

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
JULY 15, 2014**

5:30 p.m. Executive Sessions

- ES 1. Executive Session regarding consultation with the City Attorney. (20 minutes)
- ES 2. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. (5 minutes)
- ES 3. Executive Session regarding consultation with the City Attorney. (30 minutes)
- ES 4. Executive Session to discuss Real Estate Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. (30 minutes)

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Presentation of Alfred A. Plourde Memorial Scholarship
Appointment of members to the Lewiston Youth Advisory Council for the 2014-2015 year

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

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 6.

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

- * 1. Authorization to accept transfer of forfeiture funds.
- * 2. Resolve accepting donations for the purpose of sponsoring performing arts programs for children within the Lewiston and Auburn area.

REGULAR BUSINESS:

- 3. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for She Doesn't Like Guthries, 115 Middle Street.
- 4. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Irish Twins Pub, 743 Main Street.
- 5. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Acme Social Club, Inc., 255 Park Street.
- 6. Public Hearing for approval of an Outdoor Entertainment Permit for the Twenty-Second Annual Great Falls Balloon Festival.
- 7. Amendments to the General Assistance Policy regarding overall maximum levels of assistance.
- 8. Amendment to the City Policy Manual for the City Park Use Policy.

9. Order authorizing the City Administration to accept easements from Brookfield White Pine Hydro LLC, Museum LA, and M & B Realty Company for the purpose of establishing a public way - Beech Street.
10. Order authorizing the City Administrator to accept the donation of property from the Franklin Property Trust - Beech Street.
11. Order authorizing the City Administrator to enter into an Agreement with the United States Government regarding H.O.M.E. Funds.
12. Resolve supporting adding additional members to the Lewiston-Auburn Bike-Ped Committee.
13. Receipt of City Clerk's Report regarding valid signatures for the citizen initiative petition regarding the Repeal of the St. Laurent Housing Associates Joint Development Agreement.
14. Reports and Updates.
Update - Status of DHHS Guidance on Assistance to Undocumented Immigrants.
15. Any other City Business Councilors or others may have relating to Lewiston City Government.
16. 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.
17. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL
MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES - 1

SUBJECT:

Executive Session regarding consultation with the City Attorney.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings. Discussing a legal matter with the City Attorney is a topic permitted under the statutes.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The state statutes outline the issues that will be discussed in executive session.

EAB/kmm

REQUESTED ACTION:

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

To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(E) to discuss a legal matter with the City Attorney.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES - 2

SUBJECT:

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

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA/B/Kmm

REQUESTED ACTION:

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

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

LEWISTON CITY COUNCIL
MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES - 3

SUBJECT:

Executive Session regarding consultation with the City Attorney.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings. Discussing a legal matter with the City Attorney is a topic permitted under the statutes.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The state statutes outline the issues that will be discussed in executive session.

EAB/kmm

REQUESTED ACTION:

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

To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(E) to discuss a legal matter with the City Attorney.

LEWISTON CITY COUNCIL
MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES- 4

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.

ERB/kmm

REQUESTED ACTION:

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

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

LEWISTON CITY COUNCIL
MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Authorization to accept transfer of forfeiture funds.

INFORMATION:

The Lewiston Police Department is requesting that the City Council authorize the acceptance of funds, in the amounts outlined below, as reimbursement for costs associated with assisting in a criminal investigation.

The funds are available to the Lewiston Police Department due to its substantial contribution to the investigation of this or a related criminal case.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

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

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of items as outlined on the attached listing, less administrative fees or any portion thereof, in the cases of US Department of Justice Drug Enforcement Administration vs the cases outlined on the attached listing. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program' account.



MEMO



Date: July 2, 2014
To: Kelly Mercier, Deputy City Clerk
From: Michael Bussiere, Chief of Police
Re: Forfeiture funds

The following investigations are pending in federal court and upon a favorable final disposition, the funds in the cases listed below will be released to the Lewiston Police Department. Please make the necessary notifications to the City Council that would allow them to address the issue and consent to the acceptance of these funds. Please credit these funds to the Federal Drug Forfeiture Account, number 590-3514050.

Asset #	Case #	Asset
SP13-090881/ SP13-090170	Jessie Frederickson	\$1204.14 (State Forfeiture - State Police case)
14-DEA-598682	CE-14-0022	10% less adm fee of \$6,700
14-DEA-599584	CE-14-0021	10% less adm fee of \$7,440
14-DEA-598371	CE-12-0022	9.33% less adm fee of trust account check – value \$12,570.92
14-DEA-598752	CE-13-0001	10% less adm fee of \$6,460
14-DEA-599573	CE-14-0005	7.27% less adm fee of \$5,280

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Resolve Accepting Donations for the purpose of sponsoring performing arts programs for children within the Lewiston and Auburn area.

INFORMATION:

The Lewiston and Auburn Recreation Departments work together to bring the Wednesdays in the Park program to both communities. The performing arts program has been operating in Lewiston for 35 years. Local businesses and organizations contribute to underwrite the entire operating budget for the program.

The Council is asked to vote to accept the donations for this program.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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

To adopt the Resolve accepting donations for the purpose of sponsoring performing arts programs for children in the Lewiston and Auburn area.



**City of Lewiston, Maine
City Council Order
July 15, 2014**



RESOLVE, Accepting Donations for the Purpose of Sponsoring Performing Arts Programs for Children within the Lewiston and Auburn area.

Whereas, The Lewiston Recreation Services Division and the Auburn Recreation Department combine efforts to bring the Wednesdays In The Park program to both Communities; and

Whereas, Wednesdays In The Park celebrates it's thirty-fifth season of performing arts this year; and

Whereas, for four weeks during the summer months, various performers will entertain hundreds of children at different park sites throughout Lewiston and Auburn; and

Whereas, local businesses and organizations donate funds to support the entire operating budget for the Wednesdays In The Park program;

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

the City Administrator is authorized to accept the donations and promotion from the following local businesses and organizations that will allow the Wednesdays In The Park Program to operate.

2014 WEDNESDAYS IN THE PARK SPONSORS

ACA Dr. Paul Fortier Chapter 52	\$175
Franco American War Veterans Inc. Post 31	\$50
Great Falls Security Systems	\$50
Lewiston Youth Activity Fund Inc.	\$500
Lewiston Housing Authority	\$25
Liberty Mutual	\$1,000
Mechanics Savings Bank	\$250
Past Time Club	\$200
Total	\$2250

Be it Further Resolved that

the City Council expresses its thanks and appreciation to local businesses and organizations that have contributed funding and promotion to make this program possible.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

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

INFORMATION:

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

The Police Department has reviewed and approved the application.

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

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

To grant a Special Amusement Permit for Live Entertainment to She Doesn't Like Guthries, 115 Middle Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 6/26/14

Expiration Date: 7/24/14

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
- Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
- Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
- Class D - \$150.00 - function halls with entertainment, including dancing
- Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
- Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

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

****PLEASE PRINT****

Business Name: SHE DOESN'T LIKE GUTHRIES Business Phone: 207-376-3344

Location Address: 115 MIDDLE ST, LEWISTON ME 04240

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

Mailing Address: SAME

Email address: guthriesplace@gmail.com

Contact Person: RANDY LETOURNEAU Phone: 207-376-3344

Owner of Business: HEATHER LETOURNEAU Date of Birth: 1-6-1979

Address of Owner: 5 TAYLOR HILL RD, LEWISTON ME 04240

Manager of Establishment: PAIGE BEDARD Date of Birth: 8-3-1990

Owner of Premises (landlord): CEI, 22 PARK ST LLC

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

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

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

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: Heather & Randy OUI's
2002 / 1999

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

Corporation Name: SHE DOESN'T LIKE GUTHRIES

Corporation Mailing Address: 115 MIDDLE ST, LEWISTON ME 04240

Contact Person: RANDY LETOURNEAU Phone: 207-376-3344

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

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

Please describe the type of proposed entertainment:

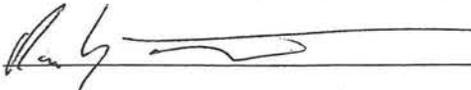
- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

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

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

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

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

Signature:  Title: OWNER / TREASURER Date 6/26/14

Printed Name: RANDY LETOURNEAU

Hearing Date: _____



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Sgt. Robert P. Ullrich

DT: June 11, 2014

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

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

She Doesn't Like Guthries
115 Middle St.



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Irish Twins Pub, 743 Main Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Irish Twins Pub, 743 Main Street.

The Police Department has reviewed and approved the application.

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

The business owners have been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EVAB/kmm

REQUESTED ACTION:

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

To grant a Special Amusement Permit for Live Entertainment to Irish Twins Pub, 743 Main Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 6/1/14 Expiration Date: 6/24/2015 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: Frish Twins Pub Business Phone: 3763088

Location Address: 743 Main St

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

Mailing Address: Same

Contact Person: Deb or Tracey Home Phone: 5762603

Owner of Business: Deb Martel Date of Birth: 1/24/67

Address of Owner: 743 Main St Lewiston

Manager of Establishment: Deb Martel Date of Birth: 1/24/67

Owner of Premises (landlord): Lewiston Milling

Address of Premises Owner: 741 Main St Lewiston

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): Current

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: Irish Twins Pub, LLC

Corporation Mailing Address: 743 Main St Lewiston

Contact Person: Deb Martel Phone: 5762603

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? 3 1/2 miles

Please describe the type of proposed entertainment:

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

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

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

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

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

Signature: Deborah Martel Title: owner Date: 6/1/14

Printed Name: Deborah Martel

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

Sent to Police & Fire: _____

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



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Sgt. Robert P. Ullrich, Support Services

DT: April 14, 2014

RE: Liquor License/Special Amusement Permit – **Irish Twins Pub**

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

Irish Twins Pub
743 Main Street



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

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

INFORMATION:

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

The Police Department has reviewed and approved the application.

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

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/KMM

REQUESTED ACTION:

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

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

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 6-19-14

Expiration Date: 7/3/2015

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

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

****PLEASE PRINT****

Business Name: Acme Social Club, Inc. Business Phone: 207-782-9309

Location Address: 255 Park St, Lewiston, ME 04240

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

Mailing Address: 255 Park St. Lewiston, ME 04240

Email address: N/A

Contact Person: Marc Lee Mason Phone: 207-576-4657

Owner of Business: Member Owned Social Club Date of Birth: _____

Address of Owner: _____

Manager of Establishment: Amy Mason Date of Birth: 01-14-1981

Owner of Premises (landlord): Marc Lee Mason

Address of Premises Owner: 60 LaFayette St Lewiston ME 04240

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

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): Acme Social Club, Inc. 255 Park St Lewiston ME 04240

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

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

Corporation Name: Acme Social Club, Inc.

Corporation Mailing Address: 255 Park St. Lewiston, ME 04240

Contact Person: Marc Lee Mason Phone: 207-782-9309

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

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

Please describe the type of proposed entertainment:

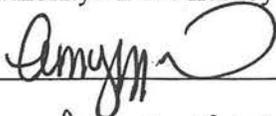
- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

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

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above 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:  Title: Treasurer Date: 6/18/14

Printed Name: Amy Mason

Hearing Date: _____



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Sgt. Robert P. Ullrich

DT: June 11, 2014

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

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

Acme
255 Park St.



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing for approval of an Outdoor Entertainment Permit for the Twenty-Second Annual Great Falls Balloon Festival .

INFORMATION:

The Great Falls Balloon Festival, Inc., an independent non-profit organization, is planning to hold its twenty-second annual festival on August 15, 16, and 17, 2014.

The focus of the festival is to provide a family oriented celebration, promote community pride, and provide an attraction for summer tourists and regional visitors to the Lewiston-Auburn area.

The Festival organizers are planning to hold outdoor music concerts as part of the Festival and are seeking permission for an Outdoor Entertainment permit.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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

To conduct a public hearing on an application for an outdoor entertainment event for the Great Falls Balloon Festival, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the Great Falls Balloon Festival Committee for outdoor music concerts for the annual Festival to be held at Simard-Payne Memorial Park on August 15-17, 2014, contingent upon positive recommendations from the Recreation Department, Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Amendments to the General Assistance Policy regarding overall maximum levels of assistance.

INFORMATION:

There are two sections of the General Assistance Policy that staff is recommending be amended:

1) Overall Maximum Levels of Assistance: Due to recent state changes regarding the allowable levels of assistance, the City needs to review and amend the maximum amounts of assistance issued by the City for residents in need. The Director of Social Services is recommending the City adopt the MMA General Assistance Overall Maximums effective July 1, 2014 to June 30, 2015. Please see the enclosed memorandum from Social Services Director Sue Charron for additional information.

2) Cremation - This is a housekeeping matter. Previously, Council approved an overall maximum level of assistance for cremation, and it was the intention at that time to remove the "additional crematory fees" listed in the Policy. It was a staff oversight that these additional fees were not removed from the language when the overall maximum level of assistance was established previously. This amendment is simply to remove these outdated references from the Policy language.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

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

That the overall maximum amounts allowed for general assistance expenses in the General Assistance Policy, for persons eligible to receive assistance in accordance with the standards of eligibility, be amended and adopted in accordance state and federal regulations, and to further amend the General Assistance Policy by deleting the references to "additional crematory fees".

(NOTE: New items in the attached Policy are underlined, deleted items have ~~strikeouts~~.)

GENERAL ASSISTANCE POLICY

As provided by Chapter 46 of the Code of Ordinances, the City Council hereby establishes the following allowed maximum amounts for food, housing, personal/household supplies, utilities, heating fuel, clothing, burial, cremation, and transportation expenses for persons eligible to receive assistance in accordance with the standards of eligibility.

MAXIMUM AMOUNTS

The total maximums allowed for general assistance, which are 110% of HUD guidelines, (reduced by 10% from 7/1/~~2013~~ 2014 - 6/30/~~2014~~ 2015), are:

No. in Household	Weekly	Monthly		
1	123.00	<u>125.00</u>	529.00	<u>537.00</u>
2	146.00	<u>148.00</u>	626.00	<u>635.00</u>
3	190.00	<u>193.00</u>	818.00	<u>829.00</u>
4	240.00	<u>243.00</u>	1,031.00	<u>1044.00</u>
5	254.00	<u>257.00</u>	1,094.00	<u>1107.00</u>
6	270.00	<u>273.00</u>	1,162.00	<u>1176.00</u>

Additional persons in the household will be budgeted at ~~\$68.00~~ 69.00 per person per month.

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

FOOD (Effective 11/01/2013 – 09/30/2014)

The maximum amounts allowed for food are:

No. in Household	Weekly	Monthly
1	43.95	189.00
2	80.70	347.00
3	115.58	497.00
4	146.97	632.00
5	174.42	750.00
6	209.30	900.00
7	231.40	995.00
8	264.42	1137.00

Additional persons in the household will be budgeted at \$142.00 per month. The administrator will exceed the above maximums when necessary for households having members with special dietary needs. The administrator may require a doctor's statement.

GENERAL ASSISTANCE POLICY

HEATING FUEL

The maximum amounts allowed for heating fuel are:

Month	Gallons
September	50
October	100
November	200
December	200
January	225
February	225
March	125
April	125
May	50

CLOTHING

Clothing will be budgeted at \$20.00 per person per month when the general assistance administrator finds it necessary to authorize clothing.

BURIAL

The maximum amount of general assistance granted for the purposes of burial is \$1,000.00, with additional payments, where there is an actual cost, for the wholesale cost of a liner if the cemetery bylaws require one, the opening and closing of the gravesite, and a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally-owned cemetery or in a cemetery under municipal control, or in a cemetery that donates the lots to the city, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

CREMATION

The maximum amount of assistance granted for a cremation shall be \$785.00, with additional payments where there is an actual cost, for the wholesale cost of a liner if the cemetery bylaws require one, and a cremation lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally-owned cemetery or in a cemetery under municipal control, or in a cemetery that donates the lots to the city, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Additional Crematory Fees:

Oversized 1 (person and container weighing 300 to 399 pounds)	\$ 50.00
Oversized 2 (person and container weighing 400 to 499 pounds)	100.00
Oversized 3 (person and container weighing 500 pounds or more)	150.00

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



Social Services Department
Sue Charron
Social Services Director



MEMORANDUM

TO: Mayor Macdonald and Members of the City Council

FR: Sue Charron, Social Services Director

RE: G.A. Maximums

DT: July 15, 2014

Enclosed are the modifications to the General Assistance overall maximums (Lewiston/Auburn MSA- Appendix A). The maximums are effective July 1, 2014 through June 30, 2015.

The GA overall maximums (A) are established by Maine General Assistance law (22MRSA (4305(3-B) and **cannot** be altered by action of the municipal officers.

The categorical maximums— housing, food, utility/heating and personal care do not expire until September 30, 2014

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

*City Hall • 27 Pine Street • Lewiston, Maine • 04240 • Voice Tel. 207-513-3130 • Fax 207-376-3229
• TTY/TDD 207 784-5999 • Email: scharron@ci.lewiston.me.us*

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

GA MAXIMUMS SUMMARY SHEET

(July 1, 2014-June 30, 2015)

APPENDIX A OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
<p>NOTE: For each additional person add \$69 per month.</p> <p style="text-align: center;">(The applicable figures from Appendix A, <i>once adopted</i>, should be inserted here.)</p>						

APPENDIX B FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	43.95	189
2	80.70	347
3	115.58	497
4	146.97	632
5	174.42	750
6	209.30	900
7	231.40	995
8	264.42	1,137
<p>NOTE: For each additional person add \$142 per month.</p>		

APPENDIX C HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				
<p style="text-align: center;">(The applicable figures from Appendix C, <i>once adopted</i>, should be inserted here.)</p>				

GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household				
	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	603	725	874	1,096	1,261
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	585	585	699	942	1,089
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	537	635	829	1,044	1,107
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	762	901	1,163	1,463	1,565
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	950	952	1,138	1,656	1,801
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	633	742	954	1,260	1,501

Appendix A

Effective: 07/01/14-06/30/15

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	753	751	899	1,131	1,551
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	689	714	903	1,206	1,248

*Note: Add \$69 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	514	547	653	851	941
Franklin County	564	593	720	867	1,232
Hancock County	603	693	854	1,130	1,161
Kennebec County	517	598	764	964	1,027
Knox County	709	719	877	1,124	1,275
Lincoln County	660	727	916	1,140	1,223
Oxford County	551	610	735	992	1,284
Piscataquis County	573	651	802	1,016	1,086
Somerset County	582	608	724	985	1,001
Waldo County	643	687	826	1,027	1,091
Washington County	552	593	707	874	1,058

* Please Note: Add \$69 for each additional person.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Amendment to the City Policy Manual for the City Park Use Policy.

INFORMATION:

The City is working with volunteers to renovate and update the former Pierce Street Park. In 2012, the park was renamed in honor of former City Councilor Paradis and the park is now known as The Mark W. Paradis Park. Ronella Paradis, the widow of Councilor Paradis, has requested that the park be posted for "no smoking" on the park grounds. The Downtown Neighborhood Action Committee is in support of this request.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy decision of the City Council.



REQUESTED ACTION:

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

To adopt the proposed amendments to the Park Use Policy, City Policy Manual, Policy Number 77 regarding a prohibition on smoking in The Mark W. Paradis Park.

(Note - Full copy of the amendment is attached.)

**CITY OF LEWISTON PARK USE POLICY
POLICY MANUAL NUMBER 77**

Amendment: Adding a new section to the Policy:

Section 14 - No Smoking

There shall be no smoking permitted at The Mark W. Paradis Park.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Order authorizing the City Administrator to accept easements from Brookfield White Pine Hydro LLC, Museum LA, and M & B Realty Company for the purpose of establishing a public way - Beech Street.

INFORMATION:

The Riverfront Island Master Plan and, more specifically, the concept plan for improvements to Simard Payne Park identify the Beech Street extension from Oxford Street toward the river as a major point of vehicle access to the Park and adjacent properties. While it appears that the City may have been asked or had considered establishing this section of Beech Street as a public way many years ago, it is not clear whether this was actually done. In addition, ownership of this "street" is not totally clear and appears to be shared by a variety of property owners, all of whom have a presumptive right of access to their properties via this "street." In order to move the City's master and park plan forward, it is necessary for the City to establish the ability to create a public way. To this end, agreement has been reached with three of the owners – Brookfield, Museum LA, and M&B Realty. Accepting these easements will be a step forward toward providing public access to the park, allowing the city to eventually undertake bridge and street improvements, and assisting all property owners in becoming compliant with the City's land development code.

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

To approve the Order authorizing the City Administrator to accept easements from the Brookfield White Pine Hydro LLC, Museum LA, and M & B Realty Company for the purpose of establishing a public way - Beech Street.



**City of Lewiston Maine
City Council Order
July 15, 2014**



Order, Authorizing the City Administrator to Accept Easements from Brookfield White Pine Hydro LLC, Museum LA, and M&B Realty Company for the Purpose of Establishing a Public Way – Beech Street

Whereas, the Riverfront Island Master Plan and, more specifically, the concept plan for improvements to Simard Payne Park, identify the Beech Street extension from Oxford Street toward the river as a major point of vehicle access to the Park and adjacent properties; and

Whereas, while it appears that the City may have been asked or had considered establishing this section of Beech Street as a public way many years ago, it is not clear whether this was actually accomplished; and

Whereas, this section of Beech Street has been used by the public and adjacent property owners for many years to access the park, the pedestrian bridge across the Androscoggin, and other adjacent properties; and

Whereas, ownership of this "street" is not totally clear and appears to be shared by a variety of property owners, all of whom have a presumptive right of access to their properties via this "street;" and

Whereas, in order to continue to implement the City's park and master plans, it is necessary for the City to establish a public way; and

Whereas, to this end, three of the owners, Brookfield, Museum LA, and M&B Realty, have agreed to grant the City the necessary easements for a public way; and

Whereas, accepting these easements will be a step forward toward providing public access to the park, allowing the city to eventually undertake bridge and street improvements, and assisting all property owners in becoming compliant with the City's land development code;

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

the City Administrator is hereby authorized, on behalf of the City of Lewiston, to Accept Easements from Brookfield White Pine Hydro LLC, Museum LA, and M&B Realty Company for the Purpose of Establishing a Public Way along the so called Beech Street Extension running from Oxford Street toward the Androscoggin River, such easements to be substantially in the form as attached hereto, and to execute any documents necessary for accepting such easements.

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.

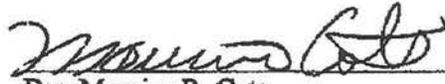
27 Pine Street Lewiston, Maine 04240 Telephone (207) 513-3017 Fax (207) 784-2959

PUBLIC EASEMENT DEED
Portion of Beech Street, Lewiston

M & B REALTY CORP., a Maine corporation, with a mailing address of 35 Beech Street, Lewiston, Maine 04240, for consideration paid, releases to the CITY OF LEWISTON, a body politic and corporate, situated in Androscoggin County, Maine, with a mailing address of 27 Pine Street, Lewiston, Maine 04240, a "public easement" as that term is defined in 23 M.R.S. Section 3021(2) over and across a portion of Beech Street, Lewiston, Androscoggin County, Maine, more particularly described in the attached Exhibit A.

DATED: ~~June~~ ^{July} 3, 2014

M & B REALTY CORP.



By: Maurice R. Cote
Its: President

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

~~June~~ ^{July} 3, 2014

Personally appeared the above named Maurice R. Cote, President of M & B Realty Corp., and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of M & B Realty Corp.

Before me,



Notary Public/Attorney at Law

Print Name: _____
My Commission Expires September 25, 2018

EXHIBIT A

A portion of strip of land 30 feet in width, to be used as a public street, described as follows:

1. Beginning at the intersection of the westerly line of Oxford Street, and the northerly line of Beech Street, which point is **617.26 feet**, more or less, southerly along the westerly line of Oxford Street from the northerly line of Cross Street;
2. Thence **348.00 feet** in a southerly direction along the northerly line of Beech Street, **South 66 degrees, 14 minutes, 58 seconds West**;
3. Thence **30.00 feet** in a southerly direction to the southerly line of Beech Street, **South 23 degrees, 45 minutes, 02 seconds East**
4. Thence **348.00 feet** in a northerly direction along the southerly line of Beech Street, **North 66 degrees 14 minutes 58 seconds East**
5. Thence **30.00 feet** in a northerly direction along the westerly line of Oxford Street, **North 23 degrees, 45 minutes 02 seconds West**, to the point of beginning.

SUBORDINATION BY MORTGAGE HOLDER

ANDROSCOGGIN SAVINGS BANK holder of the following financing documents joins in the Public Easement Deed granted by **M & B REALTY CORP.** to the **CITY OF LEWISTON** recorded in the Androscoggin County Registry of Deeds in Book _____, Page _____, for the limited purpose of subordinating its interest to the Public Easement Deed.

1. Mortgage Deed from Pamco Machine Company, recorded in said Registry of Deeds in Book 3627, Page 203; amended by document recorded in Book 7110, Page 78; further amended by document recorded in Book 7990, Page 170;
2. Collateral Assignment of Leases and Rentals from Pamco Machine Company, recorded in said Registry of Deeds in Book 3627, Page 205; assigned to M & B Realty Corp. by document recorded in said Registry of Deeds in Book 6109, Page 108;
3. Mortgage Deed, Security Agreement and Financing Statement recorded in said Registry of Deeds in Book 3948, Page 189;
4. Mortgage Deed, Security Agreement and Financing Statement recorded in said Registry of Deeds in Book 6109, Page 85;
5. Collateral Assignment of Leases and Rentals recorded in said Registry of Deeds in Book 6109, Page 102; and
6. Mortgage Deed, Security Agreement and Financing Statement recorded in said Registry of Deeds in Book 7990, Page 172;

DATED: June ____, 2014

Androscoggin Savings Bank

By:

Its:

STATE OF MAINE

COUNTY OF ANDROSCOGGIN

June ____, 2014

Personally appeared the above named _____, _____ for Androscoggin Savings Bank, and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of Androscoggin Savings Bank.

Before me,

Notary Public/Attorney at Law

Print Name: _____

PUBLIC EASEMENT DEED
Portion of Beech Street, Lewiston
(Quitclaim Deed Without Covenant)

BROOKFIELD WHITE PINE HYDRO LLC (together with its successors and assigns, "Grantor"), a Delaware limited liability company, with a mailing address of 26 Katherine Drive, Hallowell, ME 04347, for consideration paid, releases to the **CITY OF LEWISTON**, ("Grantee") a body politic and corporate, situated in Androscoggin County, Maine, with a mailing address of 27 Pine Street, Lewiston, Maine 04240, a "public easement" as that term is defined in 23 M.R.S. Section 3021(2) over and across a portion of Beech Street, Lewiston, Androscoggin County, Maine, more particularly described in the attached Exhibit A (the "Easement Area").

Grantee covenants, acknowledges and agrees by acceptance of this Public Easement Deed as follows:

- i. That the Easement Area is a portion of the land subject to a license (as amended from time to time, the "FERC License") issued by the Federal Energy Regulatory Commission ("FERC") for the Lewiston Falls Project No. 2302 (hereinafter the "Project") and is itself subject to the terms and conditions of the FERC License, any amendments thereto or renewals and to such orders as may be issued by FERC from time to time;
- ii. That Grantee will comply with all applicable laws and will obtain all necessary permits and approvals relating to the operation, maintenance and repair of the Beech Street Bridge and the Easement Area;
- iii. That Grantee shall take all reasonable precautions to insure that the operation and maintenance of the Beech Street Bridge, the Easement Area and any other structures or facilities permitted under this Public Easement Deed will occur in a manner that will protect the scenic, recreational and environmental values of the Project and further shall assume full responsibility for any discharges into the Project system;
- iv. As soon as practicable, the Grantee shall notify Grantor and be responsible for the cleanup of any spills or discharges of any toxic, special or hazardous, substances, wastes or materials onto Project Lands or Project Waters (each as defined in the FERC License) as a result of activities associated with the operation or maintenance of the Beech Street Bridge or the Easement Area, and any other facilities installed by or on behalf of Grantee within the Easement Area;
- v. That Grantee shall not unduly restrict public access to Project Waters (as defined in the FERC License);

- vi. That Grantee will not, in the exercise of its rights under this Public Easement Deed, interfere with Project operations nor interfere with Grantor's rights nor claim any damages associated with the Grantee's use of any of Grantor's rights permitted by this Public Easement Deed, including without limitation water and flowage rights;
- vii. That the use of the Easement Area shall not endanger health, create a nuisance, or otherwise be incompatible with overall FERC Project No. 2302 recreational use;
- viii. That Grantee shall (a) add Grantor as an additional insured to its general comprehensive liability insurance policy, (b) will require all contractors and subcontractors performing any work within the Easement Area to add Grantor as an additional insured to its general comprehensive liability insurance policy, and (c) provide evidence of (a) and (b) reasonably satisfactory to Grantor upon Grantor's request therefor; and
- ix. Grantee will defend, indemnify and hold Grantor, its officers, agents and employees, harmless at all times from any claims, liabilities, losses, costs, expenses (including, without limitation, attorneys' fees and costs), fines, damages or judgments, just or unjust, of every kind or nature arising out of or from any negligent, intentional, malicious act, error or omission by the Grantee or any of its invitees, consultants, contractors or subcontractors or any other person or entity that arise out of or in connection with the exercise of Grantee's rights under this Public Easement Deed, said claims to include, without being limited to, claims for personal injury or property damage or for violation of any federal, state or local law or regulation, including, without limitation, all environmental and hazardous substance laws. This indemnification is solely for the benefit of Grantor and will not be for the benefit of any other person or entity. Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability that maybe available to Grantee or its officers, agents or employees, under the Maine Tort Claims Act pursuant to the provisions of Section 8101 *et seq.* in Title 14 of the Maine Revised Statutes Annotated, or any successor statute thereto, or any other privileges or immunities as may be provided by law.

Excepting and reserving to Grantor, its successors and assigns:

(A) The right, notwithstanding any provisions contained in this Public Easement Deed, to perform any and all acts in, on, under, over, or through the Easement Area required by an order of FERC affecting the Project, without the prior approval of Grantee or any other person; and

(B) All rights to the use of the Easement Area for all purposes permitted by or required by the FERC License.

The public easement rights granted under this Public Easement Deed are not assignable by Grantee without the prior written consent of Grantor, which consent will not be unreasonably

withheld. Any assignment made not in compliance with this provision will be void and have no effect.

WITNESS:

BROOKFIELD WHITE PINE HYDRO LLC

By: _____
C. Todd Wynn
Vice President

DATED: _____

WITNESS:

CITY OF LEWISTON

By: _____
[name]
[title]

DATED: _____

STATE OF MAINE
COUNTY OF KENNEBEC ss

July ____, 2014

Personally appeared the above named C. Todd Wynn, Vice President of BROOKFIELD WHITE PINE HYDRO LLC, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of BROOKFIELD WHITE PINE HYDRO LLC.

Before me,

Notary Public/Attorney at Law
Print Name: _____

STATE OF MAINE
COUNTY OF KENNEBEC ss

July ____, 2014

Personally appeared the above-named _____, _____ of the CITY OF LEWISTON, as aforesaid, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said CITY OF LEWISTON.

Before me,

Notary Public

Print name: _____

EXHIBIT A

Easement Area

A portion of a strip of land 30 feet in width, located in the City of Lewiston, County of Androscoggin, State of Maine, and described as follows:

1. Beginning at the intersection of the westerly line of Oxford Street, and the northerly line of Beech Street, which point is **617.26** feet, more or less, southerly along the westerly line of Oxford Street from the northerly line of Cross Street;
2. Thence **348.00** feet in a southerly direction along the northerly line of Beech Street, **South 66 degrees, 14 minutes, 58 seconds West**;
3. Thence **30.00** feet in a southerly direction to the southerly line of Beech Street, **South 23 degrees, 45 minutes, 02 seconds East**
4. Thence **348.00** feet in a northerly direction along the southerly line of Beech Street, **North 66 degrees 14 minutes 58 seconds East**
5. Thence **30.00** feet in a northerly direction along the westerly line of Oxford Street, **North 23 degrees, 45 minutes 02 seconds West**, to the point of beginning.

PUBLIC EASEMENT DEED
Portion of Beech Street, Lewiston

MUSEUM L-A, a Maine non-profit corporation, with a mailing address of 35 Canal Street, Box A-7, Lewiston, Maine 04240, for consideration paid, releases to the **CITY OF LEWISTON**, a body politic and corporate, situated in Androscoggin County, Maine, with a mailing address of 27 Pine Street, Lewiston, Maine 04240, a "public easement" as that term is defined in 23 M.R.S. Section 3021(2) over and across a portion of Beech Street, Lewiston, Androscoggin County, Maine, more particularly described in the attached Exhibit A.

DATED: June ____, 2014

MUSEUM L-A

By: Rachel Desgrosseilliers
Its: Executive Director

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

June ____, 2014

Personally appeared the above named Rachel Desgrosseilliers, Executive Director for Museum L-A, and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of Museum L-A.

Before me,

Notary Public/Attorney at Law
Print Name: _____

EXHIBIT A

A portion of a strip of land 30 feet in width, to be used as a public street, described as follows:

1. Beginning at the intersection of the westerly line of Oxford Street, and the northerly line of Beech Street, which point is **617.26** feet, more or less, southerly along the westerly line of Oxford Street from the northerly line of Cross Street;
2. Thence **348.00** feet in a southerly direction along the northerly line of Beech Street, **South 66 degrees, 14 minutes, 58 seconds West**;
3. Thence **30.00** feet in a southerly direction to the southerly line of Beech Street, **South 23 degrees, 45 minutes, 02 seconds East**
4. Thence **348.00** feet in a northerly direction along the southerly line of Beech Street, **North 66 degrees 14 minutes 58 seconds East**
5. Thence **30.00** feet in a northerly direction along the westerly line of Oxford Street, **North 23 degrees, 45 minutes 02 seconds West**, to the point of beginning.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Order authorizing the City Administrator to accept the donation of property from the Franklin Property Trust - Beech Street

INFORMATION:

The Riverfront Island Master Plan and, more specifically, the concept plan for improvements to Simard Payne Park identify the Beech Street extension from Oxford Street toward the river as a major point of vehicle access to the Park and adjacent properties. While it appears that the City may have been asked or had considered establishing this section of Beech Street as a public way many years ago, it is not clear whether this was actually done. In addition, ownership of this "street" is not totally clear and appears to be shared by a variety of property owners, all of whom have a presumptive right of access to their properties via this "street." In order to move the City's master and park plan forward, it is necessary for the City to establish the ability to create a public way. To this end, the Franklin Property Trust has agreed to donate its interest in the property to the City. Accepting this donation will be a step forward toward providing public access to the park, allowing the city to eventually undertake bridge and street improvements, and assisting all property owners in becoming compliant with the City's land development code.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

ERABIKmm

REQUESTED ACTION:

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

To approve the Order authorizing the City Administrator to accept the donation of property from the Franklin Property Trust - Beech Street.

City of Lewiston City Council
Lewiston City Hall
27 Pine Street
Lewiston, Maine 04240

Dear Mayor Macdonald and Lewiston City Councilors,

Franklin Property Trust, LLC, offers to donate all of its property interests, if any, in a portion of Beech Street in Lewiston, which is more particularly described as:

A portion of a strip of land 30 feet in width, to be used as a public street, described as follows:

1. Beginning at the intersection of the westerly line of Oxford Street, and the northerly line of Beech Street, which point is **617.26** feet, more or less, southerly along the westerly line of Oxford Street from the northerly line of Cross Street;
2. Thence **348.00** feet in a southerly direction along the northerly line of Beech Street, **South 66 degrees, 14 minutes, 58 seconds West**;
3. Thence **30.00** feet in a southerly direction to the southerly line of Beech Street, **South 23 degrees, 45 minutes, 02 seconds East**
4. Thence **348.00** feet in a northerly direction along the southerly line of Beech Street, **North 66 degrees 14 minutes 58 seconds East**
5. Thence **30.00** feet in a northerly direction along the westerly line of Oxford Street, **North 23 degrees, 45 minutes 02 seconds West**, to the point of beginning,

and agrees to execute a quitclaim deed effectuating that transfer within two weeks of acceptance of that donation by the City of Lewiston City Council.

Sincerely,

Stanley Sclar
Manager, Franklin Property Trust, LLC

QUITCLAIM DEED
Portion of Beech Street, Lewiston

FRANKLIN PROPERTY TRUST LLC, a Maine limited liability company, with a mailing address of P.O. Box 7, Lewiston, Maine 04241, releases as a donation, pursuant to 30-A M.R.S.A. § 5655, to the **CITY OF LEWISTON**, a body politic and corporate, situated in Androscoggin County, Maine, with a mailing address of 27 Pine Street, Lewiston, Maine 04240, a portion of Beech Street, Lewiston, Androscoggin County, Maine, more particularly described in the attached Exhibit A.

DATED: July ____, 2014

FRANKLIN PROPERTY TRUST LLC

By: Stanley Sclar
Its: Manager

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

July ____, 2014

Personally appeared the above named Stanley Sclar, Manager of the Franklin Property Trust LLC, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Franklin Property Trust LLC.

Before me,

Notary Public/Attorney at Law
Print Name: _____

EXHIBIT A

A portion of a strip of land 30 feet in width, to be used as a public street, described as follows:

1. Beginning at the intersection of the westerly line of Oxford Street, and the northerly line of Beech Street, which point is **617.26** feet, more or less, southerly along the westerly line of Oxford Street from the northerly line of Cross Street;
2. Thence **348.00** feet in a southerly direction along the northerly line of Beech Street, **South 66 degrees, 14 minutes, 58 seconds West**;
3. Thence **30.00** feet in a southerly direction to the southerly line of Beech Street, **South 23 degrees, 45 minutes, 02 seconds East**
4. Thence **348.00** feet in a northerly direction along the southerly line of Beech Street, **North 66 degrees 14 minutes 58 seconds East**
5. Thence **30.00** feet in a northerly direction along the westerly line of Oxford Street, **North 23 degrees, 45 minutes 02 seconds West**, to the point of beginning.

LEWISTON CITY COUNCIL
MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Order authorizing the City Administrator to enter into an Agreement with the United States Government regarding H.O.M.E. Funds.

INFORMATION:

We hope to have additional information available on this item prior to or for Tuesday's meeting.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

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

To approve the Order, authorizing the City Administrator to enter into an Agreement with the United States Government regarding H.O.M.E Funds.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Resolve supporting adding additional members to the Lewiston-Auburn Bike-Ped Committee.

INFORMATION:

Lewiston and Auburn jointly created a Bike-Ped Committee in 2012. Since then, this Committee has been very active and, among other things, has developed a complete streets policy for the cities that was subsequently adopted and nationally recognized. The Committee is actively involved in a variety of projects including the Lewiston Lower Rail Trail, the Safe Routes to School Program, and participating in the review of various transportation projects. Sufficient interest exists in the Committee that it is recommending that its current voting membership be expanded by adding additional residents as well as a representative of an organization with a primary interest in the area of health and wellness.

The attached resolve would authorize the addition of a citizen representative from both Lewiston and Auburn to be appointed by the respective Mayor and a representative of an organization focused on health and wellness to be selected by the Chair of the Committee.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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

To approve the Resolve supporting adding additional members to the Lewiston-Auburn Bike-Ped Committee.



**City of Lewiston Maine
City Council Resolve
July 15, 2014**



Resolve, Supporting Adding Additional Members to the Lewiston-Auburn Bike-Ped Committee

Whereas, Lewiston and Auburn jointly created a Bike-Ped Committee in 2012; and

Whereas, this Committee has been very active and, among other things, has developed a complete streets policy for the cities that was subsequently adopted and has been nationally recognized; and

Whereas, the Committee is actively involved in a variety of projects including the Lewiston Lower Rail Trail, the Safe Routes to School Program, and participating in the review of various transportation projects; and

Whereas, sufficient interest exists in the Committee that it is recommending that its current voting membership be expanded by adding additional residents as well as a representative of an organization with a primary interest in the area of health and wellness;

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

Subject to the concurrence of the City Council of the City of Auburn, we approve expanding the voting membership of the Lewiston-Auburn Bike Ped Committee through adding one more resident of the City of Auburn, to be appointed by the Mayor of Auburn, one more resident of the City of Lewiston, to be appointed by the Mayor of Lewiston, and a representative of an organization with a primary interest in areas such as health and wellness, to be appointed by the Chair of the Committee.

LEWISTON CITY COUNCIL
MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Receipt of City Clerk's Report regarding valid signatures for the citizen initiative petition regarding the Repeal of the St. Laurent Housing Associates Joint Development Agreement.

INFORMATION:

The City's Elections Ordinance requires the City Clerk to issue a report to the City Council verifying the number of voter signatures that have been approved for any citizen initiative petitions. The petition regarding the Repeal of the St. Laurent Housing Associates Joint Development Agreement was submitted shortly after election day and has the required minimum number of valid signatures. The City Clerk's report is attached.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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

To accept the City Clerk's report regarding verified petition signatures for the petition to Repeal the St. Laurent Housing Associates Joint Development Agreement.



City of Lewiston, Maine

Department of City Clerk

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

Kelly J. Mercier, CMC
Deputy City Clerk



CITY CLERK'S REPORT REGARDING VERIFIED PETITION SIGNATURES

Pursuant to Section 32-27 of the City's Elections Ordinance, the City Clerk is required to submit a report to the City Council within ten days of the closing date of any citizen initiative and referendum petition.

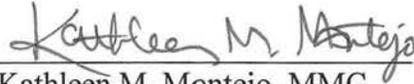
The following report is submitted to the City Council:

Name of Petition:	Repeal of St. Laurent Housing Associates Joint Development Agreement
Date Petition Issued to Organizers:	May 9, 2014
Date Final Signatures were Submitted:	June 16, 2014
Closing Date of Petition (60 days from issuance):	July 7, 2014
Number of Valid Signatures Required:	859 (as required by Sec 32-27 of the Lewiston Election Code)
Number of Valid Signatures Verified:	867 (Note: An additional 48 signatures were submitted but not verified because the minimum number was met.)

Copies of blank petition form are attached for reference

I, Kathleen Montejo, Lewiston City Clerk, hereby declare to the Lewiston City Council that the citizen initiative petition regarding the Repeal of the St. Laurent Housing Associates Joint Development Agreement, issued by my office on May 9, 2014 and verified by my office on June 17, 2014, contains the number of valid voter signatures as required under Section 32-27 of the Election Ordinance, Lewiston City Code of Ordinances, and is hereby deemed valid and in effect.

ATTEST:


Kathleen M. Montejo, MMC

July 11, 2014

**PETITION TO THE CITY COUNCIL FOR THE SUBMISSION TO
THE PEOPLE OF AN INITIATIVE OR REFERENDUM**

Shall the ordinance, order, resolve or question, a copy of which is set forth hereafter, be adopted?

REPEAL OF ST. LAURENT HOUSING ASSOCIATES JOINT DEVELOPMENT AGREEMENT

“Shall the Order, adopted at the April 15, 2014 Lewiston City Council meeting, authorizing the City Administrator to execute a Joint Development Agreement between the City of Lewiston and St. Laurent Housing Associates, be repealed?”

We, the undersigned, are duly qualified voters of the City of Lewiston, residing respectively at the addresses placed opposite our names, and we hereby petition the City Council to submit the foregoing question to the voters of the City of Lewiston at the next available, scheduled election.

Petition Issuance Date: Friday, May 9, 2014

Petition Closing Date: Monday, July 7, 2014 at 4:30pm

Petitioner must: Be a registered voter of Lewiston, sign name as it appears on the voting list, sign only once, not sign another person's name, and print their own name, date of signing, and street address, unless physically unable to do so.

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
41				
42				
43				
44				
45				
46				
47				
48				
49				
50				

Number of Valid Signatures Required: Seven percent of the number of votes cast in the City of Lewiston at the last gubernatorial election, or greater (Sec. 32-27 of the City Code). Signatures required for this petition: 859

CIRCULATOR'S OATH

I hereby make oath that I am the Circulator of this petition, that all of the signatures to this petition were made in my presence and, to the best of my knowledge and belief, each signature is that of the person it purports to be.

Signature of Circulator: _____

Printed Name: _____

Signature of Notary: _____

Printed Name: _____

Subscribed and sworn before me on this date: _____ (must be completed by Notary)

Date Notary Commission expires: _____

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston. Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar: _____ Date Certified: _____

DATE AND TIME PETITION RECEIVED AT CITY CLERK'S OFFICE: _____



City of Lewiston, Maine
City Council Order
April 15, 2014



Order, Authorizing the City Administrator to Execute a JOINT DEVELOPMENT AGREEMENT between THE CITY OF LEWISTON and ST. LAURENT HOUSING ASSOCIATES

WHEREAS, a series of three major fires in downtown Lewiston in April/May 2013 resulted in the loss of over 77 housing units and the displacement of over 200 people; and

WHEREAS, this area contains the oldest housing stock in the community, with the majority of it built prior to 1940 and many having now lived past their useful life; and

WHEREAS, the City has aggressively stepped up code enforcement and demolition of blighted properties in this area; and

WHEREAS, ST. LAURENT HOUSING ASSOCIATES (ST. LAURENT) owns Pierce Place, a 29 unit affordable housing project that was consumed in the April/May 2013 fires; and

WHEREAS, all 29 units in Pierce Place had commitments for project based Housing Assistance Payments (HAP) which function similarly to the U.S. Department of Housing and Urban Development's Section 8 housing program; and

WHEREAS, ST. LAURENT has approached the city seeking support to assist in the redevelopment of Pierce Place; and

WHEREAS, ST. LAURENT wishes to build a \$5 million 29 unit apartment complex which will have project based HAP assistance and in which the majority of the units will be 2 bedroom or larger; and

WHEREAS, MaineHousing has expressed a willingness to provide a set-aside of Low Income Housing Tax Credits dedicated to Pierce Place so long as the City desires to see the project and provides municipal support to it; and

WHEREAS, if financing and development contingencies are met by ST. LAURENT, the City has agreed to acquire and convey 155 Bartlett Street, and 116 and 122 Pierce Street at no cost to ST. LAURENT. If ST. LAURENT acquires 141 Bartlett Street, the City will provide \$200,000 in HOME funds. If 141 Bartlett Street is not acquired, the City agrees to convey 139 Bartlett Street to ST. LAURENT at no cost; and

WHEREAS, if rebuilt, Pierce Place will replace quality workforce housing lost in the fires, expand the tax base, insure the preservation of HAP assistance for 29 apartments, and help stabilize the neighborhood and set it on the path to recovery;

Now, Therefore, Be It Ordered by the City Council of the City of Lewiston that the City Administrator is hereby authorized to execute the JOINT DEVELOPMENT AGREEMENT between THE CITY OF LEWISTON and ST. LAURENT HOUSING ASSOCIATES in a form substantially as is attached hereto.

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 16

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.

EARB/kmm

REQUESTED ACTION:

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

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

LEWISTON CITY COUNCIL

MEETING OF JULY 15, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 17

SUBJECT:

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

INFORMATION:

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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

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