

# LEWISTON CITY COUNCIL SPECIAL MEETING AGENDA

**Tuesday, September 9, 2014**

**City Council Chambers**

## **6:00 p.m. Special Meeting**

Pledge of Allegiance to the Flag.

Moment of Silence.

### **SPECIAL MEETING**

1. Options for a Special Municipal Election to fill the upcoming vacancy for the Ward Four City Council position.
- ES 1. Executive Session to discuss Real Estate Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
- ES 2. 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.
- ES 3. Executive Session to discuss Real Estate Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
- ES 4. 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 SEPTEMBER 9, 2014

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:**

Options for a Special Municipal Election to fill the upcoming vacancy for the Ward Four City Council position.

**INFORMATION:**

Councilor Christ has submitted her resignation effective the end of September. The City Charter requires a special election to be held to fill the seat. The Council can hold the election on November 4 if the timeframe for nomination papers is shortened and paper ballots are used. There is not enough time to have machine ballots printed for a November 4 election. The Council could also decide to hold a special election at a later date and the City Clerk has suggested December 9.

Please see the attached memorandum from the City Clerk outlining the details of the election options.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

This is a policy decision of the City Council.

*ERB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To review the options for a special election to fill the upcoming vacancy in the Ward Four City Council position and to determine a course of action.



**City of Lewiston Maine  
City Council Order  
September 9, 2014**



**Order,** Authorizing a Special Municipal Election be held on \_\_\_\_\_  
for the purpose of electing a City Councilor from Ward Four

Whereas, on September 2, 2104, Councilor Christ resigned her position effective the end of September, and

Whereas, the City Charter requires that a special municipal election be held to fill a vacancy in the City Council if more than one year remains in the unexpired term, and

Whereas, the City Charter allows for the City Council to vote to shorten the length of time nomination papers are available for the collection of signatures as well as the filing deadline for nomination papers,

**Now, Therefore, Be It Ordered by the City Council of the City of Lewiston** that the City Council hereby calls for a Special Municipal Election to be held on \_\_\_\_\_, that the nomination papers for said election be available on \_\_\_\_\_ and due for filing no later than \_\_\_\_\_, and the City Council further directs the City Clerk to prepare actions necessary for conducting such election.



# City of Lewiston, Maine

## Department of City Clerk

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

Kelly J. Mercier, CMC  
Deputy City Clerk



TO: Mayor and City Council  
FR: Kathy Montejo, City Clerk *Kathy*  
RE: City Council vacancy - Ward 4  
DT: September 5, 2014

On Tuesday, September 2, Councilor Christ submitted her resignation from the City Council to be effective at the end of September.

Section 2.06 c of the City Charter states:

“ If a vacancy in office occurs one (1) year or more prior to the next regular municipal election, the vacancy for the unexpired term shall be filed by a special election.” The term of office for Councilor Christ’s seat expires January 2016 and therefore more than 1 year remains in the unexpired term.

In reviewing the City Charter and state statutes, the City Council can call for a special election to fill the Ward 4 opening to be held on November 4 or at a later date. Given the Thanksgiving holiday, a recommended alternate date would be Tuesday, December 9.

The City Council is asked to make a determination on the election date to fill the Ward Four vacancy.

Given election preparation factors such as the timetable necessary for the circulation of nomination papers, printing of ballots and statutory requirement to have absentee ballots available at least 30 days before election day, a November 4 election date would involve having a much shorter period for the circulation of nomination papers and handcounting paper ballots during the Gubernatorial election.

The following are proposed time frames for each date:

	<u>November 4 election</u>	<u>December 9 election</u>
Nomination papers available	September 12	September 12
Nomination papers due for filing	September 26 (15 days)	October 31 (50 days)
Absentee ballots available	October 3	November 7
Election Day	November 4	December 9
Oath of Office	November 5	December 10

There are a few factors to consider regarding each date option:

- 1) Time to circulate nomination papers - The City Charter requires a 60 day circulation period but does

allow for the City Council to vote to shorten the period for special elections. A November 4 election would allow for a 15 day circulation period and a December 9 election would allow for a 50 day period. A minimum of 50 valid signatures are required.

2) Cost - The November 4 election is a Gubernatorial election with two local ballot questions (St. Laurent Housing project and marijuana ordinance) and has a projected voter turnout of between 12,000 - 15,000. Ward Four voters could cast around 1,800 - 2,200 ballots based upon past turnout. These will have to be hand tallied on election night which would involve hiring about 10 additional citizen election workers. Other cost factors would be the printing of about 2,000 ballots and the added postage for mailed absentee ballots. If the election was held December 9, the average cost for a separate special election is about \$1,500.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 9, 2014**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. ES-1**

**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.

*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 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 SEPTEMBER 9, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES-2

**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 SEPTEMBER 9, 2014**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. ES-3**

**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.

*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 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 SEPTEMBER 9, 2014

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. ES-4**

**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.



**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.