LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
MARCH 3, 2015

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

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.

REGULAR BUSINESS:

1. Public Hearing and Final Passage regarding an amendment to the Buildings and Building Regulations ordinance regarding the Building Code and the Residential Code.
2. Lisbon Street Upgrade - Mother India Plaza
3. Lisbon Street Upgrade - Decorative Bike Racks
4. Lisbon Street Upgrade - Additional Street Trees
5. Reconsideration of the proposed Bike Lane element within the Lisbon Street Upgrade project.
6. Reconsideration of the element with the Lisbon Street Upgrade project regarding restriping of Lisbon Street to establish a single through lane from Cedar to Pine and elimination of turn lanes at Pine and Ash Street.
7. Resolve Authorizing the Fire Chief to apply for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant to increase Fire Department staffing.
8. Request for use of Simard-Payne Park for a Country Music Festival.
9. Reports and Updates.
10. Any other City Business Councilors or others may have relating to Lewiston City Government.
11. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

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

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Public Hearing and Final Passage regarding an amendment to the Buildings and Building Regulations ordinance regarding the Building Code and the Residential Code.

INFORMATION:

The Planning and Code Enforcement Department staff are recommending the City repeal the City's Building Code and Residential Code and replace them with the Maine Uniform Building and Energy Code (MUBEC) as well as incorporate language for local provisions for permitting and enforcement. Maine law requires municipalities of 4,000 or more to enforce MUBEC and adopting MUBEC as the City's building and residential codes will help with the enforcement of these state codes.

Please reference the attached memorandum from Gil Arsenault, Director of Planning and Code Enforcement, for additional information.

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.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

To repeal Sections 18-26, 18-27, 18-200 and 18-201 of the current City Code, and to adopt the proposed amendments to the City Code of Ordinances, Chapter 18 "Buildings and Building Regulations", Article II, "Building Codes", Section 18-26 "Building Codes" Section 18-27 "Permits Required", Section 18-28 "Fees", and Section 18-29 "Violations" for final passage by a roll call vote.

MEMORANDUM

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

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

RE: Maine Uniform Building and Energy Code

DT: February 11, 2015

Maine Law requires municipalities of 4,000 or more in population to enforce the Maine Uniform Building and Energy Code (MUBEC) pursuant to Title10, chapter 1103 and Title 25, chapters 313 and 314 of the Maine Statutes and 16-642 CMR chapters 1-6 of the Maine Department of Public Safety rules. In keeping with Maine Law the City of Lewiston has and continues to enforce MUBEC; however, Maine law does not require municipalities of 4,000 or more in population to adopt MUBEC.

The proposed amendments to Chapter 18, Article II and Article IV of the Code of Ordinances repeals the former building and residential codes, and adopts MUBEC along with local provisions for permitting and enforcement. The permitting and enforcement provisions are comparable to our current provisions.

I will be in attendance at the February 17, 2015 public hearing on this matter to answer any questions that you may have.

Thank you.

AN ORDINANCE PERTAINING TO BUILDING CODES

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 18
Article II. Building codes

~~**Sec. 18-26. Adoption of building code.**~~

~~There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition and insurance coverage, use and occupancy, equipment, location and maintenance of building and structures, including permits and penalties, that certain building code known as the 2003 International Building Code, save and except such portions as are in this article deleted, modified or amended. No fewer than three (3)_ copies of such code have been and now are filed in the office of the city clerk and such copies are hereby adopted and incorporated as fully as if set out at length in this article.~~

Section 18-26. Building codes.

The City of Lewiston administers and enforces the provisions of the Maine Uniform Building and Energy Code pursuant to Title 10, chapter 1103 and Title 25, chapters 313 and 314 of the Maine statutes and 16-642 CMR chapters 1-6 of the Maine Department of Public Safety agency rules.

~~**Sec. 18-27. Amendments to the building code.**~~

~~The building code adopted in section 18-26 is amended and changed as follows:~~

~~Chapter 1 is repealed in its entirety.~~

~~**Chapter 1 ADMINISTRATION.** is enacted to read as follows:~~

~~**Chapter 1**~~
~~**ADMINISTRATION**~~

~~**SECTION 101**~~
~~**GENERAL**~~

~~**101.1 Title.** These regulations shall be known as the *Building Code* of the City of Lewiston, Maine, hereinafter referred to as "this code."~~

~~applicable building and facilities shall be constructed in accordance with ANSI A117.1-1986 for residential uses and the Americans with Disabilities Act Accessibility Guidelines for non-residential uses.~~

Section 18-27. Permits Required

Any owner or authorized agent who intends to construct, enlarge, alter, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Maine Uniform Building and Energy Code, or cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section 18-28. Fees

(A) Payment of fees. A permit shall not be valid until the fees prescribed by the Lewiston City Council have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

(B) Schedule of permit fees. On buildings, structures, or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the schedule as established by the Lewiston City Council.

(C) Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, final building permit valuation shall be set by the building official utilizing *Means Square Foot Costs* or similar documents, unless the applicant can show detailed estimates to meet the approval of the building official.

(D) Work commencing before permit issuance. Any person who commences any work on a building or structure, before obtaining the necessary permit, shall be subject to a belated fee established by the Lewiston City Council that shall be in addition to the required permit fees.

(E) Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by ordinance or law.

(F) Refunds. The building official is authorized to establish a refund policy.

Section 18-29. VIOLATIONS

(A) Unlawful acts. It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, remove, demolish, use, or occupy any building or structure or equipment regulated by the Maine Uniform Building and Energy Code, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

(B) Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of the Maine Uniform Building and Energy Code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(C) Service of notice of violation. A notice of violation or order may be served in hand to the violator or left with a person of suitable age and discretion at the residence or place of business of the violator or mailed by certified mail, return receipt requested, to the last known address. If the return receipt is not returned, the notice shall be conclusively presumed to have been served if it is also sent by regular mail, postage prepaid, which is not returned as undeliverable by the postal service.

(D) Request for appeal. Any person served an order, pursuant to this section, may request a hearing before the board of appeals by filing a written petition for said hearing at the planning and code enforcement department within ten (10) days of the date of service of the order. The board of appeals may sustain, modify, or withdraw such order. The decision of the board of appeals may be further appealed pursuant to the provisions of Rule 80B of the Maine Rules of Civil Procedure.

(C) Violation penalties. Any person who shall violate a provision of the Maine Uniform Building and Energy Code or shall fail to comply with any of the requirements thereof, or shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be liable for one or more citations as set forth in Chapter 1, Section 1-8 and Chapter 50, Section 50-36 of the Code of Ordinances of the City of Lewiston. In lieu of or in addition to the issuance of citations, the building official may initiate a land use complaint pursuant to Rule 80K of the Maine Rules of Civil Procedure and 30-A M.R.S. § 4452 et seq. as amended.

REASON FOR PROPOSED AMENDMENT

Maine Law requires municipalities of 4,000 or more in population to enforce the Maine Uniform Building and Energy Code (MUBEC) pursuant to Title10, chapter 1103 and Title 25, chapters 313 and 314 of the Maine Statutes and 16-642 CMR chapters 1-6 of the Maine Department of Public Safety rules. In keeping with Maine Law the City of Lewiston has and continues to enforce MUBEC; however, Maine law does not require municipalities of 4,000 or more in population to adopt MUBEC.

The proposed amendments to Chapter 18, Article II of the Code of Ordinances repeal the former building code, adopt MUBEC along with local provisions for permitting and enforcement. The permitting and enforcement provisions are comparable to our current provisions.

~~**CHAPTER 35 SERVICES** is hereby deleted.~~

~~**CHAPTER 36 BRANCH CIRCUIT AND FEEDER REQUIREMENTS** is hereby deleted.~~

~~**CHAPTER 37 WIRING METHODS** is hereby deleted.~~

~~**CHAPTER 38 POWER AND LIGHTING DISTRIBUTION** is hereby deleted.~~

~~**CHAPTER 39 DEVICES AND LUMINAIRES** is hereby deleted.~~

~~**CHAPTER 40 APPLIANCE INSTALLATION** is hereby deleted.~~

~~**CHAPTER 41 SWIMMING POOL** is hereby deleted.~~

~~**CHAPTER 42 CLASS 2 REMOTE CONTROL, SIGNALING AND POWER LIMITED CIRCUITS** is hereby deleted.~~

REASON FOR PROPOSED AMENDMENT

Maine Law requires municipalities of 4,000 or more in population to enforce the Maine Uniform Building and Energy Code (MUBEC) pursuant to Title10, chapter 1103 and Title 25, chapters 313 and 314 of the Maine Statutes and 16-642 CMR chapters 1-6 of the Maine Department of Public Safety rules. In keeping with Maine Law the City of Lewiston has and continues to enforce MUBEC; however, Maine law does not require municipalities of 4,000 or more in population to adopt MUBEC.

This proposed amendment repeals the Residential Code for one and two-family dwellings. The Maine Uniform Building and Energy Code is proposed to be adopted via Chapter 18, Article II of the Code of Ordinances of the City of Lewiston; therefore, the residential code and related regulations are to be contained in Chapter 18, Article II, of said Code.

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Lisbon Street Upgrade - Mother India Plaza

INFORMATION:

At the Council's last meeting, this item was postponed to this meeting. Concerns were raised that the proposed design was too maintenance intensive and other alternatives should be evaluated. At this time, staff has not yet had the opportunity to evaluate alternatives, so the Council may wish to continue this item. Should this item be approved at Tuesday's meeting, the Council should also approve the necessary transfer of funds from the Walnut Rehabilitation Project in an appropriate amount. The current estimate is $30,000.

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 determine a course of action in regard to the plaza adjacent to Mother India.

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Lisbon Street Upgrade - Decorative Bike Racks

INFORMATION:

This item was tabled at the last meeting. Questions were raised about the number, placement, and cost of the proposed bike racks. Thirteen racks are proposed. Ten, for two bikes each, would be located in the bulb outs at the mid-block crossings; the others would be located at the Library, the Alley beside Mother India, and Dufresne Plaza and would accommodate between six and eight bikes each.

The $10,000 price was based on an allowance for custom racks at $250 for each double rack and $3,300 combined for the three larger racks. Since that meeting we have researched bike rack manufacturers in more detail and have had conversations with Dero, a company that supplies customized bike racks (**http://www.dero.com/shop/**). The racks can be surface mounted and have a black powder coat finish. We would have the option of purchasing additional matching racks in the future if they are well received. A summary of the racks discussed with Dero as well as pricing information is attached. They offer a substantial discount on the customized bike racks if we were to order ten or more of one type.

It might be appropriate to do something unique in front of library, which could still be done with these options. Some communities have spelled out words in front of their libraries (LPL or READ perhaps).

The following pricing summary includes materials only and does not include other costs such as freight, and installation:

$2,500 (Ten custom double racks)	20 Spots
$1,800 (Library rider rack spelling R-E-A-D??)	8 Spots
$1,500 (Plaza and Dufresne (Campus Rack?)	12 Spots
$5,800	40 Spots

With freight and installation, the cost for the thirteen racks will be approximately $10,000.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

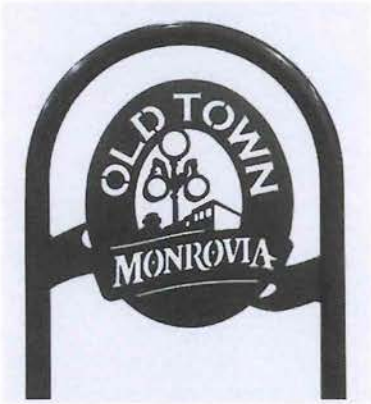
EAB/kmm

REQUESTED ACTION:

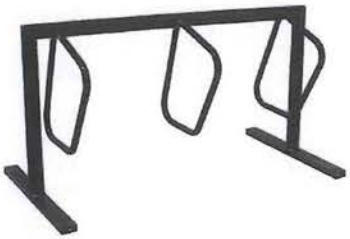
1	2	3	4	5	6	7	M

To provide direction as to the number of bike racks to be installed and, if necessary, to authorize the transfer of capital funds from the Walnut Street project to provide the needed funds.

Personalized Bike Racks

Bike Style From Dero Bike Racks	Unit Cost	Unit Cost Personalized	Unit Cost Personalized (If ordering 10)
Hitch with Logo (Parks two bikes)	$129/ea	$515/ea	$250/ea
 Hoop with Logo (Parks two bikes)	$98/ea	$515/ea	$250/ea
Bike Bike Rack with Logo (Parks two to four bikes)	$458/ea	$850/ea	$650/ea

Standard Bike Racks

Bike Style From Dero Bike Racks	Unit Cost	Unit Cost Personalized	Unit Cost Personalized (If ordering 10)
Type Rider (Parks two bikes per letter)	$447/ea	N/A	N/A
Broadway (Parks five to nine bikes)	$446/ea (5 bikes) $536/ea (7 bikes) $727/ea (9 bikes)	N/A	N/A
 Campus (Parks three to six bikes)	$592/ea (5 bikes) $681/ea (6 Bikes)	N/A	N/A

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Lisbon Street Upgrade - Additional Street Trees

INFORMATION:

This item was tabled at the last meeting. The plan calls for the addition of 8 street trees at an installed cost of $10,000. The trees would be installed in bulb outs at:

- Dufresne Plaza (1)
- The Maine District Court (3)
- 97 Lisbon (1) Rainbow Bike
- 127 Lisbon (1) Subway/Berman and Simmons – Replaces a prior tree
- 177 Lisbon (1) Vacant Lot owned by the City next to Centreville Plaza
- 235 Lisbon (1) Twins Variety

There was concern expressed by one property owner at the last meeting that street trees would block visibility to his business. (Note that the business in question is located outside of the project area and would not be impacted by the addition of trees.) Staff is currently contacting the three businesses fronting on the areas suggested for new trees. Of the 8 trees proposed, 5 are to be located adjacent to the District Court or city-owned property.

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 provide direction as to the number and location of new trees to be installed and, if necessary, to authorize a transfer from the Walnut Street project to provide the needed funds.

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Reconsideration of the proposed Bike Lane element within the Lisbon Street Upgrade project.

INFORMATION:

At the previous meeting, the Council voted 2-5 regarding the bike lane project in the Lisbon Street Upgrade. Councilor Cayer, having voted on the prevailing side, requested that a Reconsideration of this vote take place at the next regular City Council meeting.

This agenda item has two parts:
1) To vote to decide whether or not the Council wants to reconsider (discuss and vote again) this item
2) If the motion to Reconsider is approved, then the original motion is back before Council to discuss and to take action

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy decision of the Council.

GAB\kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

1)To Reconsider the motion to approve the establishment of a bike lane from Spruce Street to near Main Street.

2) If the above is approved, then this motion is automatically before the Council for discussion and a decision:

The preliminary design of the Lisbon Street resurfacing project from Chestnut to Main is hereby aproved to include as elements of the base project to be funded through a combination of federal/state/local funds:

Establishing a bike lane from Spruce to near Main Street

EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Phil Nadeau, Deputy City Administrator

February 18, 2015

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Reconsideration of Establishing a Bike Lane from Spruce to Near Maine Street on Lisbon Street

During the discussion of the Lisbon Street project at the last Council meeting, the Council did not support adding a bike lane to Lisbon Street between Spruce and ending near Main. Councilor Cayer voted in the majority and subsequently requested that this item be reconsidered by the Council. Procedurally, a motion must be made at Tuesday's meeting to reconsider. That motion must come from a Councilor who originally voted on the prevailing side. Any Councilor may second the motion, and the motion is debatable. If approved, the original failed motion, which was to approve establishing a bike lane from Spruce to near Main Street, would return to the floor for debate. Please note that this item is closely related to another item up for potential reconsideration tonight – reducing portions of Lisbon Street to one lane and eliminating turn lanes at Pine and Ash.

The proposal to include a bike lane along portions of Lisbon Street was initially proposed in the downtown circulation study (see attached). It has been included in the preliminary design work done to date in line with the City's Complete Streets Policy adopted by the City Council, with no exceptions from the policy under the current design. A copy of the Policy is attached. The proposed design of Lisbon Street was reviewed and recommended by the Lewiston Auburn Bike Ped Committee.

At the last Council meeting, residents and interested parties spoke both in favor and in opposition to this proposal. Those in favor pointed to the City's policy, the growing interest among portions of the population for walkable, bikable urban design, and a desire to create a safer environment for individuals to bike on a connected network of bike lanes. One individual pointed out that bikes currently have the right to use Lisbon Street, even without a bike lane, but that separating bike and vehicle traffic provided a better environment for both drivers and bikers. Opponents expressed concern that Lisbon Street handles a high volume of traffic, is a congested area, has parking on both sides, delivery vehicles that frequently occupying a portion of the travel lane or lanes, and that it is an unsafe area for bikers.

Options that the Council might consider include:

- Eliminating the bike lanes in total
- Establishing a bike lane from Spruce to Main and, preferably, eliminating the turn lanes at Pine and Ash. (Note that the turn lane issue is discussed separately elsewhere.)
- Limiting the bike lane to the existing one-lane segment of Lisbon from Pine to near Main and, preferably, eliminating the turn lane at Ash
- Establishing a Sharrow, or shared vehicle bike lane, in the one-lane section of Lisbon Street.

Information on Shared Lane Marking is attached.

City Hall, 27 Pine Street, Lewiston, ME 04240 • Tel. (207) 513-3121 • TTY/TDD (207) 513-3007 • Fax (207) 795-5069
Email: ebarrett@lewistonmaine.gov • pnadeau@lewistonmaine.gov
Web Page: www.lewistonmaine.gov

Bicycle Lanes

Preferred bicycle lanes were identified in a previous study, *Bridging the Gaps (December 2008)*. As part of this study, we reviewed the conclusions of that study and identified the locations of the preferred bike routes as shown on Figure 2B of Appendix A. Based on a review of those conclusions and our own field review, we do not recommend any additional bicycle lanes with the exception of a section of Lisbon Street which is consistent with the previous study.

Lisbon Street – Currently Park Street serves bicyclists who desire to travel from north to south in the business section of the study area. However, there are no designated bicycle lanes for bicyclists who are traveling from south to north in that part of the study area. As described previously ("Lisbon Street Single Lane Extension") we are recommending that two travel lanes be maintained for the southerly section of Lisbon Street (up to Cedar St.) and a single travel lane be provided for the northerly section of Lisbon Street (Cedar St. to Main St.). There appears to be enough width in the northerly single lane section to allow for a striped bicycle lane, while for the southerly section where width is more limited, we recommend that sharrows (combination of bike symbols with chevrons / arrows) be striped in the right most travel lane to remind drivers to share the lane with bicyclists. This combination of sharrows and striped bicycle lane will provide a corridor to compliment Park Street and provide accommodations for bicyclists traveling from south to north.

In the northerly single lane section, there are cobble stone strips for a portion of the section. Before a bicycle lane could be striped, the cobble stones would need to be removed and replaced with a smoother surface.

One – Way Streets

As part of this study, we identified (See previously presented Figure 2B) and reviewed the existing one-way roadways within the study area. It is our conclusion that although the City could probably switch some of the streets from one-way to two-way, what they have appears to work and we propose that it will work even better once the recommendations identified in this report are implemented. For that reason, we do not recommend that any of the one-ways be converted back to two-way.

COMPLETE STREETS POLICY

1. Vision

   Promoting pedestrian, bicycle, and public transportation travel reduces negative environmental impacts, promotes healthy living, advances the well being of travelers, supports the goal of compact development, and meets the needs of the diverse populations that comprise our communities. The vision of the Cities of Lewiston Auburn (Cities) is of a community in which all residents and visitors, regardless of their age, ability, or financial resources, can safely and efficiently use the public right-of-way to meet their transportation needs regardless of their preferred mode of travel.

2. Policy

   The Cities will plan for, design, construct, operate, and maintain an appropriate and integrated transportation system that will meet the needs of motorists, pedestrians, bicyclists, wheelchair users, transit vehicles and riders, freight haulers, emergency responders, and residents of all ages and abilities.

   Transportation facilities that support the concept of complete streets include, but are not limited to pavement markings and signs; street and sidewalk lighting; sidewalk and pedestrian safety improvements; Americans with Disabilities Act and Title VI compliance; transit accommodations; bicycle accommodations including intersection detection and appropriate signage and markings; and streetscapes that appeal to and promote pedestrian use.

   The system's design will be consistent with and supportive of local neighborhoods, recognizing that transportation needs vary and must be balanced in a flexible, safe, and cost effective manner.

3. Projects

   Those involved in the planning and design of projects within the public right-of-way will give consideration to all users and modes of travel from the start of planning and design work. Transportation improvements shall be viewed as opportunities to create safer, more accessible streets for all users. This shall apply to new construction, reconstruction, and rehabilitation. The L-A Bicycle Pedestrian Committee shall be briefed on potential future projects of this nature during or immediately following the annual development of the city's capital improvement program. This will allow the Committee to provide its views regarding complete streets policy early in the planning and design process.

4. Exceptions

   Exceptions to this policy may be made under the circumstances listed below:

   a. Street projects may exclude those elements of this policy that would require the accommodation of street uses prohibited by law;

b. Ordinary maintenance activities such as mowing, snowplowing, sweeping, spot repair, joint or crack sealing, or pothole filling do not require that elements of this policy be applied beyond the scope of that maintenance activity;

c. Ordinary maintenance paving projects may only exclude the elements of this policy that would require increasing pavement width. However, when such projects do occur, the condition of existing facilities supporting alternate transportation modes should be evaluated as well as the appropriateness of modifying existing pavement markings and signage that supports such alternate modes. This exception does not apply to street reconstruction projects;

d. Street reconstruction projects and maintenance paving projects which involve widening pavement may exclude elements of this policy when the accommodation of a specific use is expected to:

- require more space than is physically available, or
- be located where both current and future demand is proven absent, or
- drastically increase project costs and equivalent alternatives exist within close proximity, or
- have adverse impacts on environmental resources such as streams, wetlands, floodplains, or on historic structures or sites above and beyond the impacts of currently existing infrastructure.

In order for an exception to be granted under the conditions stated above and prior to finalizing the design and budget for the intended project, the City Engineer and Director of Public Works must first consult with the City Planner and City Administrator. If the City Administrator concludes that an exception to the policy is warranted, the Administrator or the staff representative to the L-A Bicycle Pedestrian Committee shall consult with the Committee regarding the project and the requested exception. If, after this consultation, a difference of opinion exists between the Committee and staff regarding an exception that has been granted, the Committee may forward its concerns to the City Council for its consideration.

e. Street projects may exclude the development of sidewalks in areas falling outside those identified as appropriate for sidewalks on the basis of an adopted sidewalk policy.

5. Intergovernmental Cooperation

The Cities will cooperate together and with other transportation agencies including the Maine Department of Transportation (MDOT) and Androscoggin Transportation Resource Center (ATRC) to ensure the principles and practices of complete streets are embedded within their planning, design, construction, and maintenance activities. The two cities will specifically cooperate to ensure the transportation network flows seamlessly between the two communities in accordance with local and regional road, transit, bicycle, and pedestrian plans and mutually agreed upon design criteria.

6. Design Criteria

The Cities, through their Public Works and Planning Departments, shall develop and adopt design criteria, standards, and guidelines based upon recognized best practices in street design, construction, and operation. To the greatest extent possible, the Cities shall adopt the same standards with particular emphasis on pedestrian and bicycle markings and wayfinding signage. Resources to be referenced in developing these standards shall include, but not necessarily be limited to, the latest editions of: American Association of State Highway Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, Guide for Planning, Designing, and Operating Pedestrian Facilities, and Guide for the Development of Bicycle Facilities; Institute of Transportation Engineers (ITE) Designing Walkable Urban Thoroughfares: A Context Sensitive Approach; National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide; U.S. Access Board Public Right-of-Way Accessibility Guidelines; Highway Capacity Manual and Highway Safety Manual; and the Manual on Uniform Traffic Control Devices.

The Cities will be permitted to consider innovative or non-traditional design options that provide a comparable level of safety and utility for users as those listed above.

7. Community Context

Implementation of this Policy shall take into account the goal of enhancing the context and character of the surrounding built and natural environments. Transportation facilities, including roads, should be adapted to fit and enhance the character of the surrounding neighborhood.

8. Network

Special attention should be given to projects which enhance the overall transportation system and its connectivity. Specifically, high priority should be given to:

a. Corridors providing primary access to one or more significant destinations such as a parks or recreation areas, schools, shopping/commercial areas, public transportation, or employment centers;
b. Corridors serving a relatively high number of users of non-motorized transportation modes;
c. Corridors providing important continuity or connectivity links to existing pedestrian or bicycle networks;
d. Projects identified in regional or local bicycle pedestrian plans prepared by organizations such as the ATRC, Androscoggin Land Trust (ALT), and other associated groups.

9. Performance Measures

The City Administrator/Manager and/or designee shall report to the Planning Boards and City Councils on an annual basis on the transportation projects undertaken within the prior year and planned within the coming year and the extent to which each of these projects has met the objectives of this policy.

COMPLETE STREETS POLICY

10. Implementation

This policy will be primarily implemented through developing bike and pedestrian network plans on a regional basis through ATRC and within the Cities through the Joint Bicycle Pedestrian Committee. These plans shall specify the type and location of improvements and shall be implemented as funding becomes available or routine work is completed. Special emphasis shall be placed on those elements of these plans that can be accomplished with little or no additional expense, such as providing bike lanes where existing pavement is adequate or where road shoulders are sufficient to allow for safe bicycle use.

Additional implementation activities will include, but not be limited to: developing project checklists that incorporate complete streets elements in the Cities' overall design processes; establishing design manuals that clearly set forth the standards to be followed for bike and pedestrian installations including signs and markings; and directing the Planning Boards to evaluate changes to the Cities' respective land development codes that will extend the complete streets concept into private developments through appropriate subdivision and site plan regulations.

Projects that are located within the public right-of-way and also included within the Cities' annual or multi-year capital improvement plans shall specifically reference how the project addresses complete streets issues.

Section 9C.07 Shared Lane Marking

Option:

01 The Shared Lane Marking shown in Figure 9C-9 may be used to:

A. Assist bicyclists with lateral positioning in a shared lane with on-street parallel parking in order to reduce the chance of a bicyclist's impacting the open door of a parked vehicle,
B. Assist bicyclists with lateral positioning in lanes that are too narrow for a motor vehicle and a bicycle to travel side by side within the same traffic lane,
C. Alert road users of the lateral location bicyclists are likely to occupy within the traveled way,
D. Encourage safe passing of bicyclists by motorists, and
E. Reduce the incidence of wrong-way bicycling.

Guidance:

02 *The Shared Lane Marking should not be placed on roadways that have a speed limit above 35 mph.*

Standard:

03 **Shared Lane Markings shall not be used on shoulders or in designated bicycle lanes.**

Guidance:

04 *If used in a shared lane with on-street parallel parking, Shared Lane Markings should be placed so that the centers of the markings are at least 11 feet from the face of the curb, or from the edge of the pavement where there is no curb.*

05 *If used on a street without on-street parking that has an outside travel lane that is less than 14 feet wide, the centers of the Shared Lane Markings should be at least 4 feet from the face of the curb, or from the edge of the pavement where there is no curb.*

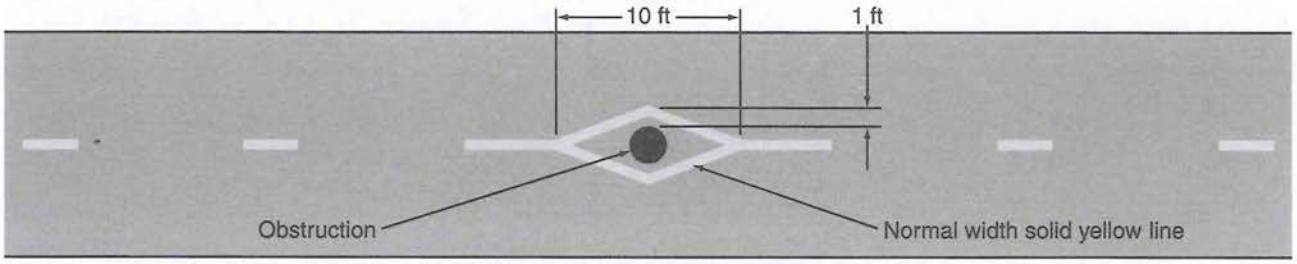
06 *If used, the Shared Lane Marking should be placed immediately after an intersection and spaced at intervals not greater than 250 feet thereafter.*

Option:

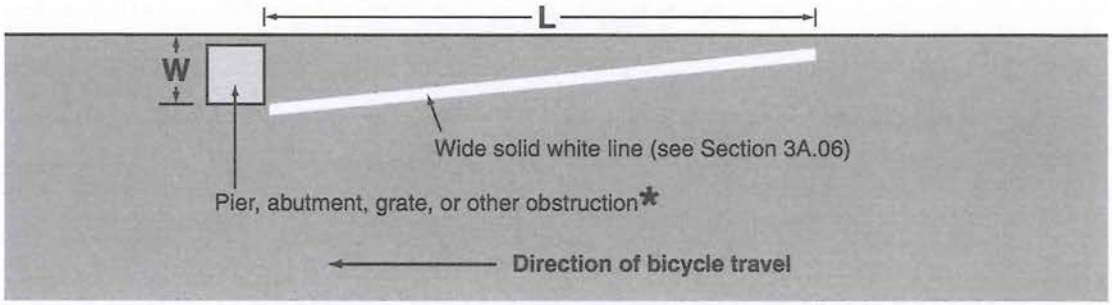
07 Section 9B.06 describes a Bicycles May Use Full Lane sign that may be used in addition to or instead of the Shared Lane Marking to inform road users that bicyclists might occupy the travel lane.

Sect.

Figure 9C-8. Examples of Obstruction Pavement Markings



A - Obstruction within the path

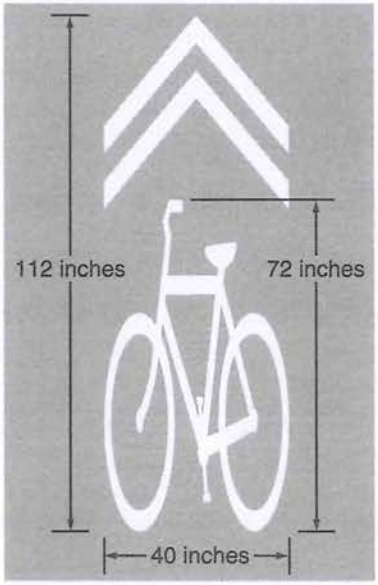


B - Obstruction at edge of path or roadway

L = WS, where W is the offset in feet and S is bicycle approach speed in mph

* Provide an additional foot of offset for a raised obstruction and use the formula L = (W+1) S for the taper length

Figure 9C-9. Shared Lane Marking



LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Reconsideration of the element within the Lisbon Street Upgrade project regarding restriping of Lisbon Street to establish a single through lane from Cedar to Pine and elimination of turn lanes at Pine and Ash Streets.

INFORMATION:

At the previous meeting, the Council voted 2-5 regarding the restriping project in the Lisbon Street Upgrade. Councilor Cayer, having voted on the prevailing side, requested that a Reconsideration of this vote take place at the next regular City Council meeting.

This agenda item has two parts:
1) To vote to decide whether or not the Council wants to reconsider (discuss and vote again) this item
2) If the motion to Reconsider is approved, then the original motion is back before Council to discuss and to take action

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

This is a policy decision of the Council.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

1)To Reconsider the motion regarding the element within the Lisbon Street Upgrade project regarding restriping of Lisbon Street to establish a single through lane from Cedar to Pine and elimination of turn lanes at Pine and Ash Streets.

2) If the above is approved, then this motion is automatically before the Council for discussion and a decision:

The preliminary design of the Lisbon Street resurfacing project from Chestnut to Main is hereby approved to include as elements of the base project to be funded through a combination of federal/state/local funds:

Restriping Lisbon Street to establish a single through lane from Cedar to Pine, and Eliminating turn lanes at Pine and Ash Streets

EXECUTIVE

Edward A. Barrett, City Administrator
Phil Nadeau, Deputy City Administrator

February 18, 2015

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Reconsideration of the Motion to Approve Restriping Lisbon Street to Establish a Single through Lane from Cedar to Pine and Eliminate Turn Lanes at Pine and Ash as Elements of the Lisbon Street Repaving Project.

During the consideration of the Lisbon Street project at the last Council meeting, the Council voted against a motion to restripe Lisbon Street as a single travel lane from Cedar to Pine and eliminate the turn lanes at Pine and Ash. Councilor Cayer voted in the majority and subsequently requested that this item be reconsidered by the Council. Procedurally, a motion must be made at Tuesday's meeting to reconsider. That motion must come from a Councilor on the original prevailing side. Any Councilor may second the motion, and the motion is debatable. If reconsideration is approved, the original motion, which was to approve establishing a single through lane from Cedar to Pine and to eliminate turn lanes at Pine and Ash, would return to the floor for debate.

The proposal called for reducing the number of through travel lanes from two to one between Cedar and Pine. This recommendation was initially made in the downtown circulation study based, in part, on the narrowing of Lisbon Street, particularly in the section from Chestnut to Pine where two lanes of traffic frequently are not feasible given parking, vehicle deliveries, and further road narrowing during the winter. Given traffic volumes, that study recommended that the left in-bound lane become a dedicated left turn lane at Cedar. The study also recommended that a bike lane be installed from in-bound of Cedar toward Main along the recommended one lane section of Lisbon. Excerpts from the report are attached.

The report also recommended that the turn lanes at Lisbon and Park and Lisbon and Ash be removed in conjunction with eliminating the traffic signals at those locations. The Council subsequently disagreed with the recommendation to remove the signals, which will remain in place. The report did not address these turning lanes should the signals remain. However, the necessary space for a bike lane would not be available where a travel and turning lane were both present, requiring vehicles and bikes to mix at those locations.

A traffic engineer reviewed the potential impact of removing these turning lanes on traffic queuing at these locations and concluded that under the worst case (peak hour) scenario, we could expect the following: Lisbon at Chestnut – 3 additional vehicles in line waiting; Lisbon at Pine St – again, 3 additional vehicles in line waiting; and Lisbon at Ash St – 1 additional vehicle waiting. Given that the signal system on Lisbon will also be upgraded and interconnected, it is unlikely that the addition of this number of vehicles in line waiting for the light to change would result in the intersections not clearing within a single green cycle. In the event that the intersection did not clear within a single green cycle, timing adjustments to the signal could easily correct the issue.

City Hall, 27 Pine Street, Lewiston, ME 04240 • Tel. (207) 513-3121 • TTY/TDD (207) 513-3007 • Fax (207) 795-5069
Email: ebarrett@lewistonmaine.gov • pnadeau@lewistonmaine.gov
Web Page: www.lewistonmaine.gov

During the discussion at the last meeting, concerns were raised that removing the turn lanes would result in longer queues and delay traffic on Lisbon Street.

While this issue is clearly related to that of the bike lane (to be separately reconsidered), there are reasons to consider the lane reduction proposal other than to provide space for a bike lane. This particularly relates to the issue of street width in the Chestnut to Pine block discussed above.

The following options are available:

- Retain the current lane system
- Retain the turn lanes at Chestnut and Pine
- Eliminate the turn lane at Ash given the low volume left-turn movements. Should the Council decide to proceed with a bike lane on Lisbon Street under this option, I would recommend that the bike lane be installed only from Pine to near Main in the one lane section.

Lisbon Street Single Lane Extension

Within the study area, Lisbon Street is one-way from south to north. The southerly section is clearly delineated as two lanes. However, as vehicles travel northerly it becomes more ambiguous after crossing through the Chestnut Street intersection as to whether or not it is a single lane or two lanes. This concern was echoed from the advisory committee as well as the public. After field reviewing the area and reviewing the traffic volumes, we recommend that the two clearly defined travel lanes in the southerly section terminate at the Cedar Street intersection with overhead and ground mounted directional signs that direct the drivers in the left most lane to Auburn and the drivers in the right most lane to Downtown Lewiston. There is currently an overhead mast arm that could be modified to serve the purpose of the overhead sign. From this intersection northerly, Lisbon Street would become a single lane. Currently there are two approach lanes striped at the existing signalized intersections on Lisbon Street, one for the through traffic and one as an auxiliary lane. If the signals are removed as discussed previously, then the approaches to the intersections could be narrowed to a single approach lane, which in turn would also improve sight distances and shorten pedestrian crossings.

We recommend edge line striping be provided to identify to the driver that they are now in a single lane. This modification would allow the City to restripe that second travel lane to either angled parking, sidewalk widening, green space, or bicycle accommodations (see also "Bicycle Lanes" section).

Ash Street at Canal Street

It was identified that the current geometric design of this intersection would benefit from reconfiguration. The current configuration has drivers traveling down the one-way Ash Street and intersecting Canal Street at an acute angle and directed into a second lane on Canal Street that starts at this intersection. Ash Street is required to STOP before entering onto Canal Street. To exacerbate this problem, the second lane on Canal Street that starts at this intersection is also used by vehicles wishing to enter or exit the adjacent garage creating weaving issues and problems with some vehicles using this lane to accelerate while others use it to decelerate. To improve this area, we are recommending the modifications shown on Figure 5 of Appendix A. In addition to reconfiguring the Ash Street approach to encourage stopping, it also includes converting the left most lane in front of the garage to a combination of deceleration lane, extension of exit lane, and green space. This should improve this area by encouraging Ash Street vehicles to stop, eliminating the conflict between accelerating and decelerating vehicles, improving the available sight distance for vehicles exiting the garage, and providing additional green space.

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Resolve Authorizing the Fire Chief to apply for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant to increase Fire Department staffing.

INFORMATION:

The Fire Chief is seeking Council authorization to submit a grant application to the federal government for their grant program entitled Staffing for Adequate Fire and Emergency Response (SAFER). The Fire Chief is applying for this grant to provide funding for additional positions in the Department.

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

To approve the Resolve Authorizing the Fire Chief to apply for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant to increase Fire Department staffing.

City of Lewiston, Maine

March 3, 2015

COUNCIL RESOLVE

Resolve, Authorizing the Fire Chief to Apply for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant to Increase Fire Department Staffing.

Whereas, the Federal Government offers grants through the SAFER program that can support recruiting and hiring additional firefighters; and

Whereas, if a grant is awarded, it provides 100% funding for the additional positions for up to two years; and

Whereas, increasing staffing from three to four on the engine and ladder stationed at Central Fire would recognize the higher fire exposure in the areas served by Central and improve fire crew effectiveness in a number of areas, assisting the department in minimizing property damage, injuries, and loss of life;

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

The Fire Chief is hereby authorized to submit a grant application through the Staffing for Adequate Fire and Emergency Response (SAFER) Grant program to increase Fire Department Staffing by 8 positions, these positions to be used to increase staffing levels on the Engine and Ladder operating from Central Fire Station.

Lewiston Fire Department

Paul M. LeClair
Fire Chief

Bruce H. McKay
Assistant Chief

February 23, 2015

Edward A. Barrett,
Lewiston City Administrator

RE: Lewiston Fire Department SAFER Grant Application

Ed:

I am pleased to present the following SAFER Grant Application information for the City Council to consider. The Assistance to Firefighters Grant Program (AFG) presents an opportunity to hire new firefighters. The purpose of SAFER Grants is to provide funding directly to fire departments and other organizations to assist them in increasing the number of firefighters to help communities meet industry standards.

SAFER is a competitive grant program comprised of two categories:

1. Recruitment and Hiring of Firefighters
2. Retention of Volunteer Firefighters.

There are four subcategories for the Hiring Firefighters:

1. Hiring new firefighters
2. Rehiring laid off firefighters
3. Retention of firefighters facing imminent layoff
4. Filling of positions vacated through attrition

SAFER Grant Program Priorities:

1. First Priority: Rehiring laid off firefighters
2. Second Priority: Retention of firefighters who face imminent layoff
3. Third Priority: Hiring New Firefighters

Program Period of Performance and other applicable criteria

- The SAFER Period of Performance for the Hiring of Firefighters category is two years
- SAFER Grant Application Period closes March 6, 2015
- SAFER Grant Award period: June 1, 2015 to September 30, 2015
- There are no matching funds requirements for hiring new firefighters
- SAFER Funding will pay for total salary and benefit costs for each funded position

- Awarded recipients have no obligation to retain the SAFER-Funded positions after the conclusion of the period of performance.
- Only full-time positons will be funded
- 180 day recruitment period allowed from time of grant award
- For the two-year period of performance in the Hiring category, Grant Award recipients are required to maintain the staffing level that existed at the time of award. A waiver process regarding staffing levels is in place; however, SAFER Grant funding would be at risk.

Proposal:
In this SAFER Grant application, I would propose adding one additional firefighter to Engine #7 and Ladder #1, both of which are assigned to Central Fire Station. In order to maintain one additional firefighter on Engine #7 and Ladder #1, eight (8) SAFER Grant funded positions would be required, essentially four (4) firefighters per position. Additional staffing to the units at Central recognizes the greater fire exposure we face in the downtown and downtown residential areas.

Basis for the Grant proposal:
Improved firefighter crew effectiveness in the following categories will be achieved with the addition of one additional firefighter to one Engine and one Ladder Company:

- Time to Water on Fire
- Placement of Ground Ladders and Performing Ventilation
- Conducting Primary Search for building occupants
- Establishing a "Hose Stretch" / Fire Hose to the Fire
- Occupant Rescue

Background on Crew Size effectiveness from the NIST (National Institute of Standards and Technology) Report on Residential Fire Ground Field experiments 4/2010. This report established the following:

- The four-person crew completed the same number of fire ground tasks (on average) 5.1 minutes faster (nearly 25% faster) than the three-person crew.
- An Additional 6% (13 seconds with a 2nd Engine less than 1 minute away) difference in the "water on fire time" between the three and four-person crews.
- The four-person crew operating on a low-hazard structure fire can complete laddering and ventilation (for life safety and rescue) 25% faster than the three-person crew.

Note: The full report can be viewed at the following link:
http://www.nist.gov/el/fire_research/upload/Report-on-Residential-Fireground-Field-Experiments.pdf

There are a number of resources available which provide additional information regarding the effectiveness of larger crew sizes, and I would be happy to forward that information if and when needed.

Sincerely,

Chief Paul M. LeClair

2 College St~Lewiston, Maine~04240~Tel. 207-513-3002~Fax 207-783-6138~TTY/TDD~207-513-3007
www.lewistonmaine.gov

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

SUBJECT:

Request for use of Simard-Payne Park for a Country Music Festival.

INFORMATION:

Deputy City Administrator Phil Nadeau has been working with the applicants on their request to use Simard-Payne Park for a large Country Music Festival and concert this coming July or August. Details and logistics are still being finalized and the information will be presented on Tuesday evening.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

City staff are still working on the details of this application.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M

To be determined.

LEWISTON CITY COUNCIL
MEETING OF MARCH 3, 2015

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

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.