Drain	135	100,000 SWBI				
TOTALS		32,777,120	26,955,426	16,688,500	43,683,000	10,231,000
City Bond Issue	CBI	5,931,000	6,287,500	6,547,500	3,789,000	4,011,000
City Operating Budget	COB	1,721,963	1,460,000	1,435,000	1,317,000	1,335,000
Community Dev. Block Grant		50,000	50,000	310,000	50,000	50,000
Federal/State Funding		12,315,444	11,193,876	900,000	33,135,000	360,000
Other Agency/Municipality	Other	5,469,963	1,860,000	670,000	670,000	420,000
School Operating Budget	SCHOB	-	-	-	-	-
School Bond Issue	SCBI	1,144,000	1,627,500	650,000	650,000	-
Water Bond Issue	WBI	3,248,650	2,219,550	4,195,000	2,117,000	2,060,000
Water Operating Budget	WOB	233,000	233,000	215,000	214,000	225,000
Sewer Operating Budget	SOB	47,000	35,000	35,000	83,000	105,000
Sewer Bond Issue	SBI	1,642,000	1,256,000	1,225,000	1,227,000	1,240,000
Sewer Impact Fees	SIF	50,000	50,000	50,000	50,000	50,000
Storm Water Operating Budget	SWOB	65,000	65,000	65,000	65,000	65,000
Storm Water Bond Issue	SWBI	859,100	618,000	391,000	316,000	310,000
TOTALS		32,777,120	26,955,426	16,688,500	43,683,000	10,231,000
Bond Issues		12,824,750	12,008,550	13,008,500	8,099,000	7,621,000
20yr						
CBI (City Bond Issue)		450,000	2,690,000	2,700,000	250,000	1,000,000
SCBI (School Bond Issue)		490,000	1,195,000	650,000	650,000	
WBI (Water Bond Issue)		2,998,650	1,959,550	4,035,000	1,957,000	1,900,000
SBI (Sewer Bond Issue)		1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
SWBI (Storm Water Bond Issue)		500,000	300,000	300,000	250,000	250,000
sub-total		5,438,650	7,144,550	8,685,000	4,107,000	4,150,000
15yr						
CBI (City Bond Issue)		4,241,000	1,823,000	2,840,500	2,144,000	2,061,000
SCBI (School Bond Issue)						
WBI (Water Bond Issue)						
SBI (Sewer Bond Issue)		292,000				
SWBI (Storm Water Bond Issue)			210,000			
sub-total		4,533,000	2,033,000	2,840,500	2,144,000	2,061,000
10yr						
CBI (City Bond Issue)		990,000	1,442,000	740,000	1,283,000	700,000
SCBI (School Bond Issue)		654,000	400,000			
WBI (Water Bond Issue)						
SBI (Sewer Bond Issue)		350,000	200,000	200,000	200,000	200,000
SWBI (Storm Water Bond Issue)		259,100	108,000			
sub-total		2,253,100	2,150,000	940,000	1,483,000	900,000
5yr						
CBI (City Bond Issue)		250,000	332,500	867,000	112,000	250,000
SCBI (School Bond Issue)			32,500			
WBI (Water Bond Issue)		250,000	260,000	160,000	160,000	160,000
SBI (Sewer Bond Issue)			56,000	25,000	27,000	40,000
SWBI (Storm Water Bond Issue)		100,000		91,000	66,000	60,000
sub-total		600,000	681,000	1,143,000	365,000	510,000
Total		12,824,750	12,008,550	13,608,500	8,099,000	7,621,000

FY 2015 Lewiston Capital Improvement Program Project Description Form

Project Title: Comprehensive Plan:Implementation

Operational Funding Division: _____ **Project Name:** _____

Est. Total Cost FY 2015:	150,000	Est. Total Cost FY 2015-19:	150,000
City Share FY 2015:	150,000	City Share FY 2015-2019	150,000

Project Description:

A new comprehensive plan is expected to be completed mid-year 2014. Upon completion, implementation of said plan via any new zoning and land use regulations as regulated by the Zoning and Land Use Code and other local ordinances may be necessary.

Consistency with the Comprehensive or Strategic Plans or other related planning documents:

As of January 1, 2013, the 1997 Lewiston Comprehensive Plan was no longer consistent with the Growth Management Act. An updated plan is expected to be completed mid-year 2014. The current plan identifies the need to ensure that mechanisms are developed to oversee implementation of the comprehensive plan on a continuing basis. Certainly, this policy will be included as part of the updated plan.

Justification for project implementation/construction and segments, if applicable:

The City needs to have a comprehensive plan that is consistent with State law. A plan that is not consistent can have a negative impact on funding opportunities from the State and Federal government. Upon expected completion of said plan in 2014, efforts must be made to implement the goals and strategies developed through that planning process.

Future maintenance costs if known, including contracts and special service requirements:

A comprehensive plan provides a long term vision - typically 10+ years - for the community. Implementation of the goals, policies, and strategies of the plan will take time as planning is an ongoing process not limited to the development of a comprehensive plan. Additional funding request should be anticipated upon adoption of the new comprehensive plan as implementation of the plan will depend upon what the complexity of topic.

How were cost estimates obtained and expenditure commitment:

The cost was based upon input from a consulting firm and discussions with other communities and staff estimates. The initial request being made anticipates adoption of a new comprehensive plan in 2014. Future requests for funding in upcoming fiscal years is anticipated upon review and adoption of the comprehensive plan.

FUNDING SOURCES

Source	Amount				
City Operating Budget					
City Bond Issue					
Federal/State Funding		Agency: _____	Approval Received?	<u>Yes</u>	<u>No</u>
Other Agency/Municipality		Agency: _____	Approval Received?	<u>Yes</u>	<u>No</u>
Total Project Costs	0				

IMPLEMENTATION SCHEDULE (Fiscal Years)

	2015	2016	2017	2018	2019	Future
Total Project Cost	150,000					
Non-City Share						
City Share	150,000	0	0	0	0	0

Attach on separate page(s)/sheet additional information (if needed)



CITY OF LEWISTON

Department of Planning & Code Enforcement



To: Honorable Mayor and Members of the City Council
From: David Hediger
Date: February 13, 2014
Subject: Planning Board Action: FY2015 LCIP

On February 10, 2014 the Planning Board voted unanimously (7-0) to send a favorable recommendation for the City Council's consideration the adoption of the FY 2015 LCIP, subject to the following recommendations:

1. To not fund the purchase of the existing Aircraft Hangar.
 - Given the price, the Board did not support ownership of this structure, citing concerns with possible future leases, overhead and maintenance of this structure.
2. To add \$150,000 to the LCIP for FY 2015 for implementation of the Comprehensive Plan, including if appropriate and available, consideration of hiring additional staff to assist with the plans implementation.
 - This request for funding was inadvertently left out of the bound version of the LCIP and has been presented as an additional request to the overall plan. The Board agreed that assistance is needed for implementation upon the adoption of the plan. Some Board members suggested the funding be used to hire additional staff instead of a consultant to assist the city with implementation.
3. To withhold funding for improvements to Pettingill Park.
 - This recommendation was followed by a separate unanimous motion outside of the LCIP discussion that the Council withholds any action on the use of the Pettingill site until adoption of the new comprehensive plan. The initial draft of the comprehensive plan places an emphasis on infill development (redeveloping existing buildings and new development on existing vacant lots) and discourages development in rural areas. The draft also focuses on creating walkable neighborhoods with open space and recreation amenities available for neighborhoods and the entire community. There was discussion amongst the Board as to whether the entire site should be subdivided for single family homes, if some open/park space should remain, or whether the entire site should become a park. It was also noted the playground equipment from the school remains in place and to some extent functions as a park now.
4. To reduce the City share of funding for FY 2015 for acquisition and demolition from \$400,000 to \$300,000.
 - The Board generally agreed that dangerous and blighted structures should continue be demolished. The use of funds for acquisition was debated with some Board members expressing concern that the City has either made unnecessary purchases, paid too much, and/or should avoid being involved with real estate. Others recognized acquisitions may support future development. Overall, it was

noted the city has made progress with the current funding made available in FY2014 (\$350,000) and that the proposed reduction in funding should maintain the City's current efforts. They also noted that the city has recouped some amount of demolition funds from the owners of the demolished properties through special assessments and that those funds as well as remaining FY2014 funds will carry over into FY2015 for acquisition and demolition.

5. To not fund the Public Works Building Vehicle/Equipment Wash Facility.
 - The Board recognized the value in having a wash facility to extend the life of City vehicles. However, some members thought that this was not enough money to build this facility; last year's request including possible federal funding was approximately \$1.2 million. Suggestions were made to wait for the private sector to build a facility and send the City vehicles there. Other members thought it was not a good idea for the city to build and operate allowing other communities or businesses to use it without solid commitments (project description references "other potential partners include the City of Auburn, Western Maine Transportation Services, and the Towns of Lisbon and Sabattus) and felt the City should just build it for the City vehicles only. There were also concerns about the future operation and maintenance costs.
6. To increase funding for the Riverfront Island Master Plan Implementation for FY2015 from \$500,000 to \$1,000,000.
 - The Planning Board was pleased to see funding planned for the riverfront. However, it has become apparent that funding the recommendations included in the Master Plan is costly. The \$900,000 federal grant we received for Riverfront Island was subject to a 20% limitation on planning and design, or \$180,000. With the completion of the master plan in 2012, the city reached that limit. The remaining \$720,000 must be spent on actual physical work and has essentially be used to fund a new gateway to Simard Payne Park, a new pedestrian/canal crossing into the park, and riverfront access/overlooking improvement (the latter of which has yet to be bid upon based upon cost estimates and insufficient funding). The Board noted the value of the Plan and the additional support needed for implementation.
7. To amend the Street Maintenance/Road Resurfacing Schedule with Acadia Avenue moved from FY2018 to FY2015 and Webster Street from FY2015 to FY2016.
 - The Board believes the road condition of Acadia Avenue warrants immediate attention over the proposed improvement to Webster Street.
8. To remove \$175,000 from the PW Municipal Garage Vehicle and Equipment Replacement specifically allocated for the purchase of a Telescopic Bucket Truck.
 - The Board questioned the need for this equipment, in part based upon the description that "on average over \$10,000 (per year) has been expended in bucket rentals/lifts over the last 5 years". It appears renting versus purchasing equipment with a certain lifespan along with maintenance, etc. may remain better financial option.

Throughout the hearing, the Board was mindful of reducing the proposed amount of borrowing below the 80% limit beyond that of what is currently proposed in the LCIP.

The Planning Board is required by the Charter and the Zoning and Land Use Code to review and provide a recommendation on the LCIP. Specifically, Section 6.05. of the City Charter states the following:

(a) Submission to council. The administrator shall each year prepare and submit to the council a five-year capital program, including the capital program proposed for the school department, at least five and one-half (5 1/2) months prior to the end of the current fiscal year. The administrator shall concurrently refer the capital program to the planning board for its review.

(c) Planning board review. The planning board shall review the proposed capital program each year, and following public hearing thereon, shall forward its recommendations to the city council at least four and one-half (4 1/2) months prior to the end of the current fiscal year.

Article VII, Section 4(e) of the Zoning and Land Use Code states:

The board shall review the annual capital program and report to the city council in accordance with Section 6.05 of the City Charter its findings regarding the needs of the city for the improvement, replacement and alteration of existing facilities and the acquisition or construction of additional facilities and the order in which such projects should be undertaken. The board shall hold at least one public hearing prior to making its recommendations to the city council.

**LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Request from the Lewiston Auburn Film Festival for a waiver of fees regarding the use of the Lewiston Public Library for the organization's 2014 event.

INFORMATION:

The director of the Lewiston Auburn Film Festival is requesting a waiver from the City Council for the rental cost and applicable overtime fees for Library staff at their 2014 event. The costs they are seeking to have waived include hall rental fee, use of A/V system, chair set up, janitorial fee and staff time fees. Details are outlined in the attached material.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy decision of the City Council.

EMB/kmm

REQUESTED ACTION:

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To review the request submitted by the Lewiston Auburn Film Festival for a waiver of fees for the use of the Lewiston Public Library for the organization's 2014 event and to determine a course of action.

Ed Barrett

From: Joshua Shea <jshea@la-mag.com>
Sent: Tuesday, February 11, 2014 6:48 PM
To: Rick Speer
Cc: Ed Barrett
Subject: Re: LAFF rental fees at the Library

Ed,

I have copied Rick Speer on this as well, as I received the initial email from him.

While I understand the need to rent Callahan Hall and try to make it income-generating, I am hoping that you will waive the fees for the Lewiston Auburn Film Festival usage on April 5 and 6 this year considering what this festival means to Lewiston/Auburn and the history we have at the location.

It has been our policy, out of financial necessity, to not rent facilities for the festival. The Auburn Public Library, Community Little Theatre, The Public Theatre and Franco Center are all waiving any fees associated with rental of their facilities for this year's festival.

Last year, between 1,500 or 1,800 people descended upon our cities for LAFF. Post-festival surveying showed that the average attendee spent between \$225 and \$275 in and around Lewiston/Auburn over the weekend last year. It is a conservative estimate to say that \$400,000 was brought into this area, up from about \$275,000 in 2012. I believe we could potentially hit the 2,000 attendee and \$500,000 in economic development revenue for this area this year...but that can only happen if everybody pitches in. We brought people in from 18 states and 5 countries last year. I expect to have similar numbers this year and would love for our library to remain the geographic center of the action.

When I was on the city council in Auburn, I vowed that our festival wouldn't be like the balloon festival, Liberty Festival or Dempsey Challenge in asking councils for thousands of dollars in services, nor would we be like certain arts groups and simply come looking for a handout at budget time. We can't, however, be forced to pay for use of facilities. We simply don't have the money.

With the moving of our headquarters away from our former magazine office and with no LPL, the festival loses a big presence on Lisbon Street. A presence I know was felt by Forage Market last year. It was almost impossible to get in there. I'm guessing a similar thing would occur for The Bread Shack this year and nearby restaurants and businesses. We can specifically trace how being near a venue helped local businesses with our surveys showing where people ate and shopped.

You're asking me to pay at least \$1,500 to use the facility for two days. I can't afford it and will have to move the festival away from LPL if we can't get a waiver. I'm hoping you'll understand the economic impact and positive PR having LPL involved creates. Last year, we world premiered Craig Saddlemire's "Household" allowing the public to attend for only \$1. Two years before that, we world premiered a film on Somali Bantu farmers by a New York documentarian that went to get picked up by PBS in several states. It also served as the venue for our student film competition last year, which includes films from both Lewiston and Auburn students. It's one of the locations we try to have our culturally relevant and community-centric films play at. I really would hate to lose it.

I'm going to have to start creating the schedule of films in the next week or two. I'm hoping you'll allow this waiver.

Thanks,

Josh

Joshua Shea
Publisher, Lewiston Auburn Magazine
Director, Lewiston Auburn Film Festival
jshea@la-mag.com
Office: 207-740-8000
Cell: 207-689-5981

On Feb 11, 2014, at 10:08 AM, Rick Speer <RSpeer@lewistonmaine.gov> wrote:

Josh,

City Hall has been after me to do a better job of following the City's Facility Use Policy which means that there will be rental fees this year for LAFF's use of Callahan Hall. They would amount to the following:

- \$630 for the hall rental (\$315 per day)
- \$60 for the AV system (\$30 per day)
- \$35 for chair setup
- \$90 janitorial fee
- Plus staffing charges at \$20 per hour for use during library hours (Sat from 10 am to 5 pm) and at \$40 for any additional hours.

We can talk about this when you come by today.

Rick

Rick Speer, Director
Lewiston Public Library
200 Lisbon Street
Lewiston ME 04240
(207) 513-3119

Sponsorship:

The backbone of the Lewiston Auburn Film Festival

Since 2011, the Lewiston Auburn Film Festival has been bringing filmmakers from around the world, visitors from all over the United States and local people together to celebrate cinema as an artform. In 2012, LAFF expanded to four days and saw more people, and more money, come into the Lewiston-Auburn area than its first two years combined. The only way that we can continue this momentum in 2014 is for another healthy season of sponsorship partners to come on board. Here is an indication of who came and just what sponsors meant to LAFF in 2013:

Money into Town:

**\$375,000
to
\$400,000**

Gross estimated money brought into the area — not including any travel costs — as a direct result of the 2013 Lewiston Auburn Film Festival.

Your Sponsor Dollar:

\$9.24 to \$9.40

Is the estimated as return to the community for every sponsor dollar invested in the Lewiston Auburn Film Festival in 2013

From Near and Far:

Roughly 1,500 people attended the Lewiston Auburn Film Festival in 2013. A breakdown of where they were from:

Lewiston/Auburn or within 20 miles: 59%

**Within state of Maine,
more than 20 miles away: 18%**

California or New York: 7%

Canada: 6%

New England state other than Maine: 5%

US, non-New England, Calif. or NY: 4%

Outside of North America: 1%

Stay for a while:

The Lewiston Auburn Film Festival was held from April 4 to April 7. We asked people who took our survey how many days they attended the festival.

Attendees came to 1 day of festival: 37%
Attendees came to 2 days of festival: 25%
Attendees came to 3 days of festival: 29%
Attendees came to all 4 days of festival: 9%

Breaking it Down:

Not including travel expenses outside of Lewiston/Auburn, attendees were asked how much money they spent on restaurants, lodging, event tickets, sundries and shopping while in Lewiston-Auburn.

33% of attendees spent \$100-\$250
11% of attendees spent \$500-\$1000
2% of attendees spent \$1000-\$2000

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT:

Order Authorizing the City Administrator to Execute a New Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME Council #93) Local 1458-00, on behalf of the Lewiston Public Works Unit.

INFORMATION:

The City Council is requested to approve a two year agreement with the American Federation of State, County and Municipal Employees (AFSCME Council #93) Local 1458-00, on behalf of the Lewiston Public Works Unit which represents the public works employees of the City.

This agreement is for the period of July 1, 2013 to June 30, 2014.

Please see the attached memorandum from Deputy City Administrator/HR Director Phil Nadeau which outlines the highlights of the contract.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATS/kmm

REQUESTED ACTION:

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To approve the Order Authorizing the City Administrator to Execute a New Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME Council #93) Local 1458-00, on behalf of the Lewiston Public Works Unit.



**City of Lewiston Maine
City Council Order
February 18, 2014**



Order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME), Local 1458-00.

Whereas, the City and the AFSCME Unit representatives have worked diligently over the last two years to develop a new collective bargaining agreement; and

Whereas, all who participated in the development of the AFSCME Unit collective bargaining agreement believe that all sides have produced a contract which is sensitive to the current economic climate and reflects the organizational goals and objectives of both the city and the AFSCME Unit;

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

The City Administrator is authorized to execute the new FY 2014 American Federation of State, County and Municipal Employees (AFSCME), Local 1458-00 Unit collective bargaining agreement and is authorized to approve any final administrative and non-substantive changes as needed.



The Office of
Deputy City Administrator
Phil Nadeau
27 Pine Street • Lewiston, Maine • 04240
Tel. 207-513-3121, Ext. 3201 • Fax 207-795-5069
Email: pnadeau@lewistonmaine.gov



MEMORANDUM

TO:	Mayor and City Council
FROM:	Phil Nadeau, Deputy City Administrator & Chief City Negotiator
DATE:	February 18, 2014
RE:	Proposed AFSCME Local 1458-00 Unit Contract

1. BACKGROUND

The city has been working for the last month with the AFSCME negotiating team to develop the enclosed proposed contract. The ASFCME membership voted to support the contract. Notable features of the proposed contract are as follows:

- Contract for one year: FY2014,
- COLA adjustments: FY 2014 – 1.5% - effective 7/1/13
- Required use of web based calendar for Health Care Educator scheduling

2. RECOMMENDED ACTION

To approve the proposed contract.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 15

SUBJECT:

Order Authorizing the City Administrator to execute the Green and Healthy Home Initiative Compact for the Cities of Lewiston and Auburn on behalf of the City of Lewiston.

INFORMATION:

The Council is asked to endorse this joint venture with the City of Auburn regarding childhood safety and lead based paint issues in older housing units. Please see the attached memorandum from Lincoln Jeffers for additional information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator approves the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order authorizing the City Administrator to execute the Green and Healthy Home Initiative Compact for the Cities of Lewiston and Auburn on behalf of the City of Lewiston.



**City of Lewiston Maine
City Council Order
February 18, 2014**



Order, Authorizing the City Administrator to Execute the *Green and Healthy Home Initiative Compact for the Cities of Lewiston Auburn* on behalf of the City of Lewiston.

Whereas, a majority of Lewiston's downtown housing stock was built before 1940; and

Whereas, most buildings built before 1972 have had lead paint used in or on them; and

Whereas, the presence of unabated lead paint poses a risk to tenants, especially for young children who may ingest the paint through chips or dust created by friction from the movement of windows and doors; and

Whereas, in 2009, Lewiston received a \$2.2 million grant from the U.S. Department of Housing and Urban Development to educate residents about the dangers of lead and how to minimize exposure to it, test for its presence in apartments, and fund grant and loan programs to make housing lead safe; and

Whereas, despite educational efforts and making 234 units lead safe, subsequent testing found that local children had blood lead levels 3x the rate of other places in Maine; and

Whereas, since the City's last lead grant, a national model for collaborative service delivery, the Green and Healthy Home Initiative, has been developed that leverages funding sources to make homes lead safe, energy efficient, winterized, well ventilated, pest free, safe, dry, and well maintained; and

Whereas, local stakeholders have developed the *Green and Healthy Homes Initiative Compact for the Cities of Lewiston Auburn*, a document that articulates the vision, goals, and some strategies for creating a local initiative that will serve as the foundation for collaboratively working toward these goals; and

Whereas, the GHHI strategy is to "Align, Braid and Coordinate" federal, state, and local funding to create a single application with coordinated eligibility; pool funding; and keep it simple for the "customer" through education and a comprehensive assessment that determines the needs of the resident and the property owner; and

Whereas, a Green and Healthy Home Initiative strategy aligns with federal policy direction, resulting in more competitive grant applications;

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

We hereby endorse the *Green and Healthy Home Initiative Compact for the Cities of Lewiston Auburn* and authorize the City Administrator to execute the document as a Lead Signatory on behalf of the City.

Economic and Community Development

Lincoln Jeffers

Director

Lewiston



2007



To: Honorable Mayor and Members of
the City Council

From: Lincoln Jeffers

RE: **Green and Healthy Homes Initiative Compact**

Date: February 12, 2014

Background

In 2009, the City received a \$2.2 million federal grant that was used to test for elevated blood levels in children, to educate parents and landlords about the dangers of lead in paint and soils and how to properly clean so as to minimize lead exposure, to test apartments in which children would live for the presence of lead, and to make loans and grants for the rehabilitation of apartments where lead was present to abate or reduce lead hazards. After renovations, the apartments were tested for the presence of lead, and, if found to be lead safe, the apartments were "cleared" for habitation by families with children and the landlords were educated in essential maintenance practices to keep the apartment free from lead hazards.

The grant was administered by Lewiston and shared with the City of Auburn. Over the course of the grant, 234 apartments were renovated and cleared, exceeding the goal of 190 units.

The lead grant was closed out in 2012. After the grant was closed, testing for elevated lead blood levels found that children in Lewiston had elevated lead levels at 3x the rate of elsewhere in Maine. Lewiston applied for another lead grant in 2013 but was not funded.

Green and Healthy Homes Initiative

In working with other stakeholders in drafting the 2013 lead grant and preparing for another grant submittal, city staff became aware of a more comprehensive approach to creating lead safe and healthy homes. Community Concepts and Healthy Androscoggin had established relationships with the *Coalition to End Childhood Lead Poisoning*, a nationally recognized policy, advocacy, and direct services organization at the forefront of the fight to prevent childhood lead poisoning. They work at the national level providing advisory services to organizations such as the Centers for Disease Control and Prevention, U.S. Department of Housing and Urban Development, U.S. Conference of Mayors, and numerous other federal, state, city, and nonprofit organizations. Through this work, they were chosen by the White House Office of Recovery to lead the national effort to integrate lead hazard control, healthy homes, weatherization, and energy efficiency work. The Green and Health Homes Initiative grew from this work. It is a model for collaboration among a variety of stakeholders and service providers around common goals of a green and healthy home.

The GHHI strategy is to "Align, Braid, and Coordinate" federal, state, and local funding resources that are currently available in the local community. Rather than working alone, organizations collaborate under this model to 1) create a single application with coordinated eligibility (align); 2) pool funding (braid); and 3) keep it simple for the "customer" through education and a single comprehensive assessment to determine the needs of the residents as well as the property owners. (coordinate).

A green and healthy home is defined as one that consumes less water and energy, produces less waste, and does not contain health or safety threats. A green and healthy home is one that is:

- | | |
|---------------------------|-------------------|
| -clean | -dry |
| -safe | -well ventilated |
| -pest free | -contaminant free |
| -free from lead hazards | -energy efficient |
| -sufficiently weatherized | -well maintained |

Building upon the national model and template for collaboration, local stakeholders have been engaged for the last several months creating a guiding document, a *Green and Healthy Homes Initiative Compact for the Cities of Lewiston Auburn* (Compact), that articulates the vision, goals, and some of the strategies for creating a local Green and Healthy Homes Initiative.

Entities that have participated in the development of the Compact to date include staff from both cities, Healthy Androscoggin, Community Concepts, Lewiston Housing Authority, Auburn Housing Authority, Bates College, Sisters of Charity Health System (SOCHS), Central Maine Medical Center (CMMC), and a variety of state agencies.

Having the Compact in place and adopted by stakeholders will improve the likelihood of success in federal grant applications related to the goals of the Compact. There has been a movement at the federal level to combine funding streams from different agencies to meet shared goals. The Compact would work similarly at the local level, creating a vehicle for lead grant funding to be combined with funding for weatherization, energy efficiency, and disease prevention that results in a healthier and improved living environment. The Compact also creates a vehicle for job creation and workforce development for unemployed and underemployed populations, providing training for work in healthy home related fields.

The Compact is attached. Care was taken in its crafting to have it serve as a visioning document that establishes a common ground of goals to work toward without being binding or prescriptive in its requirements on signatories to the document.

Lee Myles on behalf of SOCHS has committed as the first signatory to the Compact.

The Council is asked to authorize the City Administrator to execute the Compact as a Lead Signatory on behalf of the City.



Green & Healthy Homes Initiative

Green & Healthy Homes Initiative

Compact for the

Cities of Lewiston Auburn Maine

2014

Preamble

We, the undersigned, agree to direct our relevant efforts toward aligning, braiding, and coordinating home interventions in the spirit of the Green & Healthy Homes Initiative (GHHI) goal of making homes healthy, safe, and sustainable. We pledge to work together to realize our belief that the Green & Healthy Homes Initiative will produce healthier, more energy efficient housing, higher quality green jobs, and improved health and social outcomes for families. GHHI is working to inform the Federal Healthy Homes Work Group, national partners, and state and local agencies in the development of a national green and healthy housing standard. The initiative strives to actively engage local government and non-governmental partners in each of the communities that are already conducting work related to green and healthy homes interventions. We believe that GHHI is an opportunity to improve our communities and the lives of those living within them by coordinating physical interventions to address home based health and safety hazards and energy deficiencies, resulting in:

- better health outcomes for our children, seniors and families
- more efficient use of public investment through improved interagency coordination
- improved energy efficiency for low and middle income families
- higher quality green jobs
- reduced barriers to school attendance and work among families with young children
- support for neighborhood stabilization through more effective and sustainable home investments

We acknowledge that we must work collaboratively and in close partnership to advance this initiative on behalf of the families we serve. Thus, we commit ourselves, our organizations, and our relevant resources to work in partnership to achieve the goals and principles set out in this GHHI Compact, always recognizing and respecting the diversity of interests and perspectives that will inform and sustain our Lewiston Auburn Initiative.

While we have agreed to the goals and principles, the implementation strategies will require further discussion, planning and negotiation, including among agencies with legal or regulatory authority at the local level. This Compact may be incorporated into contracts, memorandums of understanding, and other agreements as part of the implementation effort. It will be the responsibility of all of the parties acting in good faith to see that the work of the initiative is consistent with the agreed upon common goals and principles.

Lead Signatories

DRAFT

Additional GHHI Participating Organizations

DRAFT

Table of Contents

- I. The Green & Healthy Homes Initiative
- II. A Green and Healthy Home
- III. Lewiston Auburn's Commitment to the Green & Healthy Homes Initiative
 - A. Collaboration
 - B. Assessments and Interventions
 - C. Resources Leveraging
 - D. Affiliation with National GHHI Efforts
 - 1. The Development of National GHHI Model Programs and National Housing Standards
 - 2. Participating with GHHI National Network
 - E. Job Creation and Workforce Development
 - 1. Training
 - 2. Hiring
 - F. Education and Sustainability

I. The Green & Healthy Homes Initiative

The Green & Healthy Homes Initiative™ (GHHI) is a social innovation that yields high rates of return on the integration of energy and health-based investments in low and middle income communities. With support from partners at the White House, the Council on Foundations, and the U.S. Conference of Mayors, GHHI works in collaboration with local and federal agencies as well as philanthropic partners to align, braid, and coordinate funding and programs nationwide.

GHHI maximizes public and philanthropic investments for **5 major benefits:**

- Government innovation in service delivery
- Development of sustainable community-based “green collar” jobs and social enterprise
- Creation of stable and sustainable green and healthy homes in low and moderate income neighborhoods
- Measurable improvements in health outcomes for children, seniors, and families
- Wealth retention and improved property values

In 2010, with support from the U.S. Department of Housing and Urban Development (HUD) the Centers for Disease Control and Prevention (CDC) awarded the Coalition a contract to support sites nationally on the effort to change system processes to produce Green and Healthy Homes. In its first few years of operation, GHHI has worked with communities to attract millions in public and private sector support to engage work on over 4,500 homes and develop a set of standards and business practices that can be nationally replicated. Serving as a key informant to the 11-agency Federal Interagency Working Group on Healthy Homes, GHHI became a critical catalyst in shifting the focus of the healthy homes industry to incorporate energy efficiency and vice versa.

Initial Green & Healthy Homes Initiative Sites

- | | |
|--------------------|--------------------------|
| • Atlanta, GA | • Detroit, MI |
| • Flint, MI | • Dubuque, IA |
| • Baltimore, MD | • Jackson, MS |
| • Buffalo, NY | • San Antonio, TX |
| • Chicago, IL | • Providence, RI |
| • New Haven, CT | • Oakland, CA |
| • Cleveland, OH | • Denver, CO |
| • Philadelphia, PA | • Cowlitz Tribe, WA |
| | • Spirit Lake Nation, ND |

Ultimately, the goal of GHHI is to support the development of Green and Healthy Homes Standards for all housing intervention programs and to efficiently leverage health into investments in areas such as weatherization and energy efficiency.

II. A Green and Healthy Home

A green and healthy home is one that consumes less water and energy, produces less waste, and does not contain health or safety threats. A GHHI home maximizes the benefits of each individual home improvement and in many different ways supports the well-being of the people living there. The elements below are detailed in a separate attachment covering Green and Healthy Standards and Practices.¹

- Clean
- Dry
- Safe
- Well-Ventilated
- Pest-Free
- Contaminant-Free
- Free from Lead Hazards
- Energy Efficient
- Sufficiently Weatherized
- Residents Equipped to Sustain and Maintain a Healthy and Efficient Home

III. Lewiston Auburn's Commitment to the Green & Healthy Homes Initiative

Lewiston Auburn's Vision

It is the vision of Lewiston Auburn's Green & Healthy Homes Initiative that each home in Lewiston Auburn is a green and healthy home, and each resident benefits from a green and healthy home environment.

A. **Collaboration.** The goals and principles in this document are the result of a collaborative process. Likewise, the responsibility for implementing these goals and principles will require a partnership of many parties, including the City Manager and Administrator's Offices, city departments, state and federal agency partners, non-profits, foundations, community organizations, private companies, and communities throughout the cities. Without this partnership, neither GHHI nor the community benefits envisioned by this Compact will be fully realized.

- Partners agree to work together to establish an effective collaborative structure and streamline the housing assessment and intervention processes
- The GHHI Learning Network (Steering Committee) in Lewiston Auburn will be made up of agencies, organizations, and companies listed as signatories and additional partners in this Compact, and will meet on at least a quarterly basis

¹ The attachment Green and Healthy Homes Standards and Practices provides the full detailed list.

- Partners agree to support² the coordination of housing intervention efforts and will work to remove barriers to integration among city and state agencies and private partner stakeholders
- Partners agree to support efforts to share data and applicable information, and develop common metrics

B. Assessments and Interventions

The Green & Healthy Homes Initiative of Lewiston Auburn will participate in the following work, where applicable:

- Conduct comprehensive housing assessments and interventions in 10 units in Lewiston Auburn by the end of July, 2015, integrating the areas of lead hazard reduction, Healthy Homes, weatherization, energy efficiency, and related work
- Partners agree to support working with the GHHI national technical assistance team on a work plan that outlines activities, benchmarks, and a timeline for how the work above will be performed, and identifies the role of each partner and how they will contribute to the local effort
- Partners agree to support the use of comprehensive assessment tools to assess multiple home-based health hazards and energy efficiency issues
- Partners agree to support aligning program and income eligibility requirements where possible
- Partners agree to target and prioritize interventions to properties with vulnerable populations such as young children, pregnant women, seniors, or people with disabilities, when applicable to program funding
- Partners agree to work to align stand-alone programs, where appropriate, (weatherization, lead hazard control, fire safety, etc.) with a comprehensive strategy that integrates resources, reduces redundancies, and leverages multiple interventions in a single home

C. Resources Leveraging

- Partners agree to align programs, braid funds, and coordinate agencies to the greatest extent feasible and allowed by law or regulation
- Partners agree to leverage public and private resources to conduct comprehensive GHHI interventions when appropriate and allowed under program requirements

D. Affiliation with National Green & Healthy Homes Initiative Efforts

1. The development of National Green & Healthy Homes Initiative Model Programs and Housing Standards

² Support, here and hereafter, is an indication of willingness to advocate, plan, implement and advance.

- Partners agree to support the establishment of enhanced national, state and local housing standards that implement a holistic housing approach through comprehensive environmental assessments and integrated interventions in the areas of: lead hazard reduction, Healthy Homes, weatherization, and energy efficiency
- Partners agree to support the development of model GHHI Programs that create feasible housing assessment and intervention programs for low and middle income communities

2. Participating with GHHI National Network

- Partners agree to inform the Federal Healthy Homes Work Group in barriers, recommendations, and best practices coming out of this work
- Partners agree to have participation from Lewiston Auburn at National GHHI meetings, webinars, and trainings
- Partners agree to share information, success stories, and best practices to be highlighted on the www.ghhinetwork.ning.com communication site and in the annual report
- Partners agree to provide data if applicable including but not limited to unit production, energy and health outcomes, and workforce outcomes to a national GHHI data platform³
- Partners agree to help provide information for the purposes of evaluating GHHI efforts

E. Job Creation and Workforce Development

Partners agree to use the Green & Healthy Homes Initiative as a model for breaking down barriers to full employment for unemployed and underemployed low income residents and promoting equity through training and employment efforts.

1. Training

- Partners agree to support, where possible, varied training programs to provide skill training and actual certifications and accreditations in green trades Green Jobs Training and Certifications such as:
 - Weatherization Tactics Training
 - Energy Analyst Training
 - Lead Hazard Reduction Supervisor, Worker, and/or EPA Renovator
 - Healthy Homes Practitioner
 - General workforce skills such as public health educator, computer skills, customer service skills, and business skills

³ Specific metrics and data to be collected will be contained in a separate document.

- Partners agree to support the cross-training of healthy homes related inspectors and contractors to increase and broaden their skills and enable flexibility in employment opportunities.
- Partners agree to support organizations' efforts to target applicable training funds and employment stipends to persons with barriers to employment such as long standing unemployment or underemployment or criminal history
- Partners agree to provide on the job training in green trade skills to enhance the skill level of participants and improve their competitiveness in the marketplace

2. Hiring

- Partners agree to adhere to Section 3 Requirements and other relevant local hiring requirements, where applicable
- Partners agree to support and maintain pathways to higher salaried jobs for low income residents from at risk communities
- Partners agree to support and provide for services to maintain drug free work places
- Partners agree to support providing employment stipends to help participants obtain employment
- Partners agree to support efforts to:
 - Provide opportunities for people who are chronically unemployed and underemployed who are determined to direct their efforts to obtaining and retaining full employment
 - Provide on the job training for residents who are chronically unemployed or underemployed as part of GHHI employment initiatives
 - Target 40% of training funds and employment stipends to persons who have been chronically unemployed and underemployed and who are determined to direct their efforts to obtaining and retaining full employment
 - Mandate that contractors conducting GHHI interventions stipulate in their contracts benchmarks for the hiring of low-income community-based residents

F. Education and Sustainability

- Agree to support education of clients and behavioral changes that will enhance the long term effectiveness of interventions
- Agree to provide directions on how clients can sustain and maintain the improvements from the provided investments

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 18

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
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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.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 18, 2014

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.

EATSKmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into an 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 FEBRUARY 18, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 20

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
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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.