

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
SEPTEMBER 1, 2015**

6:00 p.m. Workshop

- A. Discussion of City Land Disposition - 30 minutes
- B. Public Works Study Committee - 15 minutes

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 2.

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. Annual appointment for the Lewiston-Auburn Railroad Company Board of Directors.
- * 2. Appointments to the Lewiston Housing Authority Board of Commissioners.
- * 3. Adoption of meeting schedule for the month of November.
- * 4. Amendment to the Traffic Schedule to add a stop sign on St. Patrick Avenue.

REGULAR BUSINESS:

- 5. Public Hearing on a new liquor license application for Mandarin Buffet, 750 Sabattus Street.
- 6. Public Hearing and First Passage for the conditional rezoning of the property at 111 Webster Street from the Neighborhood Conservation "A" (NCA) District to the Downtown Residential (DR) District.
- 7. Order authorizing the City Administrator to sell the property at 112 Holland Street through direct negotiation with Central Maine Healthcare.
- 8. Order authorizing the City Administrator to execute a Data Sharing Agreement between the Maine Childhood Lead Poisoning Prevention program and the City of Lewiston.
- 9. Amendments to the Traffic Schedule regarding regulations of parking times for portions of Central Avenue and Campus Avenue around the Lewiston Middle School.
- +9B. Confirmation of the Mayor's nomination of Zam Zam Mohamud to serve on the Lewiston School Committee as the At-Large representative.
- 10. Reports and Updates
- 11. Any other City Business Councilors or others may have relating to Lewiston City Government.
- 12. Executive Session 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
WORKSHOP AGENDA
TUESDAY, SEPTEMBER 1, 2015
6:00 P.M.
CITY COUNCIL CHAMBERS, LEWISTON CITY HALL

1. Discussion of City Land Disposition – 30 minutes

At a recent meeting staff was requested to compile information of city-owned land with a view to identifying parcels that are vacant and potentially available for redevelopment. In addition, there is interest in making this information publically available via our website so that potentially interested parties could view information on these parcels and contact the City to express interest. Attached please find a preliminary map showing the location of all City owned land. Also attached is a copy of the City's land disposition policy and an example of web based property listings from the City of Milwaukee.

2. Public Works Study Committee – 15 minutes

The Public Works Study Committee provided a report to the City Council earlier this spring. The report recommended that the term of the Committee be extended to allow it to reconvene this fall to further explore issues. A copy of the report is attached. The Committee will begin to meet again shortly. Prior to moving forward, staff would like to offer the City Council the opportunity to express any particular issues/services/areas that they would like the Committee to review.

**CITY OF LEWISTON****Department of Planning & Code Enforcement**

**TO: City Council
Mayor**
FROM: David Hediger, City Planner
DATE: August 27, 2015
RE: Discussion of City Land Disposition

Please find attached four spreadsheets which reference land owned by the City: Tax Acquired With Structures, Municipal Building and Facilities, Land In Conservation, Vacant City Properties. Corresponding with spreadsheet is a map delineating these properties.

These spreadsheets and map are a work in progress. With the assistance of city staff Jim Ward and Peter Parker, this is a first attempt at listing city properties that contain structures, environmental limitations, and that are vacant or developed. Staff will be working to further refine the listings to provide additional information regarding how developable the lots maybe. For example, land that is zoned Resource Conservation has few options with respect to be being developed and land subject to shoreland zoning, flood zones, or wetlands presents challenges. Lots may also contain utility easements that encumber the property.

It should be noted, the Planning Board has made a request to obtain a list of city owned properties. Staff will be sharing this information with the Board at an upcoming meeting along with any additional requests and suggestions from the Council.

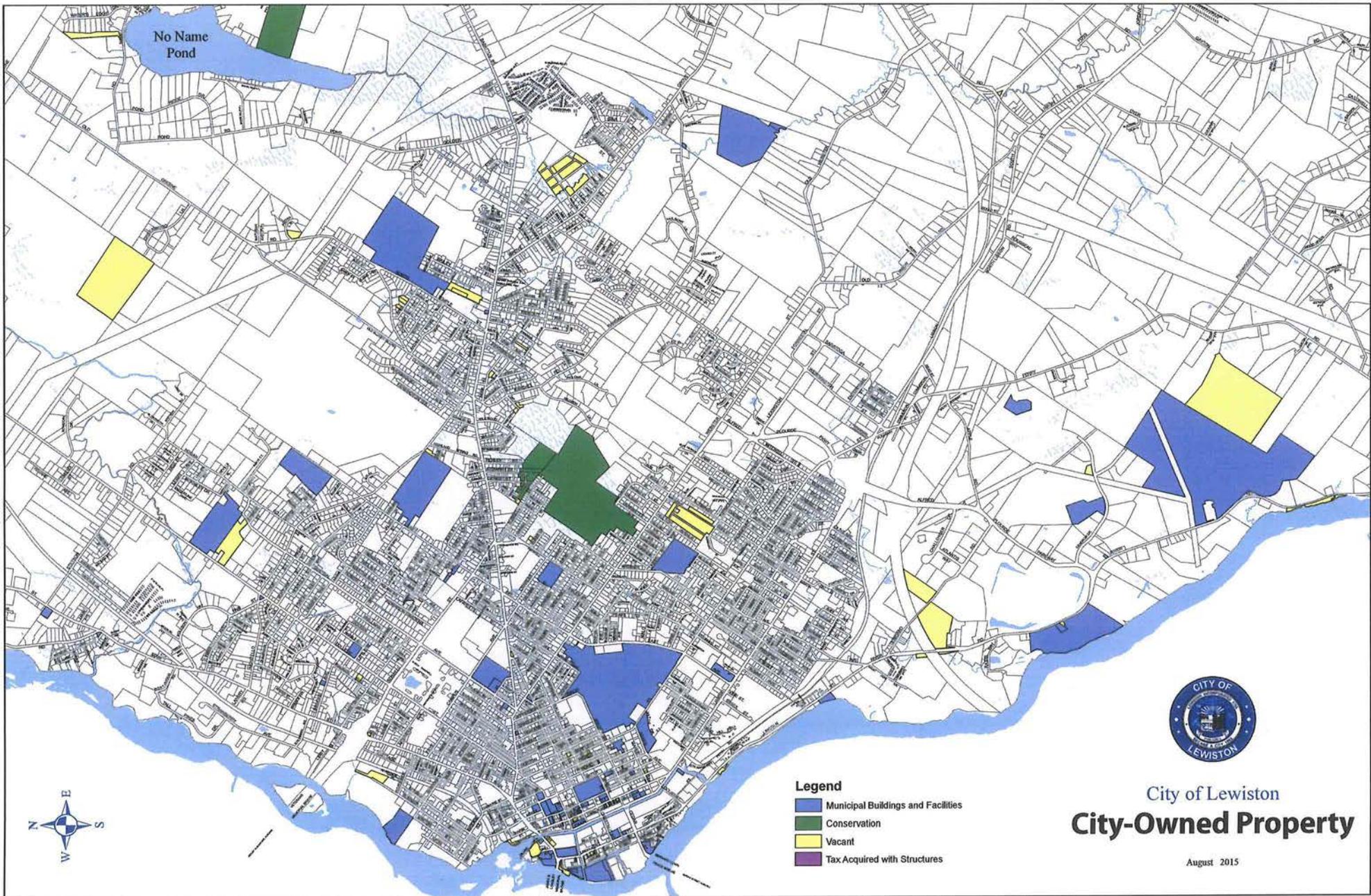
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Tax Acquired With Structures 08272015														
2	GIS_ID	ACRES	UNIT	ADDRNO	STNAME	STREET	STSUFFIX	PARCELID	DEED	LANDVAL	BLDGVAL	TOTALVAL	LIVUNITS	WARD_PREC	COMMENT
3	195-219	0.19051792		147	SABATTUS ST	SABATTUS	ST	RE00001683	7447-121	24240	157840	182080	10	3-1	APT BUILD
4	207-8	0.05937928	REAR	7	MILL ST	MILL	ST	RE00011960	4206-317	23250	6230	29480	0	3-1	SMALL UNUSED STRUCTURE ISLAND POINT
5	172-13	0.60136898		11	WALKER AVE	WALKER	AVE	RE00007324	1564-290	32640	39440	72080	1	1-2	SINGLE FAMILY DWELLING

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Municipal Buildings and Facilities 0827015														
2	GIS_ID	ACRES	UNIT	ADDRNO	STNAME	STREET	STSUFFIX	PARCELID	DEED	LANDVAL	BLDGVAL	TOTALVAL	OWNER2	WARD_PREC	COMMENT
3	181-7	37.74815529		195	RIVER RD	RIVER	RD	RE00013547	5343-21	428630	796950	1225580	P W OPERATIONS CENTER	6-3	PW OPS
4	196-32	0.49626829		171	PARK ST	PARK	ST	RE00002283	1443-22	75000	2385900	2460900	POLICE STATION	5-1	PD
5	196-334	0.99585246		425	LISBON ST	LISBON	ST	RE00013725	5745-262	188480	3330600	3519080	PARKING GARAGE	7-1	PONTIAC PARKING
6	177-338	0.19414013		1046	LISBON ST	LISBON	ST	RE00006233	625-524	34500	108750	143250	LISBON STREET FIRE STATION	7-1	LISBON FIRE
7	207-67	0.27503657		85	PARK ST	PARK	ST	RE00010767	1183-109	44200	719300	763500	COURT BUILDING	3-1	DIST CT
8	149-94	15.14718518		389	WEBBER AVE	WEBBER	AVE	RE00006230	94-274	601130	2693700	3294830	(RESERVOIR)	7-1	WEBBER RES
9	146-36	0.18226245	REAR	192	RUSSELL ST	RUSSELL	ST	RE00000112	1733-75	100	0	100		2-1	JEPSON BK
10	196-65	0.45274194		255	BATES ST	BATES	ST	RE00006179	82-122	38850	360530	399380	COBURN SCHOOL	5-1	HEAD START
11	208-73	0.21052783		188	LINCOLN ST	LINCOLN	ST	RE00006236	12-233	72640	122640	195280	LINCOLN STREET FIRE STATION	7-1	FORMER LINCOLN ST FIRE STATION
12	196-183	6.08851528		103	ADAMS AVE	ADAMS	AVE	RE00006223	342-267	337500	971330	1308830	PUBLIC WORKS DEPARTMENT	7-1	PW
13	146-37	0.34558108	REAR	184	RUSSELL ST	RUSSELL	ST	RE00000172	1733-72	2280	0	2280		2-1	JEPSON BK
14	195-482	0.83215713		114	COLLEGE ST	COLLEGE	ST	RE00006188	1040-684	78750	711750	790500	CENTRAL FIRE STATION	3-1	
15	197-44	0.37701139		671	LISBON ST	LISBON	ST	RE00006279	2670-17	58700	150000	208700		7-1	UPPER A
16	144-98	17.46258134		532	EAST AVE	EAST	AVE	RE00006224	628-225	258700	15900	274600	RESERVOIR	2-1	MONTELLO RES ABANDONED
17	207-50	0.86405939		36	OAK ST	OAK	ST	RE00006194	1-393	82500	1047300	1129800	DINGLEY BUILDING	3-1	DINGLEY
18	90-85	0.22935832		976	SABATTUS ST	SABATTUS	ST	RE00006232	518-421	35500	231600	267100	SABATTUS STREET FIRE STATION	4-3	SAB FIRE SUB
19	172-156	0.44213978		14	DINGLEY ST	DINGLEY	ST	RE00009569	1621-255	25650	0	25650		2-1	JEPSON BK
20	146-33	0.60400723		348	EAST AVE	EAST	AVE	RE00006221	1012-659	25800	0	25800	JEPSON BROOK SEWER	2-1	JEPSON BK
21	194-102	0.51503424		20	CENTRAL AVE	CENTRAL	AVE	RE00009953	2070-70	54800	1161000	1215800		3-1	CENTRAL PS
22	207-137	0.93384159		62	CANAL ST	CANAL	ST	RE00010512	1429-87	183750	3058130	3241880	PARKING GARAGE	3-1	CENTERVILLE
23	207-101	0.12449626		208	LISBON ST	LISBON	ST	RE00006157	-	104100	726900	831000		3-1	LIBRARY
24	173-120	1.83066945		65	CENTRAL AVE	CENTRAL	AVE	RE00006193	320-78	281040	4463200	4744240	ARMORY	3-1	ARMORY
25	208-102	0.43810844		27	PINE ST	PINE	ST	RE00006237	12-327	51750	2539280	2591030	CITY HALL	3-1	CITY HALL
26	207-152	2.77150850		16	LINCOLN ST	LINCOLN	ST	RE00007574	4612-68	640000	3556800	4196800	PARKING GARAGE	3-1	LINCOLN ST PARKING
27	168-19	0.21744434		834	MAIN ST	MAIN	ST	RE00006205	687-137	29550	85800	115350	SUB FIRE STATION	1-2	MAIN FRE SUB
28	171-236	0.34406911		50	BROOKS AVE	BROOKS	AVE	RE00006218	983-32	23550	0	23550		1-2	JEPSON BK
29	207-51	1.32060129		1	OAK ST	OAK	ST	RE00006189	1041-617	235350	2798030	3033380	PARKING GARAGE & BUS STATION	3-1	OAK ST GAR
30	5-14	0.11476180		1477	SABATTUS ST	SABATTUS	ST	RE00008513	2509-179	22950	0	22950		6-3	SEW LS
31	208-81	1.21001444		29	CHESTNUT ST	CHESTNUT	ST	RE00013253	4245-270	210980	4561430	4772410	GARAGE	7-1	CHESTNUT ST GAR
32	190-1	0.00000000		19	TALL PINES DRIVE	TALL PINES	DR	RE00011226	-	0	9000	9000		1-1	SEW LIFT
33	126-25	4.95772563		55	FERRY RD	FERRY	RD	RE00013899	6191-149	100580	2790900	2891480		6-3	FERRY TANKS
34	207-100	0.44125337		200	LISBON ST	LISBON	ST	RE00012626	3477-154	138750	1575230	1713980		3-1	LIBRARY
35	156-7	186.63951803		424	RIVER RD	RIVER	RD	RE00006211	1006-258	1114350	424850	1539200	(LANDFILL)	6-3	LANDFILL
36	207-6	0.24955282		60	MAIN ST	MAIN	ST	RE00007205	2086-181	156300	904150	1060450	PUMPING STATION	3-1	MAIN ST PS

	A	B	C	D	E	F	G	H	I	J	K	L
1	Land In Conservation 08272015											
2	GIS_ID	ACRES	ADDRNO	STREET	STSUFFIX	PARCELID	DEED	LANDVAL	BLDGVAL	TOTALVAL	WARD_PREC	COMMENT
3	147-40	1.19385696	103	GENEST	ST	RE00008578	1931-56	51980	0	51980	4-1	ALT CONSERVATION EASE GARC BOG
4	147-39	1.15285432	102	GENEST	ST	RE00008577	1931-58	55500	0	55500	4-1	ALT CONSV EASE GARCELON
5	147-46	0.46242870	96	FENWICK	ST	RE00008581	1931-55	8000	0	8000	4-1	ALT CONSV EASE GARCELON
6	147-38	1.40313735	30	STEWART	ST	RE00008580	1931-59	60750	0	60750	4-1	ALT CONSV EASE GARCELON
7	147-47	0.22684516	87	GENEST	ST	RE00008575	1931-60	12900	0	12900	4-1	ALT CONSV EASE GARCELON
8	147-43	0.15734518	78	FENWICK	ST	RE00008573	1931-61	3000	0	3000	4-1	ALT CONSV EASE GARCELON
9	147-48	0.67565073	86	GENEST	ST	RE00008576	1931-57	30380	0	30380	4-1	ALT CONSV EASE GARCELON
10	120-36	8.69094929	85	PERLEY	ST	RE00007380	1082-679	8300	0	8300	4-1	ALT CONSV EASE GARCELON
11	16-4	41.34503956	140	BRADBURY	RD	RE00004384	-	102800	0	102800	6-3	ALT CONSV EASE
12	148-113	95.49637323	603	WEBBER	AVE	RE00006209	1310-36	430500	0	430500	4-1	ALT CONSV EASE GARCELON

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Vacant City Properties 08272015													
2	GIS_ID	ACRES	UNIT	ADDRNO	STREET	STSUFFIX	PARCELID	FULL_LOCAT	DEED	LANDVAL	BLDGVAL	TOTALVAL	WARD_PREC	COMMENT
3	60-11	1.37310322		1	ACORN	LN	RE00012465	1 ACORN LANE	-	24840	0	24840	4-3	
4	89-78	0.48912334		12	ANN	ST	RE00011558	12 ANN ST	-	16600	0	16600	4-2	
5	89-79	0.45057922		14	ANN	ST	RE00011559	14 ANN ST	-	16400	0	16400	4-2	
6	89-76	0.38712021		8	ANN	ST	RE00011557	8 ANN ST	-	15800	0	15800	4-2	
7	195-530	0.07808510		103	ASH	ST	RE00004447	103 ASH ST	4760-4	23300	0	23300	3-1	
8	196-173	0.11386579		192	BARTLETT	ST	RE00004475	192 BARTLETT ST	2376-7	21750	0	21750	5-1	
9	196-124	0.11240373		155	BARTLETT	ST	RE00002077	155 BARTLETT ST	8804-149	14320	0	14320	5-1	
10	195-445	0.23630712		114	BARTLETT	ST	RE00000956	114 BARTLETT ST	9027-117	22000	0	22000	5-1	
11	195-453	0.11676584		111	BARTLETT	ST	RE00007237	111 BARTLETT ST	-	19130	0	19130	5-1	
12	196-128	0.10987876		139	BARTLETT	ST	RE00001605	139 BARTLETT ST	8804-146	14320	0	14320	5-1	
13	196-253	0.04935724		293	BATES	ST	RE00005001	293 BATES ST	-	21000	0	21000	5-1	
14	27-5	0.13093694		35	BEECHWOOD	AVE	RE00005641	35 BEECHWOOD AVE	-	3900	0	3900	6-3	
15	196-74	0.11352214		154	BLAKE	ST	RE00008716	154 BLAKE ST	-	19130	0	19130	5-1	
16	196-81	0.06708588		186	BLAKE	ST	RE00008117	186 BLAKE ST	3528-45	22500	0	22500	5-1	
17	196-77	0.11285998		168	BLAKE	ST	RE00007304	168 BLAKE ST	-	19130	0	19130	5-1	
18	120-15	0.26723216		71	BRIGHAM	ST	RE00004562	71 BRIGHAM ST	-	1920	0	1920	4-1	
19	196-22	0.01574685		142	CANAL STREET	ALLEY	RE00007875	142 CANAL ST ALLEY	6356-56	7500	0	7500	7-1	
20	120-14	0.36266346		1	CARVER	ST	RE00003584	1 CARVER ST	-	2520	0	2520	4-1	
21	27-10	0.03141018		9	CERES	AVE	RE00007976	9 CERES AVE	1574-134	900	0	900	6-3	
22	207-77	0.56892545		46	CHAPEL	ST	RE00012370	46 CHAPEL ST	3246-78	38250	0	38250	3-1	
23	143-12	9.51590676		585	COLLEGE	ST	RE00011287	585 COLLEGE ST	7845-329	54300	13560	67860	2-1	
24	195-484	0.09773507		10	COLLEGE	ST	RE00005886	10 COLLEGE ST	8997-142	17040	0	17040	3-1	
25	150-39	0.11137685		10	COTE	ST	RE00007183	10 COTE ST	-	6500	0	6500	7-1	
26	149-48	12.87420858		76	COTE	ST	RE00006203	76 COTE ST	559-357	149930	0	149930	7-1	
27	44-21	0.20301673		43	CROWLEY	RD	RE00008155	43 CROWLEY RD	-	1600	0	1600	6-3	
28	147-41	0.24785581		69	FENWICK	ST	RE00008261	69 FENWICK ST	9017-235	3000	0	3000	4-1	
29	129-1	71.24613062	REAR	177	FERRY	RD	RE00004760	177 FERRY RD REAR	5673-343	36600	0	36600	6-3	
30	154-24	0.97084257		20	GENDRON	DR	RE00020235	20 GENDRON DR	8638-205	400	0	400	6-3	
31	179-23	7.82487020		142	GODDARD	RD	RE00006210	142 GODDARD RD	901-117	135000	0	135000	6-3	HART BROOK AND SEWER DOWN MIDDLE
32	63-136	2.80940962		32	GOODALE	ST	RE00006239	32 GOODALE ST	645-406	10200	0	10200	6-3	
33	63-133	2.33552711		31	HOMER	ST	RE00006275	31 HOMER ST	645-406	14200	0	14200	6-3	
34	91-236	0.46137928		1	JAMES	AVE	RE00006242	1 JAMES AVE	-	5900	0	5900	4-2	
35	119-226	0.07071748		12	JOHNSON	ST	RE00006252	12 JOHNSON ST	629-537	2600	0	2600	4-2	
36	151-171	0.11976502		68	JONES	AVE	RE00007807	68 JONES AVE	707-81	10080	0	10080	6-2	
37	63-134	0.46626950		71	KNOWLTON	ST	RE00006249	71 KNOWLTON ST	757-252	3000	0	3000	6-3	
38	63-127	1.15088380		54	KNOWLTON	ST	RE00012878	54 KNOWLTON ST	645-406	7700	0	7700	6-3	
39	63-125	1.10985062		42	KNOWLTON	ST	RE00006246	42 KNOWLTON ST	645-406	7500	0	7500	6-3	
40	63-129	0.69488401		88	KNOWLTON	ST	RE00006248	88 KNOWLTON ST	645-406	4200	0	4200	6-3	
41	63-128	1.36410709		70	KNOWLTON	ST	RE00006276	70 KNOWLTON ST	645-406	8600	0	8600	6-3	
42	207-158	0.06062450		39	LINCOLN	ST	RE00003386	39 LINCOLN ST	7442-279	21800	0	21800	3-1	
43	208-53	0.06193573		65	LINCOLN	ST	RE00009817	65 LINCOLN ST	4458-255	21750	0	21750	3-1	
44	208-51	0.20425217		75	LINCOLN	ST	RE00010470	75 LINCOLN ST	7603-13	35190	0	35190	3-1	
45	208-32	0.05949019		187	LINCOLN	ST	RE00000907	187 LINCOLN ST	-	23200	0	23200	7-1	
46	208-47	0.08190280		87	LINCOLN	ST	RE00003894	87 LINCOLN ST	7575-111	22500	0	22500	3-1	
47	208-31	0.05599750		191	LINCOLN	ST	RE00000906	191 LINCOLN ST	-	23200	0	23200	7-1	
48	208-48	0.02779811		85	LINCOLN	ST	RE00000789	85 LINCOLN ST	7827-192	20000	0	20000	3-1	
49	208-49	0.04656832	REAR	81	LINCOLN	ST	RE00000973	81 LINCOLN ST REAR	8097-281	15750	0	15750	3-1	
50	197-3	0.53580762		371	LINCOLN	ST	RE00006255	371 LINCOLN ST	1109-131	22830	0	22830	7-1	
51	208-110	0.05589755		327	LISBON	ST	RE00006109	327 LISBON ST	5737-307	21750	0	21750	7-1	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Vacant City Properties 08272015													
2	GIS_ID	ACRES	UNIT	ADDRNO	STREET	STSUFFIX	PARCELID	FULL_LOCAT	DEED	LANDVAL	BLDGVAL	TOTALVAL	WARD_PREC	COMMENT
52	208-112	0.04846372		317	LISBON	ST	RE00005811	317 LISBON ST	-	21750	0	21750	7-1	
53	208-111	0.06475022		323	LISBON	ST	RE00001292	323 LISBON ST	-	17160	0	17160	7-1	
54	208-106	0.06580123		343	LISBON	ST	RE00002802	343 LISBON ST	6356-53	29000	0	29000	7-1	
55	196-25	0.11022899		359	LISBON	ST	RE00007876	359 LISBON ST	6356-54	34000	0	34000	7-1	
56	196-330	0.04781067		498	LISBON	ST	RE00000908	498 LISBON ST	2954-162	29000	0	29000	5-1	
57	208-116	0.05739568		299	LISBON	ST	RE00004267	299 LISBON ST	-	17160	0	17160	7-1	
58	208-115	0.06593733		305	LISBON	ST	RE00004268	305 LISBON ST	-	20300	0	20300	7-1	
59	207-110	0.28387242		159	LISBON	ST	RE00001832	159 LISBON ST	9088-89	106450	0	106450	3-1	
60	196-24	0.06895786		369	LISBON	ST	RE00013815	369 LISBON ST	5798-184	22500	0	22500	7-1	
61	208-114	0.05450291		307	LISBON	ST	RE00009584	307 LISBON ST	3601-128	20300	0	20300	7-1	
62	196-26	0.04124160		355	LISBON	ST	RE00007873	355 LISBON ST	6356-56	29000	0	29000	7-1	
63	197-45	0.09869180		15	LOCUST	ST	RE00012078	15 LOCUST ST	-	72230	0	72230	7-1	
64	207-140	0.13231986		131	MAIN	ST	RE00009376	131 MAIN ST	3247-325	78080	0	78080	3-1	
65	207-4	1.06057589		1	MAIN	ST	RE00006220	1 MAIN ST	987-209	20250	0	20250	3-1	IN SZ
66	207-141	0.17491953		115	MAIN	ST	RE00008305	115 MAIN ST	4294-337	109730	0	109730	3-1	
67	207-143	0.36852870		103	MAIN	ST	RE00004784	103 MAIN ST	6090-94	126600	0	126600	3-1	
68	207-139	0.08683954		137	MAIN	ST	RE00009534	137 MAIN ST	5092-44	60230	0	60230	3-1	
69	207-138	0.00855011		143	MAIN	ST	RE00009156	143 MAIN ST	5092-43	12600	0	12600	3-1	
70	193-120	0.15591876		527	MAIN	ST	RE00006554	527 MAIN ST	1243-182	25580	0	25580	1-2	
71	196-275	0.16676047		45	MAPLE	ST	RE00006199	45 MAPLE ST	1066-449	22500	0	22500	5-1	CLAUDIA ROY PARK??
72	196-276	0.10313744		39	MAPLE	ST	RE00005557	39 MAPLE ST	6392-11	25500	0	25500	5-1	CLAUDIA ROY PARK??
73	207-12	1.90058471		6	MILL	ST	RE00006348	6 MILL ST	4176-185	478500	0	478500	3-1	
74	150-172	0.06826764		5	MITCHELL	ST	RE00006202	5 MITCHELL ST	1053-42	2000	0	2000	7-2	NOT DEVELOPABLE BROOK
75	118-2	0.56636566		349	MONTELLO	ST	RE00002062	349 MONTELLO ST	4108-155	25200	0	25200	2-1	
76	172-151	0.13644839		52	MORRIS	AVE	RE00006195	52 MORRIS AVE	1043-186	20330	0	20330	2-1	NOT DEVELOPABLE BROOK
77	32-11	4.35856324		64	NO NAME POND	RD	RE00008025	64 NO NAME POND RD	1679-313	41400	0	41400	6-3	
78	90-90	0.98982718	REAR	53	NORTH TEMPLE	ST	RE00006181	53 NORTH TEMPLE ST REAR	619-414	6600	0	6600	4-3	
79	86-10	52.96141178	REAR	496	OLD GREENE	RD	RE00006264	496 OLD GREENE RD REAR	-	37430	0	37430	2-1	
80	63-132	1.03651507		1	OSGOOD	ST	RE00006266	1 OSGOOD ST	645-406	6500	0	6500	6-3	
81	119-224	0.38358653		47	PAYNE	ST	RE00012338	47 PAYNE ST	710-355	4700	0	4700	4-2	
82	196-110	0.11692529		116	PIERCE	ST	RE00007152	116 PIERCE ST	9080-44	14320	0	14320	5-1	
83	196-111	0.11606796		122	PIERCE	ST	RE00008457	122 PIERCE ST	8893-334	14320	0	14320	5-1	
84	195-299	0.11766665		149	PINE	ST	RE00002634	149 PINE ST	7754-134	17040	4320	21360	5-1	LOTS TO GARDENS LOT?
85	174-457	0.15972325		348	PINE	ST	RE00011365	348 PINE ST	303-26	300	0	300	3-1	
86	177-124	0.15639774		120	PROSPECT	AVE	RE00006212	120 PROSPECT AVE	988-241	19650	0	19650	6-1	NOT DEVELOPABLE
87	63-139	0.86398257		2	REARDON	ST	RE00006240	2 REARDON ST	725-406	5100	0	5100	6-3	
88	63-140	1.87660575		12	REARDON	ST	RE00010228	12 REARDON ST	1641-239	12100	0	12100	6-3	
89	179-1	1.20383259		47	RIVER	RD	RE00011264	47 RIVER RD	1597-178	44100	0	44100	-	NOT MUCH VALUE HART BROOK
90	209-10	0.06631467		47	RIVER	ST	RE00002554	47 RIVER ST	-	6960	0	6960	7-1	
91	179-26	16.49448056		94	RIVER	RD	RE00010468	94 RIVER RD	4249-314	180830	0	180830	6-3	QUARRY
92	181-5	0.23957471		229	RIVER	RD	RE00001323	229 RIVER RD	5071-317	36900	63000	99900	6-3	PW OPS OLD HOUSE
93	156-1	2.49084608		521	RIVER	RD	RE00020304	521 RIVER RD	8678-85	6800	0	6800	6-3	IN SZ
94	209-16	0.03802987		48	RIVER	ST	RE00002553	48 RIVER ST	-	7000	0	7000	7-1	
95	90-89	3.52470988	REAR	986	SABATTUS	ST	RE00003504	986 SABATTUS ST REAR	294-13	3720	0	3720	4-3	PARTY IN POSSESSION
96	147-156	0.23413145		8	SPOFFORD	ST	RE00006576	8 SPOFFORD ST	1176-160	2640	0	2640	4-1	PARTY IN POSSESSION
97	193-42	2.60111937	REAR	237	SUMMER	ST	RE00006269	237 SUMMER ST REAR	26-203	23930	0	23930	1-1	POTTERS FIELD
98	195-512	0.05259565		24	WALNUT	ST	RE00005210	24 WALNUT ST	1332-327	21000	0	21000	5-1	



City of Lewiston
City-Owned Property

August 2015

PROPERTY DISPOSITION

1.0 Purpose

The purpose of this Policy is to provide guidelines for City staff to follow in handling and processing real property in the City's possession which is considered excess to the City's needs.

2.0 Policy

It is the City's policy to periodically review real property in the City's possession to determine whether retention, sale, or lease of such property is in the best interest of the City and to respond in a timely fashion to requests from private parties seeking to purchase or lease such property.

3.0 Determination of Willingness to Sell or Lease City-Owned Property

3.1 City Initiated Sale or Lease

3.1.1 The Planning and Code Department of the City will periodically review real property currently owned by the City but not in active use for municipal purposes to determine whether these properties should be retained or considered for sale or lease. Once properties have been identified for which there is no current City use, the Department will notify the City Administrator.

3.1.2 The City Administrator will then notify all Department Heads of the property or properties being considered for sale and offer them the opportunity to indicate any potential use or need their department might have for the property, including its potential for land banking against future uses.

3.1.3 After consideration of the responses of the various Departments, the Administrator will make a determination if the property should be declared surplus or retained for potential future use.

3.2 Private Sector Request to Purchase or Lease

3.2.1 All requests from the private sector for the purchase or lease of City property shall be directed to the City Administrator.

3.2.2 The Administrator shall notify all Department Heads of the request and provide them with the opportunity to identify any current or potential use which the City may have for the property.

3.2.3 After consideration of the responses of the various Departments, the Administrator will make a determination of whether the property should be declared surplus or retained for current or potential future use.

3.2.3 Once the Administrator has determined a property to be surplus, the Planning Board will be asked to review and make a recommendation on whether to proceed with its disposition. A recommendation from the Planning Board will remain valid for three years; however, should

PROPERTY DISPOSITION

circumstances change during this period, the Administrator may seek an updated review and recommendation.

4.0 Procedure for Disposition of Surplus Property – Substandard Lots

- 4.1 Vacant lots that do not meet minimum space and bulk standards for construction may, at the discretion of the City Administrator, be offered for sale or lease to abutting property owners. If one or more of these owners express an interest in the property, the City Administrator shall make a recommendation to the City Council on the disposition of the property.
- 4.2 The following factors will be considered in determining whether the property should be sold:
 - 4.2.1 The proposed sale price or lease rate, if any, as compared to an estimate of the value of the property prepared by the City Assessor;
 - 4.2.2 The proposed use of the property;
 - 4.2.3 The value of any proposed improvements to the property;
 - 4.2.4 The impact of the sale or lease of the property on the assessed value of the adjacent property in the same ownership; and
 - 4.2.5 The extent to which the sale or lease will support overall City policy in the area or neighborhood within which the property is located.

5.0 Procedure for the Disposition of Surplus Property – Potentially Developable

In instances where surplus property may be redeveloped or developed, that property may be marketed by one of a number of methods based on the nature and estimated value of the property and any specific plans or policies which development of the property might either further or hinder. The following methods may be used to market the property, including a combination of two or more.

- 5.1 **Request for Proposals.** The City may use a Request for Proposals process. This process is generally best suited to significant development parcels for which the City has specific expectations as to the nature, type, and value of the anticipated development.
- 5.2 **Real Estate Broker.** The City may contract with a real estate broker to find a buyer. This method may be most applicable to individual properties or groups of properties that the City is seeking to redevelop or develop for a specified purpose such as single family housing and/or multi-family housing renovation.
- 5.3 **Formal Bid.** The City may advertise for formal bids. This method may be most applicable in instances where the City believes that multiple parties may be interested in the property and the nature of the development or redevelopment is such that the City does not anticipate placing additional restrictions on what is to happen on the property after its sale.
- 5.4 **Self-Brokerage.** The City may employ a sell by owner approach. This would generally be applicable to situations such as the sale of individual lots within a residential or commercial subdivision.

PROPERTY DISPOSITION

- 5.5 Direct Negotiation.** Where alternative methods have failed to produce an acceptable sale and/or in instances where the City has been directly approached by an individual or organization with a proposal that matches or exceeds the City's expectations for development on the parcel, the City may entertain direct negotiations with a private party who expresses interest in purchasing a property.
- 5.6** The City Administrator shall recommend to the City Council the disposition method or methods to be used at the time the Council is asked to approve disposition of the property.

6.0 Council Approval of Disposition

- 6.1** The final decision to accept a bid, proposal, or offer to purchase City-owned property must be made by the City Council.
- 6.2** The normal process for transferring a city-owned property will be by way of municipal quitclaim deed. Warranty deeds may be approved in instances where such action is recommended by the City Administrator for good and reasonable cause.



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Current Listing

Offers due September 8, 2015 at 10:00 A.M.

Restricted to sales for owner-occupancy

These homes are exclusively opened to owner-occupants only for the first 30 days.



Extended Listing

Open to all bidders unless otherwise noted

*Offers may be submitted at any time. Investor owners must possess or obtain **Landlord Training Program** certificate as a condition of closing.*

Your Path to Homeownership in the City of Milwaukee

1. Contact any **Wisconsin licensed Real Estate Broker** to assist you in the purchase process.
2. Ask the broker to call us at (414) 286-5730 to arrange for access to the property. Complete a thorough inspection of the property to familiarize yourself with the features of the home and to determine the extent and cost of needed repairs. Seek qualified help if necessary.

Please note the following applies to all offers submitted:

When so called "sweat equity" is involved on the rehab costs portion of the bid, a **Modified Scope of Work** needs to be submitted by the prospective buyer that deducts the estimated sweat equity labor and materials value from those listed on the scope of work provided by the City. The necessary qualifications/certificates/licenses for sweat equity work need to be submitted as well.

For example, if the City's scope of work estimates rehab costs at \$6,000 and the bidder estimates that sweat equity labor and material value equal \$1,000, then bidder would deduct the \$1,000 sweat equity from the \$6,000 total estimated rehab to get to an adjusted \$5,000 for estimated rehabilitation.

Also, in evaluating similar and competing bids, the City reserves the right to select offers in which licensed and/or certified vendors are utilized to complete the items identified on the scope of work. Furthermore, the Real Estate Department has the discretion to select offers in which it is deemed most likely that the work will be completed to building code standards in a timely manner.

Accepted offers will be evaluated on total investment. In evaluating and analyzing competing bids, the City adds the bidder's purchase price plus the bidder's estimated rehab costs to get a total investment number. Bids are compared against each other by comparing the total investment number from each bid.

3. Have your broker complete the **City of Milwaukee - Offer to Purchase** and submit it to us on your behalf.

If your offer is accepted, you should apply for financing immediately. Keep in mind that you must make the property code compliant after closing. Budget for the unexpected because buying and fixing up an old house oftentimes has its pleasant and unpleasant surprises.

General Buyer Policies

Offers to Purchase will be rejected from any party (as an individual or as part of an entity) who:

Is delinquent in the payment of any property tax, special assessment, special charge or special tax to the City of Milwaukee.

Has outstanding judgments from the City or if the City acquired property tax-foreclosure judgment.

Has outstanding health or building code violations or orders from the City's Health Department or Department of Neighborhood Services that are not actively being abated.

Has been convicted of violating an order of the health department or department of neighborhood services within the past year.

Owned property in the city that, at any time within the past 5 years, the city acquired by means of property-tax foreclosure. *Applies to any ownership group or LLC of which any prospective buyer has been a member.*

Has been convicted of a felony determined by the commissioner to reasonably cause neighborhood or community concern with respect to neighborhood stability, health, safety or welfare. In making this determination, the commissioner may consider factors such as the nature of the crime, the date of conviction and the existence and nature of community impact and complaints.

For additional information and assistance:

Wisconsin Realtors Association

[Greater Milwaukee Association of Realtors](#)
[Find a lender](#)
[Interest rates](#)
[WHEDA - Wisconsin Housing and Economic Development Authority](#)
[NIDC - Neighborhood Improvement Development Corporation](#)
[NARI - National Association of the Remodeling Industry](#)
[This Old House](#)
[\\$500 ROOTS Landscaping Incentive](#)
[Homebuyer Assistance Program - \\$20,000 forgivable loan](#)
[Me² Milwaukee Energy Efficiency Program \(low-interest loans for energy improvements\)](#)

Broker Information

If you are a licensed broker or sales person, broker fees are the greater of \$1,500.00 or a full 6% commission on residential property and 10% on commercial property.

Call 286-5730 for information on how to access the property
Show the property to the perspective buyer
Submit [City of Milwaukee - Offer to Purchase](#) to 809 N. Broadway, Milwaukee, WI 53202 or fax to (414) 286-0395
Collect the \$750 earnest money and hold in Broker's Trust Account
Receive and forward a copy of the accepted offer to the buyer
Assist the buyer with locating financing
Forward verification of funds for purchase and rehabilitation to city
Assure closing happens within 45 days of acceptance of the offer or earnest money is forfeited
Offers may be extended for ONLY one 30-day period upon submission of a \$250 extension fee
Do a final walk through the day of closing
Remove the City's lockbox or padlock and turn it in to 809 N. Broadway
Lost or additional City keys \$2.50



Contact Us

Real Estate
809 North Broadway
Milwaukee, WI 53202

(414) 286-5730

[Residential Properties](#) (414) 286-5805

Keith Bailey kbaile@milwaukee.gov



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Offers may be submitted at any time

All properties are offered for sale in an "AS IS" condition, at time of closing

Buyers are required to bring property into building code compliance immediately after sale

Note: O/O indicates sale for owner occupancy only

- Eligible for Community Based Organization (CBO) \$1 sale
- ♦ City financing requires Aldermanic approval

PROPERTY PHOTO



ADDRESS

Note: Scope of Work are Adobe pdfs
 3061 North 1st Street
Foundation specialist required
 Scope of Work

TYPE

Duplex

BDRMS

4

BATHS

2

ASKING PRICE

\$ 4,400.00



3260 North 5th Street
 Scope of Work

Single Family

4

1

\$ 4,160.00 •



3714 North 6th Street
Scope of Work

Duplex

4

2

\$ 4,500.00 •



3555 North 9th Street
Scope of Work

Single Family

5

2

\$ 6,900.00 •



3058 North 10th Lane
Scope of Work

Single Family

2

1

\$ 4,000.00 •



2740 North 10th Street
Scope of Work

Single Family

3

1

\$ 9,200.00



3031 North 10th Street
Occupancy permit required
Scope of Work

Duplex

4

2

\$ 3,900.00



2537-39 North 11th Street
Occupancy permit required
Scope of Work

Multi-Family

6

2

\$ 4,000.00 •



3342 North 12th Street
Scope of Work

Single Family

3

1

\$ 5,000.00 •



3359 North 12th Street
Scope of Work

Duplex &
Single Family

6

3

\$ 4,500.00



3436 North 12th Street
**Includes vacant lot at
3434 North 12th Street**
Scope of Work

Single Family

3

1

\$ 5,000.00 •

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

Executive Summary

In June 2014, the City Council established the Committee to Review Public Works' Service Level Standards and charged it with the following mission:

- Establish acceptable service level baselines (Bench Marks) for the Department of Public Works;
- Review current staffing levels, organizational structure, and equipment to determine its adequacy to meet those baselines/bench marks or other service levels;
- Once the above bullets are completed, review/evaluate whether further review is warranted; if so, then proceed to:
 - Identify investments in personnel, equipment or technology that could be made to enhance or improve departmental efficiency and effectiveness in meeting the service level baselines;
 - Review current customer service system to evaluate its ability to adequately track and monitor citizen service requests;

The Committee is composed of 7 voting members: City Councilors Donald D'Auteuil and Shane Bouchard and public members John Butler, Richard Desjardins, John Gendron, Gary St. Laurent, and Paul Robinson. Staff support to the Committee was provided by City Administrator Ed Barrett and Public Works Director David Jones plus key management personnel of the Public Works Department. The Committee began meeting in December 2014 with the goal of completing its tasks in time for the City Council to consider its recommendations during the FY16 budget process. The Committee met biweekly, resulting in this final report.

Recommendations the Committee suggests the City Council consider include:

1. Contracting for up to four (4) winter operations plow routes using multi-year contracts;
2. Contracting for Downtown Snow Removal to address increased service to businesses on Lisbon, Main, and Park Streets;
3. Contracting for summer mowing for City owned properties except for athletic fields, the Public Works Complex, Operations Center, Armory and Solid Waste Facility;
4. Standardize the Public Works fleet of vehicles and equipment to the greatest extent possible;
5. Support and fund the construction of a Wash Rack for vehicles and equipment to meet regulatory needs and extend life expectancies for vehicles and equipment;
6. Replace the Unit 803 a (2004) Jacobson Field Mower with two (2) 72" ExMark Zero Turn Mowers with bagging units.
7. Move the Aquatic Program from the Recreation Activity Fund to the City's General Fund;
8. Seek additional revenues for recreation programs via advertising on field fences and other sources;
9. Adoption of the Pay As You Throw (PAYT) system for Solid Waste;
10. Support and fund infrastructure improvements for water, sewer and stormwater utilities to address aged infrastructure even if this requires utility rate increases;
11. Support a street condition inventory to assist in critical decision making in prioritizing road and sidewalk improvement/repair projects
12. Continue the Public Works Committee as an Ad hoc Committee for two (2) years to meet between August and December to continue to review Department operations and review budgetary needs and issues.

Additional details and explanatory information is available for each of these recommendations in the report.

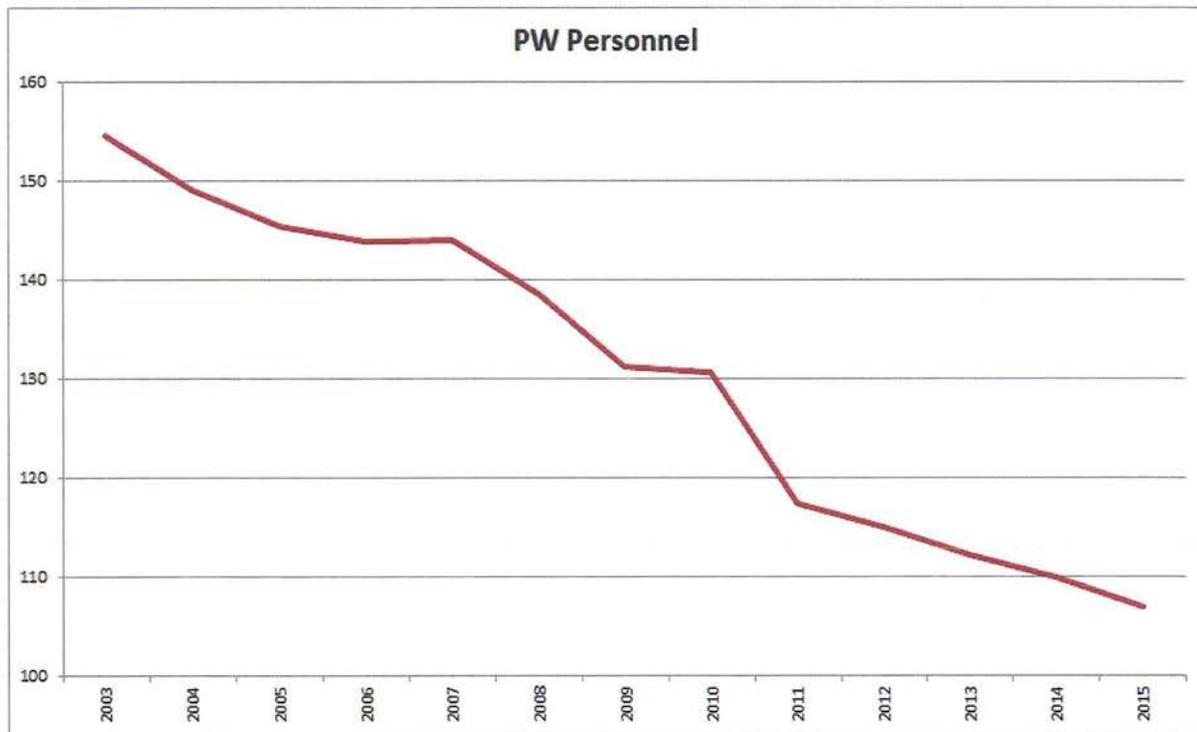
REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

I. PUBLIC WORKS STAFFING

Total staffing for the Department of Public Works has declined from a high of 154.5 in FY03 to 107 in FY15, a reduction of 31%, primarily as a result of significant city-wide budget and staffing reductions. A departmental organization chart can be found in Appendix A.

PW Personnel by Fund Source													
Budget	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Public Works	107.75	101.5	101.5	100	98.7	93.7	95.2	94.7	84.7	83.65	80.75	79.75	78.575
Water*	19.625	19.625	18.925	18.925	19.125	18.465	17.99	18	16.7	17.2	17.2	16.07	17.225
Sewer*	12.125	12.125	10.925	10.925	11.125	10.365	9.99	10	10	8.2	8.2	8.2	8.225
Stormwater*	0	0	0	0	0	0	0	0	0	0	0	0	0
Recreation	15	15.75	14	14	15	16	8	8	6	6	6	6	3
Total	154.5	149	145.35	143.85	143.95	138.53	131.18	130.7	117.4	115.05	112.15	110.02	107.025

* Does not include personnel from Finance (billing and accounting), MIS, Treasurer or other overhead personnel



The Department has been able to mitigate the impact of these cuts through enhanced cross-utilization of personnel from various areas to address priority needs by, for example, using utility, recreation, and, most recently, building maintenance personnel during snow events, the transfer and consolidation of certain back office functions to the Finance Department, and selective reductions in service levels, such as the lengthening of plow routes which occurred in FY11.

The Committee takes special note that the consolidation of various functions into a single department (Public Works, Water, Sewer, Stormwater, Building Maintenance, and Parks Maintenance) has been essential in allowing the department to adapt to severe personnel reductions. Such consolidation should be maintained into the future.

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

SUMMER AND WINTER STAFFING

Historically, most municipalities allow Public Works Staffing to be driven by winter maintenance requirements. In order to have adequate forces to handle snow emergencies, such municipalities "staff up" for the winter and effectively overstaff for summer work.

Both Committee Members and City staff involved in this review assumed that Lewiston was following that practice. As a result, the Committee began investigating the potential for contracting out a portion of winter maintenance responsibilities, such as certain plow routes, to bring full time staff into line with summer demands.

To check this assumption, the Committee requested that staff undertake an analysis of peak summer workload to determine if and the extent to which summer overstaffing was occurring.

The summer responsibilities of two separate groups within the department, Highway and Tree and Open Space, were analyzed. Highway non-snow assignments are shown in Appendix B organized by non-winter months. This analysis shows that the total number of employees needed to address all services from April through early November averages 33 with a high of 40 and low of 28. The current number of Highway employees available for this work is 24. In addition, the Department limits vacations during the winter months, resulting in most vacation or compensatory time being used during the summer, further reducing the average number of staff available.

This analysis indicates that rather than being overstaffed in the summer, we are effectively understaffed and unable to address all required work. For example, we may not be completing all ditching, bridge maintenance, or Stormwater duties.

In addition to Trees and Open Spaces, the second group of employees is also responsible for highway signs and markings. These assignments are shown in Appendix C. Between April and October, this Division's workload requires an average staffing of 20 where 13 employees are available. Some of the division's work is not being regularly addressed while other work is being done through the use of temporary summer employees who help with mowing, weeding, planting and maintenance for recreational activities, including support buildings, fencing, game prep and turf maintenance.

These results came as a surprise to both the members of the Committee and city staff. The increased requirements for non-snow related assignments (mowing additional areas, greenspace landscaping maintenance, increased number of lane markings, regulatory requirements associated with Stormwater, and so on), in conjunction with the staff reductions outlined above, have changed the workload mix.

The Committee concluded that Public Works staffing is no longer driven solely by winter operations.

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

ADDITIONAL USE OF CONTRACTED SERVICES

The Committee's analysis of the potential for contracting for additional services now performed by Public Works was initiated at the point where the Committee was of the belief that winter maintenance drove required staffing levels. Under that assumption, as attrition among the full-time workforce occurred, contractors would fill the winter gap until the summer minimum was reached. As explained above, the assumption of excess summer staffing was not found to be correct. Nevertheless, the Committee explored the potential of additional contracted services for winter plowing, downtown snow removal, and summer mowing.

Winter Plowing

Prior to FY11, the City contracted for a number of plow routes. That practice ended due to budget restrictions which resulted in city operated plow routes expanding to eliminate the cost of contracting.

For the contracting analysis, four current plow routes were identified and each of the two contractors on the Committee was asked to estimate what they would charge for handling two of the routes. For comparative purposes, the City's actual costs for plowing these routes were compiled by Public Works. The City's actual costs for plowing were in line and competitive with the costs proposed by one contractor and less than those of the other. The Committee determined that contracting for plow routes would be the preferred method for increasing the City's current level of service, if desired, or of addressing additional plowing workload should lane miles increase in the future. By doing so, it would provide the Department with more flexibility for addressing shortfalls of personnel on the B-Team, allow more personnel coverage to offset injuries, sick leave, and vacations, and allow personnel to be assigned to more quickly and effectively cover sidewalk clearing operations.

The Committee suggests the City Council consider contracting for four (4) plow routes with an estimated cost of ~\$45,000-\$50,000 annually. This would increase existing service levels and the cost would be a budget increase; however, this increase would be offset over time by reducing the cost of replacing existing equipment, lower fuel costs, and eventual attrition of personnel. The Committee further recommends the contracts be for a minimum of 3 years with 2 additional option years. This will create more interest in the contractor community and allow them to better amortize needed equipment investments to provide these services.

Downtown Snow Removal

Downtown snow removal has become a greater issue in recent years with the redevelopment that has occurred along Lisbon Street. At the present time, the City does not routinely remove snow until a significant build up has occurred along downtown curb lines. Downtown businesses have been requesting a higher level of service, noting that the presence of snow banks is a disincentive to customers and a safety hazard. In addition, contracting for this service would relieve City crews from the work, allowing them to focus snow removal efforts on other areas of the City. Contractors were again asked to estimate what they would charge for this service and City staff compiled information on what it costs the City. One contractor proposed a price substantially higher than the City's actual costs. The second, while more competitive, was based on the City providing the snowblower and operator.

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

The Committee determined that the City should consider contracting for this service in order to provide a higher level of service in support of downtown redevelopment and existing businesses and to free City crews to concentrate on other areas. The Committee recognizes, however, that this would result in a net budget increase.

Summer Mowing

In addition to traditional open spaces, the number of locations that the City must mow in the summer has increased in recent years as the City has demolished buildings and acquired smaller lots at scattered locations (see Appendix D). While the Committee felt it was appropriate for the City to continue to mow and maintain athletic fields due to their special requirements and the Public Works Complex, Operations Center, and Solid Waste Facility since they are directly managed by the Department, it was interested in potentially contracting mowing for other City spaces. A private contractor was asked to provide an estimate for this service. Here again, city costs were in line with the private contractor estimate.

Based on staff estimates, contracting this function could allow us to reduce our summer temporary help by 3 and reallocate 2 regular employees to other duties where we are not currently keeping up with requirements. It is clear that the department is not able to provide the preferred level of mowing service to all City properties, resulting in unkempt appearing vacant lots and green space areas. The City should consider contracting for additional mowing services to improve the appearance of the City. This would, again, be a net budget increase, with a cost range of ~\$80,000-\$85,000 being somewhat offset by ~\$15,000 in savings from elimination of the temporary help (net increased costs of \$65,000-\$70,000).

Overall Staffing Levels

The Committee concluded that current staffing levels are likely inadequate to meet the service requirements of the Department. The Committee did not feel it were in a position to evaluate efficiency or workload productivity and is not comfortable making recommendations for changes. Where service levels fall below acceptable levels, the City should contract for services from the private sector. This would allow service improvement while restricting the additional and/or intermittent costs associated with employees, particularly benefit costs and workers compensation costs (where the City is self-insured).

Prioritizing Work

Given staffing limitations and the inability to accomplish all required tasks in a reasonable time frame, it is essential that the work of the department be prioritized to ensure that the critical is not neglected to simply address the squeaky wheel. One clear example is the time and cost devoted to Christmas decorations. Thirty-six employee weeks are devoted to putting up and taking down these decorations. In addition, two lift trucks must be rented for at least six weeks. Overall, the total cost for this task approaches \$17,000 (labor and equipment costs). While the end product is aesthetically pleasing and welcoming, the Committee questions whether this justifies the cost and time involved. Alternative decorations that are less expensive to install should be explored and implemented. Other examples of

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

non-required tasks include winter plow damage to private property and mailbox replacement. At the same time that resources are devoted to these tasks, the City has not been undertaking the required inspections and maintenance of City-owned bridges. These structures will deteriorate more rapidly without regular maintenance and bridge repair may become bridge replacement at a much higher cost. Other workload (road inspections, ditching and road shoulder maintenance, etc) is not receiving the needed attention, and the Committee may be able to assist the Department in prioritizing workload in the future.

The Committee discussed one other staffing concern – the age of the Public Works workforce. As the size of the Department has decreased and positions have been eliminated, employees with seniority have largely been protected. In addition, the City has historically benefited from relatively low employee turnover. This has produced a situation where the average age of Public Works employees is in the 50's, resulting in a knowledgeable workforce, but a workforce that is facing significant turnover in the next five to ten years and one which is, perhaps, less suited to the hard physical labor often required. While there may be no simple solution, the Council should be aware that it is an issue and explore potential options to address it. One major issue facing many older employees who might otherwise wish to retire is health insurance. Since Medicare is not available until an individual reaches the age of 65, we suspect that many employees continue to work out of necessity rather than choice. Finding a way to address this issue might provide employees with an incentive to retire, reducing both the City's health insurance and workers compensation exposures.

II. PUBLIC WORKS EQUIPMENT

Equipment Standardization. The Department suffers from a lack of standardization among its core vehicles and equipment. The presence of numerous makes and models of plow vehicles, for example, results in additional costs and downtime. Different parts must be stocked for different vehicles; automated diagnostics can require separately purchased equipment or software; mechanics must be trained on various pieces of equipment; the more variety in the fleet, the less familiar and efficient will be the mechanics who service it. The Committee recommends that efforts be made to standardize the Public Works fleet to the greatest extent possible. In an ideal world, the City would select one major vendor for each of its major categories of equipment. Recognizing that such standardization may be difficult for a public body that purchases on the basis of low bid, the Committee urges staff and the members of the City's Finance Committee to take costs other than simple purchase price into account when making purchasing decisions. At a minimum, this should include any additional costs associated with diagnostic equipment and software, mechanic training, and additional parts inventory requirements.

New Versus Used or Shared Equipment. Given the range of activities in which the Department is involved, it requires a wide variety of specialized equipment. Some of this equipment is not used constantly, but is required for only certain tasks or at certain times of the year. In addition, some of this equipment can be quite expensive. When specialized equipment is replaced, especially if it is an expensive item, the Department should carefully review: (1) the continuing need for the equipment;

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

(2) whether its level of use supports buying a new or used unit; and (3) whether it is possible to share the use of the equipment with another government or organization.

The Department has been doing this in the past. For example, it has gone from three graders to one, replacing two of the units with plow trucks that are less expensive to purchase and to operate. It should continue doing this.

Purchasing used can be advantageous for needed equipment that, while cost effective to own, is not heavily operated. For example, the dozer used at the snow dump and City quarry recently suffered a major mechanical failure. Given that this unit is over 25 years old, the cost of the repair exceeds its value. The unit, however, is not used heavily. While needed during the winter at the snow dump and the summer at the quarry, the current unit has lasted beyond its life expectancy. As a result, it would be appropriate to replace it with a good quality used unit.

Equipment Sharing. Similarly and when possible, the potential of sharing specialized equipment with neighboring communities should also be considered. While this may be difficult given that specialized equipment frequently is in demand at the same time, it may be another option in certain specialized cases.

Fleet Utilization. Fleet utilization should be closely monitored. The goal should be to put the highest possible miles or hours on a unit before rust and environmental degradation take their toll. If a unit such as a pickup truck is not meeting utilization goals, it should be transferred to a function with higher utilization. Depreciation costs are consistent, whether a vehicle survives 50,000 or 100,000 miles. The fleet should be actively managed to minimize per mile or hour depreciation.

Fleet Replacement. Due to limitations on replacement funds in recent years, the department's fleet is aging. In some key areas, average fleet age exceeds the midpoint life expectancy as shown by the following examples:

Vehicle Type	Average Fleet Age	Life Expectancy
Backhoes (3)	18	15-20
Skid Steers (3)	18	15-20
1 Ton Dumps (7)	10.4	10-12
¾ Ton Pickups (7)	8.5	10
6 Wheel Dump Trucks (13)	8.8	12-15
10 Wheeler Dumps (5)	9.8	12-15
Towable Air Compressors(4)	19	20
Street Sweepers(4)	12.2	15
Sidewalk Tractors	9.8	10

In virtually every category of equipment, average fleet age now exceeds the midpoint life expectancy, in some cases by a considerable margin. This results in more frequent breakdowns, lower productivity, and higher maintenance and repair costs. In addition, as the fleet becomes less reliable, there is a tendency to retain older vehicles when newer units are purchased to provide additional backup for

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

breakdowns. This is a natural response to the situation, but it addresses a symptom, not a problem, and increases overall operating costs.

Elimination of Sole Purpose Sanders. Historically, the department operated a separate fleet of salt/sanding vehicles that were not capable of plowing. Several years ago, a decision was made to eliminate these units and replace them with combined units capable of plowing. The Committee supports this change. The City can no longer justify a single purpose unit to salt and sand because such units reduce operator availability for covering plow routes. At its peak of six such units, six equipment operators were unavailable for plowing. Given the restrictions on staffing and the limited availability of operators to continue work after the first sixteen hours of a storm, this can no longer be justified. Replacing these units with combined units allows all vehicles to plow, removes situations where miscommunications result in recently salted/sanded areas being plowed, simplifies storm management, and allows for increasing the number of salt/sand plow units to ensure quicker response early in storms allowing for the creation of a salt brine surface and preventing snow/ice adherence and to handle storms which do not reach the level to require plowing.

Wash Rack. Public Works currently has only limited ability to wash its vehicles, especially during the winter when corrosive conditions are at their worst. The ability to thoroughly wash undercarriages is lacking. This leads to vehicle deterioration and higher repair and maintenance costs. The Department should have access to a vehicle wash facility to address this shortcoming. This need not be owned and operated by the City; however, if no other option is available, the City should establish such a facility, perhaps in conjunction with others, and/or charge for others to use it.

GPS Units in Vehicles. The City should consider equipping its Public Works fleet with GPS units and the associated technology that would allow supervisors and manager to closely monitor the department's vehicles. While this would clearly be helpful during storms when areas needing attention could easily be identified, it could also be helpful in modifying plow routes to equalize runs, tracking areas of the City that have been swept in the spring, and, potentially, providing citizens with access to where plow vehicles are during storms. At a minimum, the department should fully explore this option and evaluate the benefits that departments' currently using this technology have seen.

Mowing Equipment. The Department's FY2016 LCIP for Equipment Replacement included a request for \$63,500 to replace Unit 803 a (2004) Jacobson Field Mower used for athletic field maintenance. The Committee suggested this be replaced by purchasing two (2) 72" ExMark Zero turn mowers with bagging units for ~\$21,600 each.

III. Recreation Division

The Committee did not spend a great deal of time evaluating the Recreation Division since recreation largely falls outside of the Committee's primary areas of expertise. In discussion with staff, however, the Committee forwards the following recommendations.

Fees Should Cover Program Costs. The Recreation Division offers a wide range of recreation programs for individuals of all ages. In recent years, the fees charged for these programs or otherwise generated by the division have not covered the expenses of these programs. The division should work diligently toward the goal of covering program expenses from revenues, with the sole caveat noted below. Toward this end, the division should be encouraged to become more entrepreneurial, pursue new programs that will generate sufficient revenues to cover shortfalls in other areas, and expand its

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

efforts to attract participants through a greater use of social media and other mechanisms, including closer cooperation and coordination of the Division's efforts with those of the City of Auburn. The Committee understands that this effort is now underway and encourages it to continue. Additionally, the Committee suggested other revenues sources such as advertising on field fences and other venues be considered to generate more revenue.

Aquatic Program. The one program where fees cannot cover expenses is the aquatic program at Kennedy Park. Since this program is seasonal and relatively high cost in comparison with others of the division and given its limited ability to generate revenue, the Committee recommends this program be moved from the Recreation Activity Fund to the General Fund. The presence of this program in the recreation activity fund distorts this fund's bottom line and obscures the goal of covering all other program costs through fees.

IV. Solid Waste Division

Historically, the City has been able to provide municipal solid waste collection and disposal services at a comparatively low cost to the taxpayer due to revenues generated by the City's landfill, a lease between a city development corporation and a firm that processes wood and bulky waste under which the city is permitted to dispose of a significant quantity of such waste at no cost, and certain fees, including charges for collecting waste from certain multi-family properties and miscellaneous revenues at the landfill. Over the period from 2004 through 2014, solid waste collection and disposal has cost the taxpayers between \$870,000 and \$1.65 million per year.

For purposes of this analysis, the figures presented represent those from FY14, the last year for which complete annual data is available.

For FY14, solid waste collection and disposal cost the City \$1,260,000 after taking into account revenues from all sources. The primary reason that Lewiston's costs are so low is the ash for trash program. In FY14, it cost Lewiston \$457,000 to dispose of its solid waste at the MMWAC incinerator in Auburn at a tipping fee of \$42 per ton. Note that this tipping fee is significantly below the market rate for disposal of waste at MMWAC, other such facilities in the state, and landfills. Revenue from accepting the ash from MMWAC totaled \$576,000 in the same year.

Other major costs of the system include: solid waste collection (\$543,000); recyclable collection (\$199,000); and debt service associated with the solid waste facility (\$490,000).

Other system revenues include: multi-family collection fees (\$324,000); sale of punch passes (\$50,000); and fees for accepting certain bulky wastes (\$12,500).

Solid Waste management in Maine is approaching a crossroads. Incineration, the major alternative to landfilling in Maine, is and will continue to be challenged financially as long term advantageous energy contracts have or will soon terminate. The incinerator in Biddeford recently closed. Communities in the Bangor area are seeking alternatives that could result in the closure of that facility. MMWAC, which has already lost its energy contract, is facing a significant financial challenge and is poised to raise rates to its member community owners by about 40%. The City's current agreement with MMWAC expires in 2017 and we anticipate that it will be seeking higher tipping fees for our solid waste.

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

At this point, it is not clear that the remaining incinerators in the state will be able to effectively compete long-term with the cost of landfilling, especially at the point where incinerators face significant capital costs for upgrades or major maintenance.

Should MMWAC close, we will lose our current ash for trash arrangement. Under it, the revenue we receive from accepting ash exceeds our disposal costs. Should we lose the MMWAC option, disposing of our current 11,000 annual tons of residential waste will require that we either reopen our solid waste facility for such materials, at a significant cost, or transport to another landfill where tipping fees are in the \$80 per ton range. With transportation, this could increase our solid waste costs by roughly \$1,000,000 per year.

Similarly, the Re-energy recycling facility for wood and bulky waste is also financially challenged. Most recently, the recycled wood produced by this facility lost the renewable energy credits previously available to it. (Such credits are now restricted to green wood.) In addition, the market for metals, a by-product produced at this facility, has fallen by 40% in recent years. Losing this outlet could increase our costs for disposal of these materials substantially.

Finally, the City's current recycling rate, which is barely above 10%, is significantly below the state goal of 50%. This low recycling rate:

- Increases the tipping fees paid by the City for waste disposal,
- Underutilizes the recycling system we provide, and
- Does not contribute to the environmental benefits of recycling or the economic benefits associated with the recently opened materials processing facility at our Solid Waste Facility.

Given the current unrecovered costs associated with our system and the potential for significant additional costs in the future, the Committee reviewed the Pay as You Throw proposal under review by the City Council. Under a PAYT system, residents would purchase garbage bags that then must be used for disposal of their solid waste.

Based on preliminary budget figures for FY16, a PAYT program which produces roughly \$1 million in revenue and \$200,000 in savings on MMWAC tipping fees would allow the solid waste system to be operated as an enterprise fund and remove solid waste expenses from the City's General Fund budget.

It would also:

- Increase overall equity by moving everyone to a system in which they pay for the cost of collecting and disposing of solid waste
- Reduce energy use and greenhouse emissions through enhanced recycling
- Simplify the administration and oversight of the current program by eliminating the City's multi-family charge for service system.
- Allow MMWAC to replace the waste we reduce with other waste for which a higher tipping fee is charged, improving that facility's financial situation
- From the point of view of the taxpayer, move the cost of solid waste from an uncontrollable expense, where individual actions have no or very limited ability to effect the actual amount paid, to a controllable expense where individual actions can reduce costs, similar to the ability to control energy costs through conservation efforts or gasoline costs through choice of vehicle. While initially resistant, residents and councils in other communities have come to embrace PAYT with few if any programs discontinued.

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

Impact Tax Rate/Taxes

Using the current year (FY15) budget, instituting a PAYT system would have reduced the City's tax rate by 64 cents per \$1,000 of assessed property value. A home assessed at \$100,000 would have saved \$64 in taxes; one at \$150,000 would have saved \$96; at \$200,000, the savings would have been \$128.

Assuming 30 gallon bags were to be priced at \$2 and a homeowner used one bag per week on average, the cost for that homeowner would be \$104 per year. Under this scenario, the "break even" point for a single family homeowner would be at properties valued at \$162,500. Homeowners who averaged less than one 30 gallon bag or who disposed of just one 15 gallon bag per week could significantly reduce their disposal expense.

Greater savings are not available to homeowners under this program due to the extent that city residential collection and disposal costs are underwritten by property taxes paid by commercial, industrial, and multi-family properties that now pay property taxes but do not receive city solid waste services.

Nevertheless, the Committee recommends that the PAYT system be adopted for the range of reasons outlined above.

V. Miscellaneous Recommendations

Collective Bargaining Agreements. As an employer, the City should strive to create a positive labor/management relationship. The City should pay fair wages and provide benefits comparable to those of the local private sector. Members of the Committee have limited experience regarding collective bargaining and union contract issues. The Committee did, however, review the major provisions of the contract covering the largest group at Public works and would note for the benefit of the Council the following observations.

In some areas, the benefits provided to municipal employees exceed those provided by the private sector. This is particularly the case in regard to health benefits where the City offers a quality plan with employees' participating at a low percentage of plan costs. While all employers should want to provide employees with quality coverage at an affordable cost, until the health economy changes dramatically, this is a goal that few businesses can achieve. The City should closely evaluate its health plan and its employee cost sharing percentages in an effort to bring them more closely into line with current prevailing practices.

In other areas, the collective bargaining agreement limits management's flexibility and increases costs. The department should identify such items and continue to pursue their modification or elimination as future contracts are negotiated.

Municipal Infrastructure. Lewiston has been here a long time. So has much of its infrastructure, particularly in the community's core area. Some water and sewer lines are over 100 years old and require replacement. Newer water lines installed before the introduction of lined pipes suffer from rust and scale accumulations that reduce water pressure and water quality. The City's street infrastructure is beginning to show the signs of deferred maintenance, as are other elements of the system including street lighting, bridges, and sidewalks. Although we recognize the reasons, including a desire to hold down the tax rate, avoid utility rate increases, reductions in state and federal funding, and the impact

REPORT OF THE COMMITTEE TO REVIEW PUBLIC WORKS' SERVICE LEVEL STANDARDS

of the recession, the City has not been investing adequately in its infrastructure. In the water and sewer utilities, efforts to address older infrastructure have begun and should continue even if this requires utility rate increases. At the moment, Lewiston benefits from one of the lowest water rates in the state and, most likely, the country. There is room to invest. The sewer utility has been stressed by requirements to meet state and federal Combined Sewer Overflow and stormwater quality requirements, so rates are proportionately higher. Nevertheless, on-going efforts to upgrade the sewer collection system should also continue.

Street Inventory System. As to roads and sidewalks, the Committee recognizes that the City does and will continue to face financial restrictions. As a result, investments in streets and sidewalks must be directed to the areas in most need with the highest priority. Public Works should have a street inventory system that allows the department to tightly direct its limited resources to those streets that need it the most. In a time of restricted resources, careful prioritization is essential. Without an up to date street condition inventory, sound decision making is difficult. As to sidewalks, the City should develop a policy outlining where sidewalks should be installed and where they should not, including where they should be removed. Given the current sidewalk maintenance budget, its questionable how much of the sidewalk network will remain useable over the next 20 to 40 years. Sidewalks that cannot be justified must be eliminated.

Public Works Committee. The Committee recommends this Committee remain as an Ad hoc Committee for a period of two (2) years and then be re-evaluated to determine if it should continue. The Committee would provide assistance to the Department and City Administration and recommendations to the City Council regarding investments in personnel, equipment and/or technology that could enhance efficiency and effectiveness. The Committee would meet from August to December each year such that recommendations can be included during the development and presentation of the annual budget (December-March).

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Annual appointment for the Lewiston-Auburn Railroad Company Board of Directors.

INFORMATION:

Each year, the City Council is asked to appoint people to serve as Lewiston's representatives on the Lewiston-Auburn Railroad Board of Directors.

The Nominating Committee of the Railroad Board has nominated the following Lewiston residents to serve on the Board: Richard Albert, 3 year term expiring 2018 and Marc Pellerin, 3 year term expiring 2018. The Board will hold its annual meeting in April. Passage is requested.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EARB/kmm

REQUESTED ACTION:

	1	2	3	4	5	6	7	M
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To accept the nominations from the Lewiston Auburn Railroad Board of Directors and to elect the following residents to serve on the Lewiston Auburn Railroad Company Board of Directors:

- 1) Richard Albert, three year term expiring 2018
- 2) Marc Pellerin, three year term expiring 2018

LEWISTON AND AUBURN RAILROAD COMPANY



August 10, 2015

Mayor Robert Macdonald
City of Lewiston
27 Pine Street
Lewiston, ME 04240

Dear Mayor Macdonald:

The Nominating Committee of the Lewiston and Auburn Railroad Company is charged to recommend a Lewiston Citizen as a Director of the Lewiston and Auburn Railroad Company.

Article VI, Section 2 and 4 of the Bylaws of the Lewiston and Auburn Railroad Company with incorporated Shareholders Agreement read as follows:

Section 2. Classes of Directors. Notwithstanding anything to the contrary contained in the Charter or Article V of these Bylaws, the members of the Board of Directors shall be divided into two classes, one from each City, as follows: (a) the first class of Directors shall be hereafter referred to as the "Lewiston Directors" and shall be composed of six (6) Directors, all of whom shall be and shall continue to be residents of the City of Lewiston during their term of office; and (b) the second class of Directors shall be hereinafter referred to as the "Auburn Directors" and shall be composed of three (3) Directors, all of whom shall be and shall continue to be residents of the City of Auburn during their term of office.

Section 4. Election of Directors by Class. Notwithstanding anything to the contrary in the Charter or Article V of these Bylaws, the Lewiston Directors shall be elected by the Lewiston City Council and the Auburn Directors shall be elected by the Auburn City Council.

Currently, the following individuals serve as Lewiston Directors:

<u>Name:</u>	<u>Term:</u>
Richard Albert	3-Year Term Expiring 2015
Marc Cayer	3-Year Term Expiring 2016
Jeff Gosselin	3-Year Term Expiring 2017
Lucien Gosselin	3-Year Term Expiring 2017
Marc Pellerin	3-Year Term Expiring 2015
Laurier Raymond	3-Year Term Expiring 2016

415 Lisbon Street, Suite 400, Lewiston, Maine 04240
Phone: (207) 784-0161 ◆◆◆ Fax: (207) 786-4412

The Nominating Committee recommends the following individual to be reappointed to the Board of Directors:

Name:
Richard Albert
Marc Pellerin

Term:
3-Year Term Expiring 2018
3-Year Term Expiring 2018

Upon election of the noted individual, the Board of Directors of the Lewiston and Auburn Railroad Company will confirm the appointment. On behalf of the Board of Directors, I encourage prompt action on the nomination by the Lewiston City Council.

Very truly yours,



John P. Holden
Executive Director

Cc: City Manager, Ed Barrett

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Appointments to the Lewiston Housing Authority Board of Commissioners.

INFORMATION:

There are two openings on the Lewiston Housing Authority Board of Commissioners. The Mayor is recommending the following reappointments to the Lewiston Housing Authority Board of Commissioners:

- 1) Aime Morin, 7 Pleasant Street, term to expire Sept. 17, 2020
- 2) Bertrand Dutil, 23 Spofford Street, term to expire Oct. 7, 2020

These are five year appointments by state statute.

James Dowling, Executive Director of the Housing Authority, endorses these appointments. These appointments do require Council confirmation.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

Appointments to Boards and Committees are a policy decision of the Council.

EIAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To confirm the Mayor's nomination and to appoint the following residents as members of the Board of Commissioners of the Lewiston Housing Authority:

- 1) Aime Morin, 7 Pleasant Street, term to expire Sept. 17, 2020
- 2) Bertrand Dutil, 23 Spofford Street, term to expire Oct. 7, 2020



June 12, 2015

The Honorable Robert E. Macdonald
Mayor of Lewiston
City Building
27 Pine Street
Lewiston, Maine 04240

Dear Mayor Macdonald:

We are writing to request that you reappoint Aime Morin to the Board of Commissioners of the Lewiston Housing Authority when his term expires September 17, 2015. Mr. Morin has served on the Authority's Board from 1991 – 1997 and from 2007 to the present and would like to continue to serve. His background in banking and police work have made him a valuable member of the Board.

We would be happy to discuss this appointment with you at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Marc Pellerin".

Marc Pellerin
Chairman

A handwritten signature in black ink that reads "James R. Dowling".

James R. Dowling
Executive Director



June 12, 2015

The Honorable Robert E. Macdonald
Mayor of Lewiston
City Building
27 Pine Street
Lewiston, Maine 04240

Dear Mayor Macdonald:

We are writing to request that you reappoint Bert Dutil to the Board of Commissioners of the Lewiston Housing Authority when his term expires October 7, 2015. Mr. Dutil has served as one of the Authority's two tenant commissioners since 2006. He has lived at our Meadowview development since 1997 and has participated for many years in leadership positions on the Meadowview Tenant Council. He has extensive involvement in veterans' affairs and senior activities.

We hope that you will consider reappointing this dedicated and experienced community advocate to the Board of the Lewiston Housing Authority for another term. We would be happy to discuss this appointment with you at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Marc Pellerin".

Marc Pellerin
Chairman

A handwritten signature in black ink that reads "James R. Dowling".

James R. Dowling
Executive Director

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Adoption of meeting schedule for the month of November.

INFORMATION:

Due to the November election, it is recommended the City Council cancel their first regular meeting of the month. It is past practice to not hold a Council meeting on the election day. A special Council meeting might be called at the end of October if needed. Councilors are asked to keep the date of Oct. 27 available in case a special meeting is called.

The November Council meeting date will be Tuesday, November 17.

Note: The December meetings will be held as regularly scheduled - Tuesday, December 1st and Tuesday, December 15th.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To suspend Section 1(a) of the Rules Governing the City Council, to cancel the November 3, 2015 City Council meeting due to the conflict with Election Day and to hold one regular meeting during the month of November on Tuesday, November 17th.

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Amendment to the Traffic Schedule to add a stop sign on St. Patrick Avenue.

INFORMATION:

At the request of a resident and at the recommendation of the Police Department, it is recommended that a stop sign be installed on St. Patrick Avenue at the corner of Deer Road. The Police Department believes this will assist with traffic safety.

Passage is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve amendments to the Traffic Schedule to add a stop sign on St. Patrick Avenue at the intersection with Deer Road.



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



DATE: August 12, 2015

TO: Kathy Montejo, Lewiston City Clerk

FROM: Sgt. David Chick, Inspector of Police

Subject: Traffic Schedule Amendment – Chapter 70 Section 43
Stop Signs

Per request made coming through Police patrol notice, and a complaint received from a neighborhood resident. There is no stop sign posted where St Patrick Ave intersects with Deer Rd, and requires the designation recorded in the Traffic Schedule.

Accordingly the following amendment to the Traffic Schedule is forwarded for review to be offered to the Council for consideration.

Section 38 – Stop Signs

ST PATRICK AVE 1 sign at Deer Rd (southeast corner).

NOTE: (Additions are underlined; deletions are ~~struck-out~~).

If this amendment is approved it will require the Public Works department to erect reflective red hexagonal sign(s) with white trim and lettering stating “Stop” on St Patrick Ave where it intersects Deer Rd. The existing street sign post may be able to accommodate the addition of a stop sign.

David Chick
Inspector of Police

cc: Michael Bussiere, Chief of Police
Ed Barrett – City Hall; Kelly Mercier – Deputy City Clerk;

This proposed amendment was reviewed by a committee concurring for presentation to be made to Council for passage.

Steve Murch – Public Works;



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



Professionalism

Integrity

Compassion

Dedication

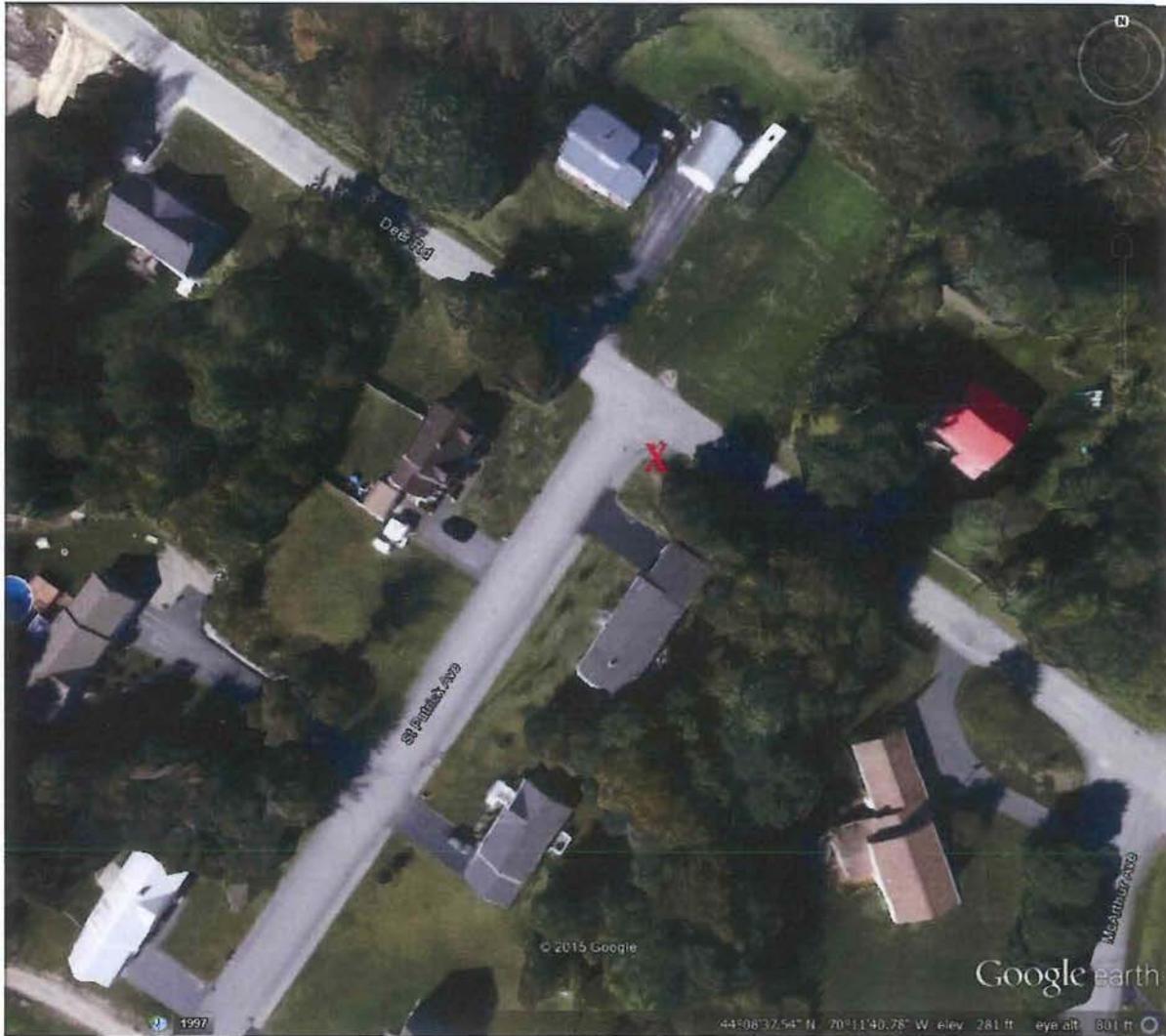
Pride

Dependability



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



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Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing on a new liquor license application for Mandarin Buffet, 750 Sabattus Street.

INFORMATION:

We have received an application for a liquor license application for Mandarin Buffet, 750 Sabattus Street. The liquor license application is for malt, spirituous & vinous.

The police department has reviewed and approved the application.

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

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

ETAS/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To authorize the City Clerk's Office to approve a new liquor license application Mandarin Buffet, 750 Sabattus Street.

**Department of Public Safety
Division**

Liquor Licensing & Inspection



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|---|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) - (Sole Proprietor, Corporation, Limited Liability Co., etc.) <i>Tony Zhang</i> DOB: <i>9/19/76</i>		2. Business Name (D/B/A) <i>AB Restaurant Inc.</i>	
DOB:		<i>Mandarin Buffet</i>	
DOB:		Location (Street Address) <i>750 Sabattus</i>	
Address <i>24 Kensington Ter.</i>		City/Town <i>Lewiston</i>	State <i>ME</i> Zip Code <i>04240</i>
City/Town <i>Lewiston</i> State <i>ME</i> Zip Code <i>04240</i>		Mailing Address <i>Same State</i> Zip Code	
Telephone Number <i>207-333-7689</i> Fax Number		Business Telephone Number Fax Number	
Federal I.D. # <i>47-4604466</i>		Seller Certificate #	

3. If premises are a hotel, indicate number of rooms available for transient guests: 1
4. State amount of gross income from period of last license: ROOMS \$ FOOD \$ LIQUOR \$
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: *11am - 10pm*
9. Business records are located at: 750 Sabattus ST. Lewiston ME 04240
10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine?

YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Tony Zhang	09/19/76	China

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

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? _____ Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

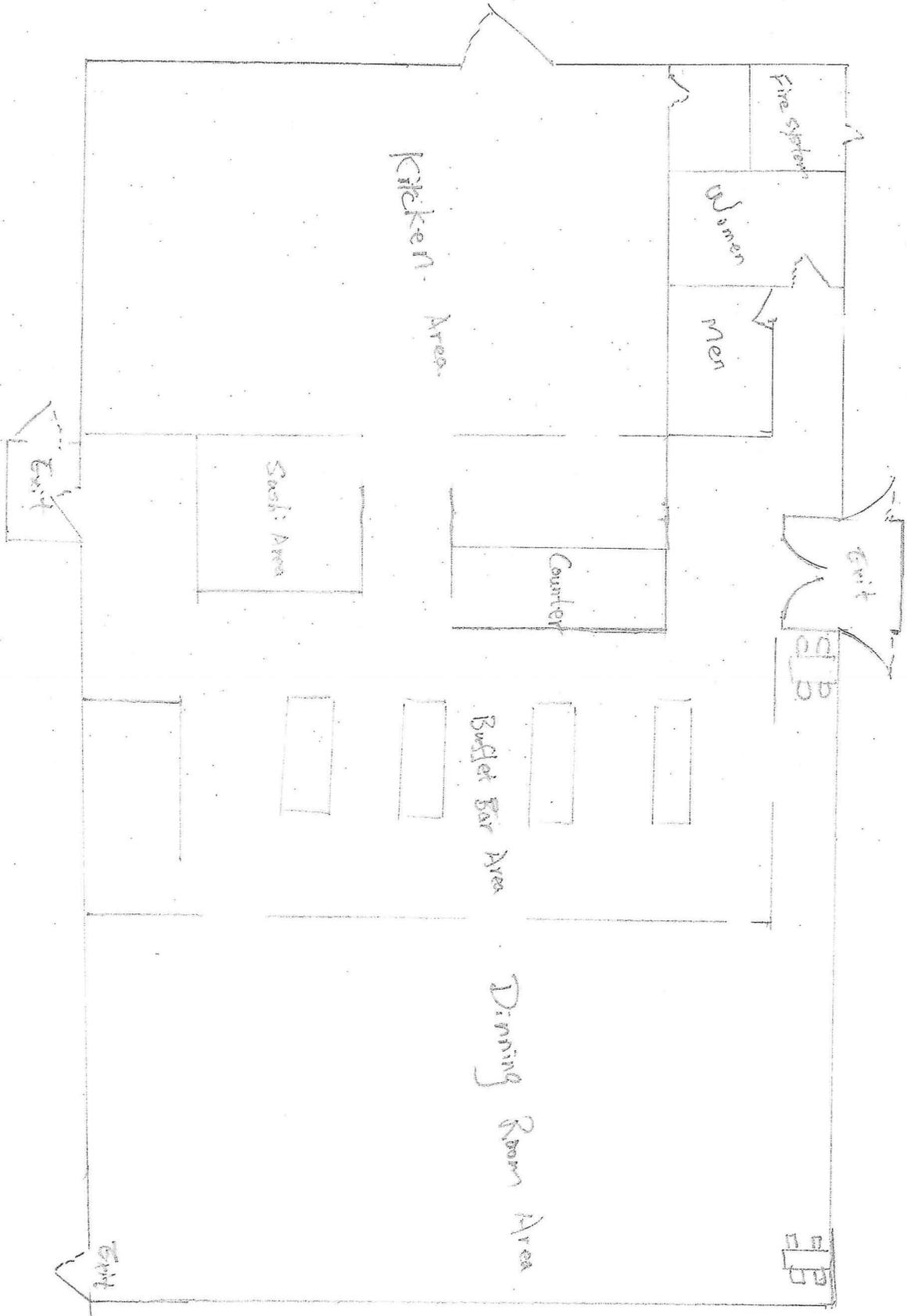
Dated at: Lewiston Maine on 7-28, 20 15
Town/City, State Date

Please sign in blue ink

Tony Zhang
Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

PREMISE DIAGRAM





POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: August 11, 2015

RE: Liquor License/Special Amusement Permit – **Mandarin Buffet**

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

Mandarin Buffet
750 Sabattus St.



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



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

CITY OF LEWISTON

PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on ***Tuesday, September 1, 2015, at 7:00 p.m.***, or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Mandarin Buffet
750 Sabattus Street
Tony Zhang, owner

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

Kathleen Montejo, MMC
City Clerk
Lewiston, Maine

PUBLISH ON: August 26, 27, & 28, 2015

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

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing and First Passage for the conditional rezoning of the property at 111 Webster Street from the Neighborhood Conservation "A" (NCA) District to the Downtown Residential (DR) District.

INFORMATION:

The Planning Board voted 7-0 to send a favorable recommendation to the City Council to conditionally rezone the property at 111 Webster Street from the Neighborhood Conservation "A" (NCA) District to the Downtown Residential (DR) District, subject to the conditional rezoning agreement.

The property owner has submitted a petition to request a conditional rezoning of this property to allow the existing commercial building to be used for market rate multi-family housing.

Please see the enclosed memorandum from City Planner David Hediger for additional information as well as a site map and other background information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator supports the requested action.

EATB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve First Passage of the amendment to the Zoning and Land Use Code and Map to conditionally rezone the property at 111 Webster Street from the Neighborhood Conservation "A" (NCA) District to the Downtown Residential (DR) District, subject to a conditional agreement, and that the public hearing on this item be continued to the next regularly scheduled City Council meeting for final passage.



CITY OF LEWISTON

Department of Planning & Code Enforcement



**TO: City Council
Mayor**
FROM: David Hediger, City Planner
DATE: August 27, 2015
RE: Conditional Rezoning: 111 Webster Street

On August 24, 2015, the Planning Board voted unanimously (7-0) in support of petition submitted by Jamey Pittman to conditionally rezone the property at 111 Webster Street from the Neighborhood Conservation "A" (NCA) district to the Downtown Residential (DR) district to allow the existing commercial building to be used for market rate multi-family housing.

This property of approximately 0.29 acres consists of 3,440 +/- SF two-story structure last used as professional office space over two years ago. The property is located in the NCA district and is deemed abandoned and no longer allowed to be used as office space. Given the current zoning, the property and structure are limited to being used as a single family dwelling. The petitioner is requesting the property be conditionally rezoned to the DR district to allow for the use of this property and conversion of this structure into a multifamily structure for market rate dwellings. The proposed conditional rezoning is limited to allow for the creation of multifamily dwellings in addition to all the underlying uses currently allowed in the NCA district. No other uses allowed in the DR are proposed as part of the conditional rezoning.

With respect to the space and bulk standards, the applicant is proposing a split between the two districts and some modifications given the existing site conditions. The NCA provisions that will remain in place include minimum frontage and maximum height. The DR provisions to be included are minimum lot size, minimum net lot area per dwelling unit, minimum side and rear yard, and maximum impervious ratio. Modified provisions include front yard and setback (10' versus NCA 20' and DR none), and side and rear setback (5' versus 10' in the NCA and DR).

Short of demolishing the building, the petitioner believes converting this structure into market rate dwelling units is the best use of the property. The costs of either demolishing the structure to develop a single family home or converting the existing structure into a single family dwelling is primarily the reason the property has remained vacant and not redeveloped. The applicant believes the conditional rezoning will allow for the conversion of the existing structure into a use less intense than the previous allowed use as professional office space that could have operated at all hours generating much more traffic. In addition, 111 Webster Street may be developed with 10 units. However, due space and bulk requirements, parking limitations, and the layout of the structure, only eight units are being proposed. The density of the neighborhood within 1000' along Webster Street is approximately 2.8 units per lot (not including vacant lots) with some properties containing 10 and 11 units. The applicant believes eight units will be compatible with the existing neighborhood and potentially a less intense use than professional office space.



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



To: City Clerk's Office
City Council Members
Mayor Robert E. Macdonald

From: David Hediger

Date: August 27, 2015

Subject: Planning Board Action Conditional Rezoning of 111 Webster Street

The Planning Board took the following action at their meeting held on August 24, 2015 regarding 111 Webster Street.

The following motion was made:

MOTION: by **Walter Hill** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration based upon the proposal submitted by Stoneybrook Consultants, Inc. on behalf of Jamey Pittman to conditionally rezone the property at 111 Webster Street from the Neighborhood Conservation "A" (NCA) district to the Downtown Residential (DR) district allow the existing commercial building to be used for market rate multi-family housing. Second by **Pauline Gudas**.

VOTE: 7-0 (passed)

c: Ed Barrett, City Administrator
Planning Board Members



Stoneybrook Consultants, Inc.

456 Buckfield Road
Turner, Maine 04282
(207) 514-7491 voice
(207) 514-7492 fax

July 28, 2015

David Hediger, City Planner
Department of Planning & Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

Re: 111 Webster Street Apartments
Conditional Rezoning Request

Dear David:

On behalf of Jamey Pittman (Pittman), I have attached an original and two copies of a Petition to amend the City of Lewiston Zoning and Land Use Code to Conditionally Rezone property located at 111 Webster Street. The Petition and attachments explain our request to Conditionally Rezone the property to allow occupancy of market rate apartments in the existing building located on this property. The existing building was formerly occupied for commercial use for more than 52 years and that use has now been determined to have been abandoned.

The property is located in the Neighborhood Conservation "A" (NCA) district where commercial uses and multifamily use is not allowed. With this Petition, we are seeking to Conditionally Rezone the property to the Downtown Residential (DR) district. We have also attached a Comparison Chart, showing the changes proposed in the zoning requirements between these two districts, to support our request.

With this application, Pittman is also filing a Development Review Application seeking Subdivision and Development Review approvals for this request. Both applications are being submitted at the same time to help the Planning Board and City Council understand the full development plan for the property.

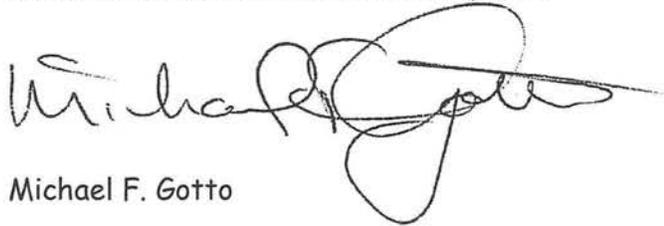
July 28, 2015
David Hediger
RE: 111 Webster Street
Page 2

The Petition has been signed by two abutting property owners and one tenant in a building abutting the property located at 111 Webster Street. We also have signatures from two abutting property owners to Pittman's Randall Road project and two current tenants of that same Randall Road project. In all, 20 signatures have been submitted for your verification.

We trust you will find this Petition acceptable for processing and we will plan to attend the next available meeting with the Planning Board or City Council to answer any additional questions you or they may have.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto", with a large, stylized flourish at the end.

Michael F. Gotto

cc: Jamey Pittman

Informational
Land Use Comparison Chart

Land Use Table: All Zoning Districts 6.27.14	Neighborhood Conservation "A" NCA	Downtown Residential DR
USES(15)(33)		
Accessory use or structure	P	P
Commercial-Service		
Veterinary facilities excluding kennel and humane societies		
Veterinary facilities including kennel and humane societies		
Small day care facilities	P(22)	P
Day care centers		P
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home park	C(22)	
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services		P(9)
Restaurants		P(1)
Drinking Places		
Adult business establishments		
Hotels, motels, inns		C
Movie theaters except drive-in theaters		P
Places of indoor assembly, amusement or culture		
Art and crafts studios		P
Personal Services		P
Retail stores		P
Neighborhood retail stores		
Lumber and building materials dealer		
Gasoline service stations		
Gasoline service stations which are a part of and subordinate to a retail use		
New and used car dealers		
Recreational vehicle, mobile home dealers		
Equipment dealers and equipment repair		
Automotive Services including repair		
Registered dispensary (27)		

Registered primary caregivers engage in the cultivations of medical marijuana for two to five registered patients		
Tattoo Establishments		
Industrial		
Light industrial uses		
Industrial uses		
Building and construction contractors		
Fuel oil dealers and related facilities		
Wholesale sales, warehousing and distribution facilities and self-storage facilities		
Self-storage facilities		
Commercial solid waste disposal facilities		
Junkyards and auto graveyards		
Recycling and reprocessing facilities		
Private industrial/commercial developments (23)		
Transportation		
Airports or heliports		
Commercial parking facilities		€
Transit and ground transportation facilities		
Transportation facilities		
Public and Utility		
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C
Municipal buildings and facilities	C	P
Preservation of historic areas; emergency fire protection activities; bridges and public roadway		
Dams		
Institutional		
Religious facilities	P	P
Cemeteries	P	

Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities		P
Hospitals, medical clinics		C
Museums, libraries, and non-profit art galleries and theaters		P
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses together with buildings accessory to the foregoing permitted principal buildings or structures		P
Civil and social organizations		
Public community meeting and civic function buildings including auditoriums		P
Residential (8)		
Single-family detached dwellings on individual residential lots	P	P(11)
Mobile homes on individual residential lots		
Two-family dwellings	P(37)	P(11)
Multifamily dwellings in accordance with the standards of Article XIII		P(11)
Single-family attached dwelling in accordance with the standards of Article XIII		P(11)
Mixed single-family residential developments in accordance with the standards of Article XIII		
Mixed residential developments in accordance with the standards of Article XIII		
Mixed use structures		P(11)
Lodging houses		P(11)
Home occupations	P	P
Bed and breakfast establishments as a home occupation	P	P
In-law apartments in accordance with the standards of Article XIII	P	P
Single-family cluster development		
Family day care home	P	P
Shelters		C
Natural Resource		

Agriculture		
Farm stands		
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P	
Earth material removal		
Community gardens (20)	P	P
Water dependent uses, e.g. docks and marinas		
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet		
Recreation		
Campgrounds		
Public or private facilities for nonintensive outdoor recreation	C	C
Commercial outdoor recreation and drive-in theaters		
Fitness and recreational sports centers as listed under NAICS Code 713940		

Informational
Space and Bulk Comparison Chart

Space and Bulk Table: All Zoning Districts 12.18.12			
Dimensional Requirements	Neighborhood Conservation "A" NCA	Downtown Residential DR	Proposed Conditional Downtown Residential DR
Minimum lot size with public sewer			
Single family detached	7,500 s.f.		
Two-family dwellings	12,500 s.f.		
Single family cluster development	5 acres		
Multifamily dwellings			
Veterinary facilities	20,000 s.f.		
Other uses	20,000 s.f.		
All permitted uses		5,000 s.f.	5,000 s.f.
Minimum lot size without public sewer			
Single family detached	20,000 s.f.		
Two-family dwellings	20,000 s.f.		
Single family cluster development	5 acres		
Multifamily dwellings			
Veterinary facilities	40,000 s.f.		

Other uses	40,000 s.f.		
Minimum net lot area per du with public sewer			
Two-family dwellings	5,000 s.f.		
Multifamily dwellings			
All permitted uses		1,250 s.f.	1,250 s.f.
Minimum net lot area per du without public sewer			
Two-family dwellings	5,000 s.f.		
Minimum frontage			
Single family detached, mobile homes	75 ft.		
Two-family dwellings	125 ft.		
Single family cluster development (with multiple vehicular access)	200 ft. (50 ft.)		
Multifamily dwellings (with multiple vehicular access)			
Religious facilities	125 ft.		
Other uses	125 ft.		
All permitted uses		50 ft.	75 ft.
Minimum front setback			
Single family detached, mobile homes on individual lots	20 ft. (21,22)		
Two-family dwellings	20 ft. (21,22)		
Single family cluster development	50 ft.		
Multifamily dwellings			
Religious facilities	20 ft. (21,22)		
Other uses	20 ft. (21,22)		
All permitted uses		None (22)	10 ft.
Minimum front yard			
Single family detached, mobile homes on individual lots	15 ft. (21)		
Two-family dwellings	15 ft. (21)		
Single family cluster development	50 ft.		
Multifamily dwellings			
Religious facilities	20 ft. (21)		
Other uses	20 ft. (21)		
All permitted uses		None (22)	10 ft.
Minimum side and rear setback			
Single family detached, mobile homes on individual lots	10 ft.		
Two-family dwellings	10 ft.		
Single family cluster development	30 ft.		
Multifamily dwellings			
Religious facilities	30 ft.		
Other uses	30 ft.		
All permitted uses		10 ft.	5 ft.
Minimum side and rear yard			
Single family detached, mobile homes on individual lots	10 ft.		
Two-family dwellings	10 ft.		
Single family cluster development	30 ft.		

Multifamily dwellings			
Religious facilities	30 ft. (16)		
Other uses	30 ft. (16)		
All permitted uses		10 ft. required on one side	10 ft. required on one side
Maximum height			
Other permitted uses	35 ft.	60 ft.	35 ft.
Ratios			
Maximum lot coverage	0.40		
Maximum impervious coverage		0.75	0.75

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 - Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to conditionally rezone a portion of the property at 111 Webster Street from the Neighborhood Conservation (NCA) zoning district to the Downtown Residential (DR) zoning district as described in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		DAVID FOUSSARD	82 JEAN ST LEWISTON	6/30
2		Paul Melanson	171 Webster St. Lew.	6/30
3		Marc Frenette	11 Bis Denis Way, Lew	6/30
4		Lindsey Teacote	99 Webster St	6/30
5		MARC BIAIS	353 RANDALL RD	6/30
6		Adam Blais	353 Randall Rd	6/30
7		marc R. Beaulieu	47 Ashmount Street	6/30
8		Jayne Bibeau	29 Nob Hill Ave	6/30
9		Mike Bibeau	79 Nob Hill Ave	6/30
10		ROBERT D. BOTT	30 Nob Hill Ave	6/30
11		RACHEL BOTT	30 Nob Hill Ave	6/30
12		MARC J. PAQUETTE	27 NOB HILL AVE	6/30
13		Barbara L. Caron	350 Randall Rd ³⁻⁴	6/30
14		SIDNEY J. WILDER	350 Randall Rd ⁴²	6/30
15		PAULINE WILDER	350 Randall Rd ⁴²	6/30
16		ROGER THOMAS	350 RANDALL RD ⁵⁻⁴	6/30
17		JULIE RICHARD	351 Randall Rd	6/30
18		JAMES P. QUILLEY	263 Russell St.	6-30
19		Deanna Quilley	263 Russell St.	6-30
20		ROGER BARD	103 WEBSTER AVE 7-1	

CIRCULATOR'S VERIFICATION

I hereby verify that I am the Circulator of this petition, that all 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, and each person is a resident of the City of Lewiston.

[Handwritten Signature]
Signature of Circulator

JAMEY PITTMAN
Printed Name of Circulator

7/1/15
Date

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: 19

Total Invalid: 1

[Handwritten Signature]
Signature of Registrar/Deputy Registrar

Date: 7/29/15

AN ORDINANCE PERTAINING TO ZONING BOUNDARIES

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the Code of Ordinances of the City of Lewiston, Maine, is hereby amended as follows:

APPENDIX A ZONING AND LAND USE CODE ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Sec. 1. Zoning Map

The "Official Zoning Map, City of Lewiston," adopted pursuant to this Section, is hereby amended by conditionally rezoning the parcel more fully described in Exhibit "A" attached hereto, and as shown on Exhibit "B," said parcel being located at 111 Webster Street, Lewiston, Maine, from the Neighborhood Conservation "A" (NCA) zoning district to the Downtown Residential (DR) zoning district.

REASONS FOR THE PROPOSED AMENDMENT

The reason for the proposed conditional rezoning of 111 Webster Street is to allow the existing commercial building on this property to be used for market rate multifamily housing. This site has been used commercially for 52 years. The proposed change would remove any future commercial use of the existing structure and allow that structure to be converted to market rate multifamily housing units. The conditional zoning request would reinforce residential uses in this residential neighborhood. Specifically, proponent would like to have the property, which is currently zoned for the Neighborhood Conservation "A" (NCA) zoning district, conditionally rezoned to the Downtown Residential (DR) zoning district to allow for the creation and establishment of market rate multifamily dwellings in addition to those uses currently allowed in the NCA and adjust density requirements to support redevelopment of this property for market rate multifamily use.

CONFORMANCE WITH COMPREHENSIVE PLAN

1. Encourage and promote safe, affordable, decent housing opportunities for all Lewiston citizens (Housing Goal #1, Page 69).
2. Continue to allow a wide variety of housing types in all appropriate zones within the City (Housing - Strategy H, Page 71).
3. Encourage orderly growth and development in appropriate areas of the City, while protecting the City's rural character, making efficient use of public services and preventing development sprawl (Land Use Goal #1, page 123).

4. A sustainable community provides housing opportunities for all residents (Long Range Planning – Sustainable Communities, Page 130).
5. Provide incentives for adaptive reuse of building or infill construction (Long Range Planning Policy #3, Strategy A, page 134).
6. Encourage and promote affordable, decent housing opportunities for all Lewiston citizens and continue to allow a diverse range of housing types in the community (Long Range Planning Policy #5, page 135).

CONDITIONAL REZONING AGREEMENT

The proponent requests that the official zoning map for the City be amended by deleting the subject property from the Neighborhood Conservation “A” (NCA) zoning district and conditionally rezoning the subject premises to the Downtown Residential (DR) zoning district, subject to the limitations more fully described below.

In compliance with the provisions of the Code, Article XVII, Section 5(g), the proponent hereby proposes the following conditions:

1. Land Use Table:

Allowed uses of the property shall include those uses which are presently permitted in the NCA district, and multifamily dwellings as a permitted use in the DR zoning district, as listed below and subject to the conditions contained herein.

Land Use Table: All Zoning Districts	Conditional Rezoning (DR) 111 Webster Street
USES(15)(33)	
Accessory use or structure	P
Commercial-Service	
Veterinary facilities excluding kennel and humane societies	
Veterinary facilities including kennel and humane societies	
Small day care facilities	P(22)
Day care centers	

Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home park	C(22)
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services	
Restaurants	
Drinking Places	
Adult business establishments	
Hotels, motels, inns	
Movie theaters except drive-in theaters	
Places of indoor assembly, amusement or culture	
Art and crafts studios	
Personal Services	
Retail stores	
Neighborhood retail stores	
Lumber and building materials dealer	
Gasoline service stations	
Gasoline service stations which are a part of and subordinate to a retail use	
New and used car dealers	
Recreational vehicle, mobile home dealers	
Equipment dealers and equipment repair	
Automotive Services including repair	
Registered dispensary (27)	
Registered primary caregivers engage in the cultivations of medical marijuana for two to five registered patients	
Tattoo Establishments	
Industrial	
Light industrial uses	
Industrial uses	
Building and construction contractors	
Fuel oil dealers and related facilities	
Wholesale sales, warehousing and distribution facilities and self-storage facilities	
Self-storage facilities	
Commercial solid waste disposal facilities	

Junkyards and auto graveyards	
Recycling and reprocessing facilities	
Private industrial/commercial developments (23)	
Transportation	
Airports or heliports	
Commercial parking facilities	
Transit and ground transportation facilities	
Transportation facilities	
Public and Utility	
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C
Municipal buildings and facilities	C
Preservation of historic areas; emergency fire protection activities; bridges and public roadway	
Dams	
Institutional	
Religious facilities	P
Cemeteries	P
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities	
Hospitals, medical clinics	
Museums, libraries, and non-profit art galleries and theaters	
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses together with buildings accessory to the foregoing permitted principal buildings or structures	
Civil and social organizations	

Public community meeting and civic function buildings including auditoriums	
Residential (8)	
Single-family detached dwellings on individual residential lots	P
Mobile homes on individual residential lots	
Two-family dwellings	P(37)
Multifamily dwellings in accordance with the standards of Article XIII	P(11)
Single-family attached dwelling in accordance with the standards of Article XIII	
Mixed single-family residential developments in accordance with the standards of Article XIII	
Mixed residential developments in accordance with the standards of Article XIII	
Mixed use structures	
Lodging houses	
Home occupations	P
Bed and breakfast establishments as a home occupation	P
In-law apartments in accordance with the standards of Article XIII	P
Single-family cluster development	
Family day care home	P
Shelters	
Natural Resource	
Agriculture	
Farm stands	
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P
Earth material removal	
Community gardens (20)	P
Water dependent uses, e.g. docks and marinas	
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet	

Recreation	
Campgrounds	
Public or private facilities for nonintensive outdoor recreation	C
Commercial outdoor recreation and drive-in theaters	
Fitness and recreational sports centers as listed under NAICS Code 713940	

Applicable footnotes:

- (11) All new residential construction shall comply with the design standards of Article XII Sec. 22.
- (22) Accessory to public schools, religious facilities, multifamily or mixed residential developments and mobile home parks.
- (37) A parcel may be developed with a two-family dwelling, only if both of the following criteria are met:
 - a. More than 50 percent of the impacted properties that are developed contain residential structures with two or more dwelling units; and
 - b. More than 50 percent of the adjoining properties that are developed contain residential structures with two or more dwelling units.

An existing single-family dwelling may be converted to a two-family dwelling only if both of the following criteria are met:

 - a. Forty percent or more of the impacted properties that are developed contain residential structures with two or more dwelling units; and
 - b. Forty percent or more of the adjoining properties that are developed contain residential structures with two or more dwelling units.

2. Space and Bulk Table:

Allowed space and bulk standards on the property shall include those standards which are presently permitted in the NCA and DR zoning district as modified and listed below, subject to the conditions contained herein.

Dimensional Requirements	Downtown Residential DR
Minimum lot size with public sewer	
Single family detached	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Veterinary facilities	
Other uses	
All permitted uses	5,000 s.f.

Minimum lot size without public sewer	
Single family detached	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Veterinary facilities	
Other uses	
Minimum net lot area per du with public sewer	
Two-family dwellings	
Multifamily dwellings	
All permitted uses	1,250 s.f.
Minimum net lot area per du without public sewer	
Two-family dwellings	
Minimum frontage	
Single family detached, mobile homes	
Two-family dwellings	
Single family cluster development (with multiple vehicular access)	
Multifamily dwellings (with multiple vehicular access)	
Religious facilities	
Other uses	
All permitted uses	75 ft.
Minimum front setback	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	
All permitted uses	10 ft.
Minimum front yard	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	
All permitted uses	10 ft.
Minimum side and rear setback	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	
All permitted uses	5 ft.
Minimum side and rear yard	

Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	
All permitted uses	10 ft. required on one side
Maximum height	
Other permitted uses	35 ft.
Ratios	
Maximum lot coverage	
Maximum impervious coverage	0.75

3. Notwithstanding the provisions under article XI, sections 1 through 14, district regulations, with respect to space and bulk standards for setbacks, yards, maximum lot coverage ratios, maximum impervious surface ratios, minimum open space ratios, and maximum building height, modifications of these standards may be granted pursuant to Article V, Section 3(v) and Article IX, subsections 3(9) through (11) if met and satisfied.

4. Violations of any of the conditions herein will constitute a violation of the Code.

5. The conditions described herein shall bind the proponent, its successors and assigns, and any person in possession or occupant of the subject premises, or any portion thereof, and shall inure to the benefit of and be enforceable by the City.

6. The proponent shall, at his own expense, record in the Androscoggin County Registry of Deeds a copy of the conditions within thirty (30) days following final approval of this proposal by the City. Such form of recording is to be in a form satisfactory to the City.

7. The conditions described herein shall run with the subject premises.

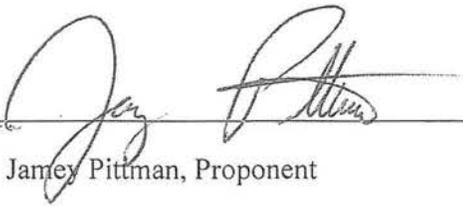
8. In addition to other remedies to which the City may be entitled under applicable provisions of statute or ordinance, if any party in possession of use of the subject premises fails or refuses to comply with any of the conditions imposed, any rezoning approved by the City in accordance with the conditions shall be of no force or effect. In that event, any use of the subject premises and any building or structures developed pursuant to the rezoning shall be immediately abated and brought into compliance with all applicable provisions of the Code with the same effect as if the rezoning had never occurred.

9. If any of the conditions are found by a court of competent jurisdiction to be invalid, such determination shall not invalidate any of the other conditions.

10. Any rezoning approved by the City conditionally shall be of no force or effect if the proponent fails or refuses to comply with conditions imposed.

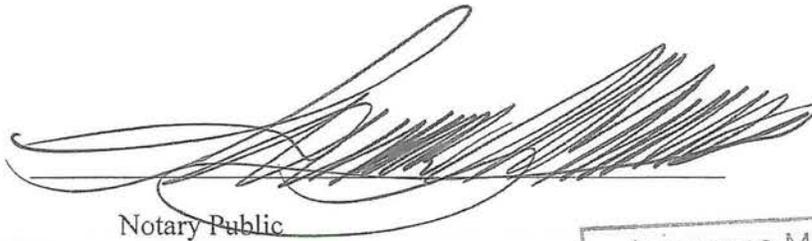
11. Any allowed proposed use, addition, or expansion of the property deemed applicable to Article XIII, Section 2 of the Zoning and Land Use Code shall be subject to the applicable sections of Article XIII of the Zoning and Land Use Code, Development Review and Standards.

12. By submitting this proposal, the proponent agrees in writing to the conditions described herein.



Jamey Pittman, Proponent

On July 28th, 2015, personally appeared the above named Jamey Pittman and acknowledged the foregoing to be of his free act and deed.



Notary Public

My Commission Expires:

Lawrence M. Moreau
Notary Public - State of Maine
My Commission Expires
January 29, 2018

Quitclaim Deed

The Rama Fund, LLC of 26901 Agoura Road, Suite 250, Calabasas Hills, California 91301 (hereafter the "Grantor"), for consideration paid, releases to Jamey Pittman of 30 Taywood Road, Auburn, Androscoggin County, Maine, all of Grantor's right, title and interest in and to a certain lot or parcel of land, with the buildings thereon, situated in Lewiston, Androscoggin County, Maine, bounded and described as follows:

Commencing at a point on the southwesterly line of Webster Street two hundred fifty (250) feet southeasterly from the most easterly corner of land conveyed by Franklin Company to Dennis W. Cronin and Mary G. Cronin by deed numbered 1144, dated October 31, 1901, said point being the most easterly corner of land conveyed by said Franklin Company to Alice Messier by deed numbered 1639, dated November 30, 1923; thence southeasterly by the southwesterly line of said Webster Street one hundred (100) feet; thence southwesterly at a right angle one hundred twenty-seven and five tenths (127.5) feet; thence northwesterly at a right angle one hundred (100) feet to land of Alice Messier; thence northeasterly by the southeasterly line of said Messier land one hundred twenty-seven and five tenths (127.5) feet to Webster Street and the point of beginning.

Title to the above described premises was not searched and the above description was not verified by the preparer of this instrument.

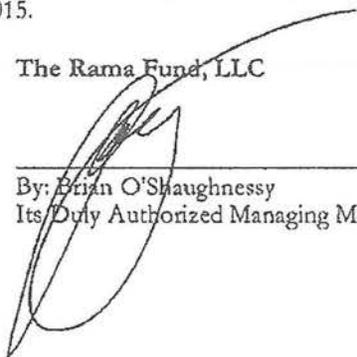
Being the same premises described in a deed from The Rama Fund, LLC to The Rama Fund, LLC dated June 29, 2012 recorded in the Androscoggin County Registry of Deeds in Book 8507, Page 192.

In Witness Whereof, the Grantor has set its hand and seal by and through Brian O'Shaughnessy, its Managing Member, on this 19 day of ~~April~~ ^{MAY}, 2015.

MAINE REAL ESTATE
TRANSFER TAX PAID

Witness  _____

The Rama Fund, LLC


By: Brian O'Shaughnessy
Its/Duly Authorized Managing Member

State of California
Los Angeles County, SS.

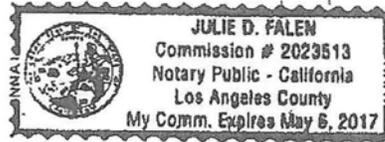
~~April~~ May 19, 2015

Then personally appeared the above-named Brian O'Shaughnessy, duly authorized managing Member of **The Rama Fund, LLC** and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of **The Rama Fund, LLC**.

Before me,



Notary Public
Print Name: Julie D. Falen
Commission Expires: May 6, 2017



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

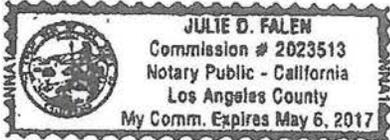
State of California
County of Los Angeles

On May 19, 2015 before me, Julie D. Falen
(insert name and title of the officer)

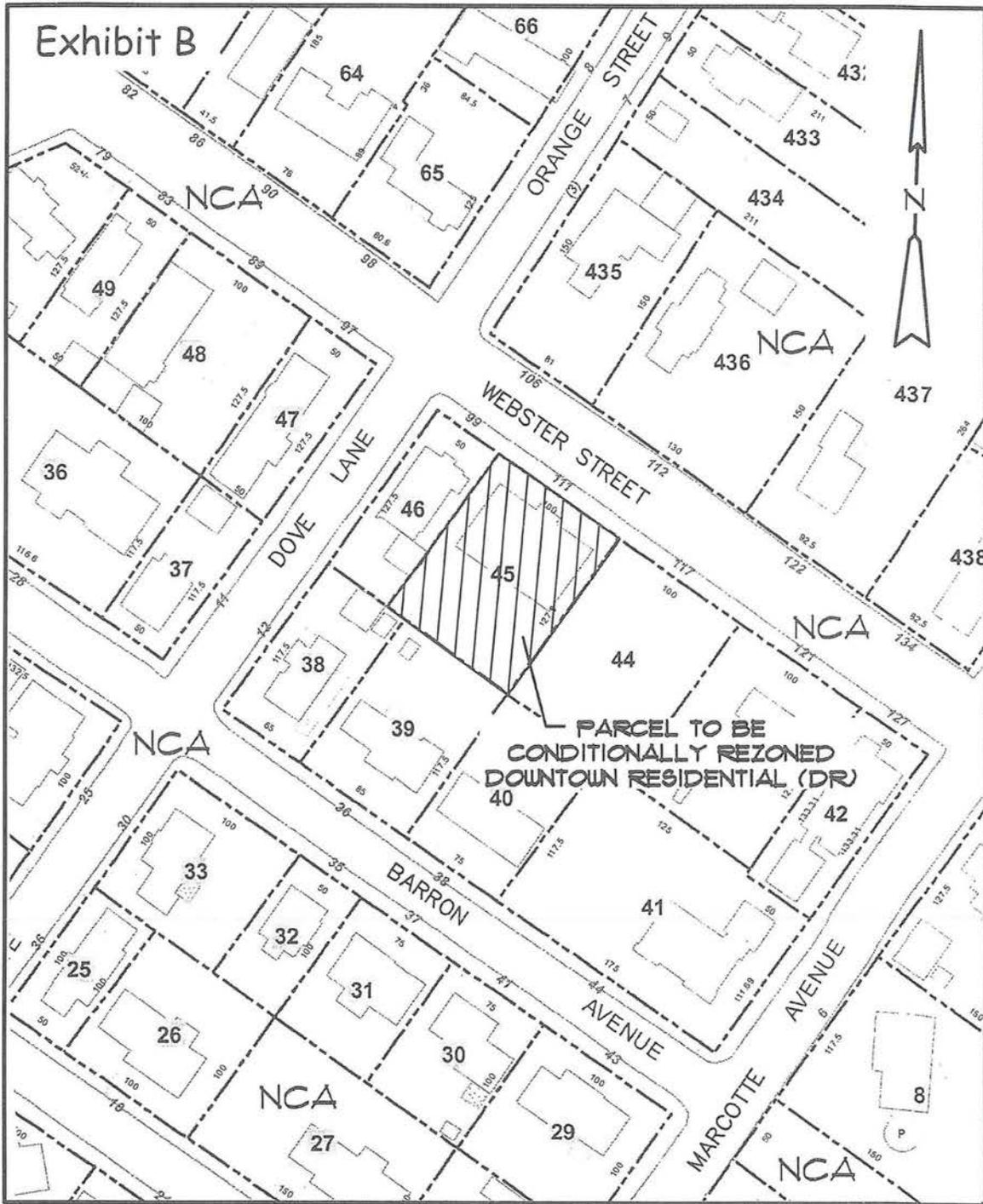
personally appeared Brian O'Shannessy
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature] (Seal)



PROPOSED ZONING MAP AMENDMENT

111 WEBSTER STREET - LEWISTON, MAINE
 OWNER: JAMEY PITTMAN
 SCALE: 1" = 100'
 DATE OF GRAPHIC: APRIL 27, 2015
 SOURCE: CITY OF LEWISTON TAX MAP 174
 PUBLICATION DATE: 2014

Stoneybrook
 Consultants, Inc.

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Order authorizing the City Administrator to sell the property at 112 Holland Street through direct negotiation with Central Maine Healthcare.

INFORMATION:

The property at 112 Holland Street is a tax acquired property and the building was condemned and demolished in 2014. Central Maine Healthcare is interested in acquiring the property to use it for parking. The City does no reason to retain the property given the size and location.

Please reference the attached memorandum from the City Administrator for additional information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

ETAB/kmm

REQUESTED ACTION:

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To approve the Order authorizing the City Administrator to sell the property at 112 Holland Street through direct negotiation with Central Maine Healthcare.



COUNCIL ORDER

Order, Authorizing the City Administrator to Sell the Property at 112 Holland Street through Direct Negotiation with Central Maine Healthcare.

Whereas, tax liens matured on the property at 112 Holland Street; and

Whereas, the structure on this property was condemned by the City Council and ordered demolished in 2014; and

Whereas, the balances due to the City include \$7,630.57 in real estate taxes and interest, \$1,649.07 in utility bills, and \$28,195.65 in demolition fees for a total of \$37,475.29; and

Whereas, as a result, the City Council has acted to take possession of this properties; and

Whereas, given the location and size of the property, the City has no reason to maintain ownership; and

Whereas, Central Maine Healthcare has approached the City with a request to purchase this property for an amount equal to the amount due to the City for use as a parking lot; and

Whereas, the City's Property Disposition Policy authorizes direct negotiations with an interested party where the proposed reuse of the property meets the City's expectations; and

Whereas, in accordance with City Ordinances, the Planning Board has reviewed the disposition of this property and has provided a positive recommendation that it be sold to Central Maine Healthcare for an amount equal to the outstanding amounts due to the City on it;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that the City Administrator is authorized to take the necessary steps to sell the property at 112 Holland Street through direct negotiations with Central Maine Healthcare and for a price of at least \$37,475.29.



EXECUTIVE DEPARTMENT

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

August 19, 2015

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: 112 Holland Street

Background

In 2014, the City Council condemned the property at 112 Holland Street and ordered its demolition. Tax liens on the property have matured and, in spite of collection efforts, remain unpaid. The balances due to the City include \$7,630.57 in real estate taxes and interest, \$1,649.07 in utility bills, and \$28,195.65 in demolition fees, totaling \$37,475.29. The property, previously owned by 134 Main Street LLC is .16 acre in size and is assessed for \$14,800.

Given its size and location, the City has no reason to own it. As a result, on staff's recommendation the City Council took possession of the property and authorized its disposition, subject to a favorable recommendation from the Planning Board. That same action authorized staff to take steps to dispose of the property, again subject to a positive recommendation from the Board. The Planning Board has provided a positive recommendation, which is attached.

Offer to Purchase

Since the City took action to demolish the buildings on this property, Central Maine Healthcare has expressed an interest in acquiring it to expand parking. CMMC currently owns a fairly large parking lot at 88 Holland Street and related entities have purchased the two lots between 88 and 112. The intent would be to develop surface parking in this area.

Given the strong interest expressed regularly by CMHC, I provided them with information on the amounts due to the City and indicated that I could potentially approach the Planning Board and the Council to present an offer to purchase should CMHC wish to make one and noted that, for the Planning Board/Council to be interested, I anticipated that they would be looking to recover all or a substantial portion of the amounts owed the City.

Central Maine Healthcare Corporation has proposed paying \$37,475.29, the total amount due to the City for demolition and legal costs, back taxes, and outstanding

utility bills. The property would be owned by Central Maine Healthcare and, as a result, would remain taxable.

Given the assessed value of only \$14,800, the size of the parcel, and the adjacent parking land use, it is exceptionally unlikely that any other potential purchaser would match this offer. Going to bid might well result in a lower offer given the likely lack of competitive bidders.

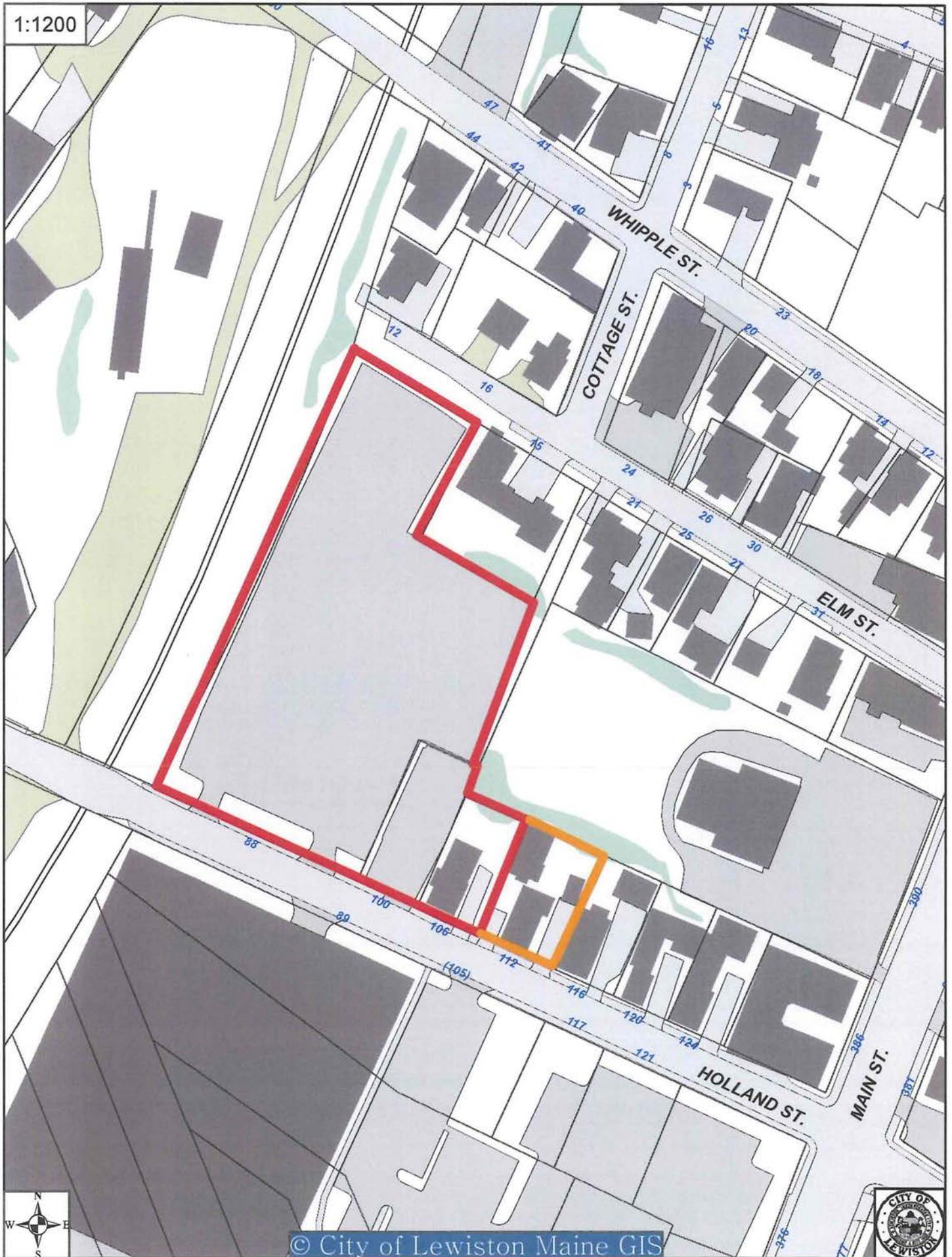
A direct sale to a party that has expressed interest is permitted in accordance with the underlined Section 5.5 of our Property Disposition Policy as follows:

5.5 Direct Negotiation. Where alternative methods have failed to produce an acceptable sale and/or in instances where the City has been directly approached by an individual or organization with a proposal that matches or exceeds the City's expectations for development on the parcel, the City may entertain direct negotiations with a private party who expresses interest in purchasing a property.

Recommendation

I recommend that we accept the offer of Central Maine Healthcare to purchase this lot for \$37,475.29 for use as a parking lot.

1:1200





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



To: City Clerk's Office
City Council Members
Mayor Robert E. Macdonald

From: David Hediger

Date: August 25, 2015

Subject: Planning Board Action

The Planning Board took the following action at their meeting held on August 24, 2015 regarding the disposition of 112 Holland Street.

The following motion was made:

MOTION: by **Michael Marcotte** pursuant to Article VII, Section 4 (h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the disposition of 112 Holland Street through direct negotiations per Section 5.5 of the City Property Disposition Policy (for an amount not less than balance due to City of \$37,475.29). Second by **Walter Hill**.

AMENDED MOTION: by **Paul Madore** to send a favorable recommendation to the City Council for the disposition 112 Holland Street by advertising the property to the private sector through a formal bid process for an amount not less than what is owed to City on the property. Second by **Sandy Marquis**.

VOTE (on amended motion): 3-4 (motion fails)
Bruce Damon, Michael Marcotte, Walter Hill, and Pauline Gudas opposed.

VOTE (on original motion):
4-3 (Passed) Sandy Marquis, Paul Madore, and Norm Anctil opposed.

Note: The Board discussed both motions at length. Board members supportive of a formal bid process wanted to ensure an open and transparent process was used in awarding the sale of the property to the private sector; that a fair process was provided enabling

anyone interested to bid on the property; that a higher and better use of the property may be contemplated if bids were obtained; and, that the City may gain a better return on the property in the long run upon consideration of different bid requests.

Board members supportive of the City entering into direct negotiations believe the City would be in better position to negotiate a sale in which the outstanding balance on the property would be collected; that a bid process may result in the City not being fully compensated for outstanding balances; and, the bid process may delay approvals and development of the site.

There was also discussion in general about whether it is appropriate for the Planning Board and City Council to discuss property dispositions in executive session and the need for the public to be able to provide input on Planning Board and City Council actions.

c: Ed Barrett, City Administrator
Planning Board Members

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

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Order authorizing the City Administrator to execute a Data Sharing Agreement between the Maine Childhood Lead Poisoning Prevention program and the City of Lewiston.

INFORMATION:

The State agency responsible for working on issues of preventing childhood lead poisoning would like to work with the City to share information regarding properties. This agreement allows the City to share their information with the State and vice versa. Additional information is contained within the attached material.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

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To approve the Order authorizing the City Administrator to execute a Data Sharing Agreement between the Maine Childhood Lead Poisoning Prevention program and the City of Lewiston.



COUNCIL ORDER

Order, Authorizing the City Administrator to Execute a Data Sharing Agreement Between the Maine Childhood Lead Poisoning Prevention Program and the City of Lewiston.

Whereas, the State of Maine has a statutory goal to eliminate childhood lead poisoning (22 MRSA §1314-A); and

Whereas, while the number of new cases of lead poisoning identified annually has decreased by 50% over the last 7 years, the rates of childhood lead poisoning are approximately two to three times higher in Lewiston/Auburn compared to the rest of the state; and

Whereas, once a dwelling has been identified as having lead hazards, it is to the benefit of housing authorities, code enforcement and Section 8 to have access to that information; and

Whereas, the purpose of this data sharing agreement is to identify housing that is currently under an abatement order but that has not yet been abated to ensure children do not get relocated into that unit and to notify code enforcement of potential code violations;

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

the City Administrator is hereby authorized to execute the attached Data Sharing Agreement between the Maine Childhood Lead Poisoning Prevention Program and the City of Lewiston.

Data Sharing Agreement Between: Maine Childhood Lead Poisoning Prevention Program

Department of Health and Human Services • Center for Disease Control and Prevention •
Environmental and Occupational Health Program and

City of Lewiston

1. Introduction

The State of Maine has a statutory goal to eliminate childhood lead poisoning (22 MRSA §1314-A). While the number of new cases of lead poisoning identified annually has decreased by 50% over the last 7 years, the rates of childhood lead poisoning are approximately two to three times higher in Lewiston/Auburn compared to the rest of the state. Once a dwelling has been identified as having lead hazards it is to the benefit of housing authorities, code enforcement and Section 8 to have access to that information. The purpose of this data sharing agreement is to identify housing that is currently under an abatement order but that has not yet been abated to ensure children do not get relocated into that unit and to notify code enforcement of potential code violations.

1.1 Participants

1.1.1 Data Recipient

City of Lewiston:

Edward Barrett, City Administrator 513-3121 ext. 3200
ebarrett@lewistonmaine.gov

Contact Persons:

Gildace J. Arsenault: Director of Planning and Code Enforcement, 513-3125
garsenault@lewistonmaine.gov
Sue Charron: Director of Social Services, 513-3130
scharron@lewistonmaine.gov

1.1.2 Data Owner

Maine CLPPP Program: The ME-CLPPP is a program within the DHHS, Maine Center of Disease Control, Division of Environmental Health. The ME-CLPPP has the primary responsibility for implementing Maine's Lead Poisoning Control Act.

Program Manager

Eric Frohberg, 287-8141
Eric.Frohberg@maine.gov

Contact Person:

Eric Frohberg, 287-8141
Eric.Frohberg@maine.gov

1.2 Purpose of the Agreement

This agreement sets forth the data sharing protocols for notifying the city of Lewiston about existing abatement orders within the city. The goal is to improve compliance with the Lead Poisoning Control Act and to ensure properties get abated as required.

1.3 Background and Benefits

Through this DSA, the ME-CLPPP will provide the City of Lewiston with a list of properties that currently have outstanding abatement orders. Lewiston Planning and Code Enforcement can then follow up with the owners of those properties to ensure empty units are not re-rented and abatement can happen quickly and efficiently. Social Services Department can use this data to ensure that children are not placed in properties with active abatement orders.

2. Summary of study/program protocol

A. ME CLPPP will provide City of Lewiston with an excel list on a semi annual basis (subject to revision based on number of abatement orders).

B. City of Lewiston Planning and Code Enforcement will use this information to discuss with landlords and notify ME CLPPP if they determine that units that were vacant and not to be re-rented have been re-rented. Social Services Department will use this data to ensure children are not placed in properties with active abatement orders.

3. Data Management

3.1 Data Content and Format

Data will be in the form of an excel spreadsheet which will include, landlord name and contact information, property location, and date of abatement order.

3.2 Data stewardship and ownership

Data provided to City of Lewiston will not be re-distributed to third parties. Any data requests for information about abatements should be referred to ME-CLPPP.

3.3 Data Use Limitations/Restrictions/Respectable Use

No blood lead or health data will be provided. It cannot be assumed that all abatement orders are due to the presence of a lead poisoned child.

3.3.1. Additional privacy considerations specific to the ME-CLPPP.

ME-CLPPP may not release any information regarding the screening of children for lead poisoning if that information identifies children, families, or other persons, directly or indirectly (22 §1317C.3). Additionally, ME-CLPPP must act in accordance with the Maine CDC privacy policy and the DHHS privacy policy.

3.3.3 Data Dissemination

There will be no third party data dissemination

4. Data Access/Security Levels/Arrangements

4.1 Authorized users

Gildace J. Arsenault, Director of Planning and Code

David Hediger
Tom Maynard
Sue Reny
Jeff Baril
Sue Charron
Elaine Brackett

5. Data Management

5.1 Data Access/Technologies

Additional conditions (if any): None

5.2 Data Access/Frequency

Data will be drawn on a semi-annual basis or on a more frequent basis should abatement orders become cleared or significantly more abatement orders are issued.

Additional conditions (if any): Either party can request data as described above to comply with grant requirements or funder requests as if the other party can comply.

5.3 Data Reuse/Ownership of Created Data

N/A

5.4 Provisions for External Access/Third Party Use

There will be no third party external use.

5.5 Disposition of Data

Data will be disposed of on a semi-annual basis as new abatement orders are issued and old abatement orders are cleared.

6. Contract Management/Administration

6.1 Duration/Period of Agreement/Modification and Amendment Procedures

This agreement shall be effective on the last date signed and be effective until either of the parties terminates the agreement. Either party may suggest modifications or amendments to the agreement by providing 30 days written notice to the other party. Upon receiving this notice, the recipient party has 30 days to either accept or reject the modifications or amendments.

Either party may terminate this agreement at any time upon 30 days written notice to the other party. Either party may terminate this agreement immediately for cause in the event the other party has materially breached the agreement; the other party is acting in violation of laws or regulations; or the other party has breached the protections in this agreement regarding the maintenance of confidential or proprietary information.

Upon termination, all rights granted by this agreement are terminated and the trading partners shall immediately cease the electronic transactions covered by this agreement.

6.2 Dispute Resolution

This agreement shall be interpreted in accordance with the laws of Maine, without prejudice to any legislative provision, which may apply to the parties to this agreement regarding processing, recording, and storage of electronic information, or confidentiality and protection of personal data.

All disputes arising out of this agreement that cannot be settled amicably shall be submitted to an alternative dispute resolution process. The alternative means of dispute resolution may be arbitration, mediation or any other collaborative problem-solving process designed to encourage parties to work together to develop mutually agreeable solutions to disputes.

7. Other Considerations: None

8. Signatures

Organization: City of Lewiston

Name/Title: Edward Barrett

City Administrator

Signature: _____

Date: _____

Organization: Maine Center for Disease Control

Name/Title: Kenneth Albert, Director

Signature: _____

Date: _____

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Amendments to the Traffic Schedule regarding regulations of parking times for portions of Central Avenue and Campus Avenue around the Lewiston Middle School.

INFORMATION:

This amendment to the Traffic Schedule was prepared by the Police Department at the request of the Lewiston Middle School staff to help accommodate parking arrangements and bus parking around the school building.

Additional information is outlined in the attached memorandum from the Police Department and passage is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

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To adopt the proposed amendments to the Traffic Schedule regarding the regulations of parking times for portions of Central Avenue and Campus Avenue as proposed by the Lewiston Police Department and Lewiston School Department.



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



DATE: August 19, 2015
TO: Traffic Schedule Review
FROM: Sgt. David Chick, Inspector of Police
Subject: Campus Ave / Central Ave (Lewiston Middle School)

Traffic Schedule Amendment – Chapter 70 Section 176
PARKING RESERVED
STOPPING PASSENGERS (Section 36)

Traffic Schedule Amendment – Chapter 70 Section 150
PARKING RESTRICTED – NO PARKING ANYTIME
HAZARDOUS OR CONGESTED PLACES (Section 44)

Traffic Schedule Amendment – Chapter 70 Section 140
Parking Prohibited - Overnight – 11:00 P.M. to 6:00 A.M. (Section 47)

Traffic Schedule Amendment – Chapter 70 Section 173
BUSES ONLY – TOW AWAY ZONE
6:00 A.M. TO 6:00 P.M. – Monday-Friday (Section 48)

After trying to work with changes which were initiated to coincide with construction of a new façade and expansion on the Central Ave side of the building, school administrative and police representative personnel have concluded that those changes will NOT work as feasibly as expected to remain permanent. Prior to re-writing, there was a return to similar status as before construction using temporary signs, with only slight modifications which will now become formalized. The following changes to revert are now being proposed...

Section 36 – Parking Reserved – Stopping Passengers

~~CENTRAL AVENUE~~ — ~~Odd numbered side, westerly side, beginning at a point 50' southwesterly from the southeasterly corner of Central Ave & Campus Ave and extending southwesterly on Central Ave a distance of approximately 392' (space accommodating for about 18 vehicles parallel parking); designated for temporary use as student drop-off and pick-up; 15 Minute Parking, Monday – Friday, 7:00 AM – 3:00 PM, on school session days.~~

NOTE: (Additions are double underlined; deletions are ~~struck-out~~).

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



Professionalism Integrity Compassion Dedication Pride Dependability



POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



CAMPUS AVENUE

Odd numbered side, southerly side, beginning at a point 50' southeasterly of the southeasterly corner of Campus Ave & Central Ave and extending southeasterly a distance of 80' (for 4 delineated parallel parking spaces); designated for temporary use as student drop of and pick up: 15 Minute Parking; Monday – Friday, 7:00 AM – 3:00 PM, on school session days.

The restricted area being designated for parents to drop off and pick up students is less spaces than during the construction period, but additional on street parking spaces have been created for general use on Campus Ave with the buses being moved back onto Central Ave. There is nothing to prevent parents from parking on Central Ave on the opposite side of the designated bus area should there be open spaces, but this area will not be labeled as reserved for such use which encourages students crossing the roadway...

Section 44 – Parking Restricted – No Parking Anytime – Hazardous or Congested Places

~~CAMPUS AVENUE~~

~~Even numbered side, northerly side, beginning at a point 395' southeasterly from the northeasterly corner of Campus Ave & Central Ave and extending southeasterly on Campus Ave a distance of approximately 40' and merging with pre-existing zone designated "No Parking".~~

(The extra area for accommodating school bus turning radius is no longer necessary, and the few extra parking spaces being made available are beneficial.)

Section 47 – Parking Prohibited – Overnight – 11:00 PM to 6:00 AM

CENTRAL AVENUE

Odd numbered side, easterly side, beginning from Vale St and extending to Campus Ave.

(A year-round prohibition of overnight parking is engaged in an effort to manage student "occupation" of these spaces; keeping them more openly available for general access of use This will permit daytime parking use year-round with the exception of city-wide parking bans or specific street maintenance temporary postings.) Signs: "No Overnight Parking 11p.m.-6a.m."

NOTE: (Additions are double underlined; deletions are ~~struck-out~~.)



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POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



Section 48 – Buses Only – Tow Away Zone – Monday-Friday – 6:00 AM to 6:00 PM

~~CAMPUS AVENUE~~ — ~~Odd numbered side, southerly side, beginning at the southeasterly corner of Campus Ave & Central Ave and extending southeasterly on Campus Ave a distance of 465’; restricted to “School Buses Only”, Monday – Friday, 7:00 AM – 3:00 PM, on school session days.~~

CENTRAL AVENUE Odd numbered side, easterly side, beginning at a point 50’ southwesterly from the southeastern corner of Central Ave & Campus Ave and extending southwesterly on Central Ave a distance of approximately 392’ (space accommodating for about 18 vehicles parallel parking); restricted to “School Buses Only”, Monday – Friday, 7:00 AM – 3:00 PM, on school session days.

(The area in front of the school building is to return being used for bus staging for drop-off and loading students. It will be prohibited for all other use during school session days during operational hours, and would be available for use by other functions at all other times. The exclusive use prohibition would not apply during evenings and weekends, or during school off-season. No overnight parking will be permitted to occur here.)...

NOTE: (Additions are double underlined; deletions are ~~struck-out~~).

If this collective amendment is approved, this would require Public Works department to rearrange or install sign(s) and marking(s) pertaining to the intended designation instructing “**15 Minute Parking; Monday – Friday; 7 AM to 3 PM; During School Session**” on Campus Ave for the curbside adjacent to school property and “**Restricted To School Bus Parking Only; Monday – Friday; 7 AM to 3 PM; During School Session**” on Central Ave for the curbside adjacent to school property. The area adjacent to the school property will also need signs installed to prohibit overnight parking on Central Ave.

Sgt. David Chick, Inspector of Police



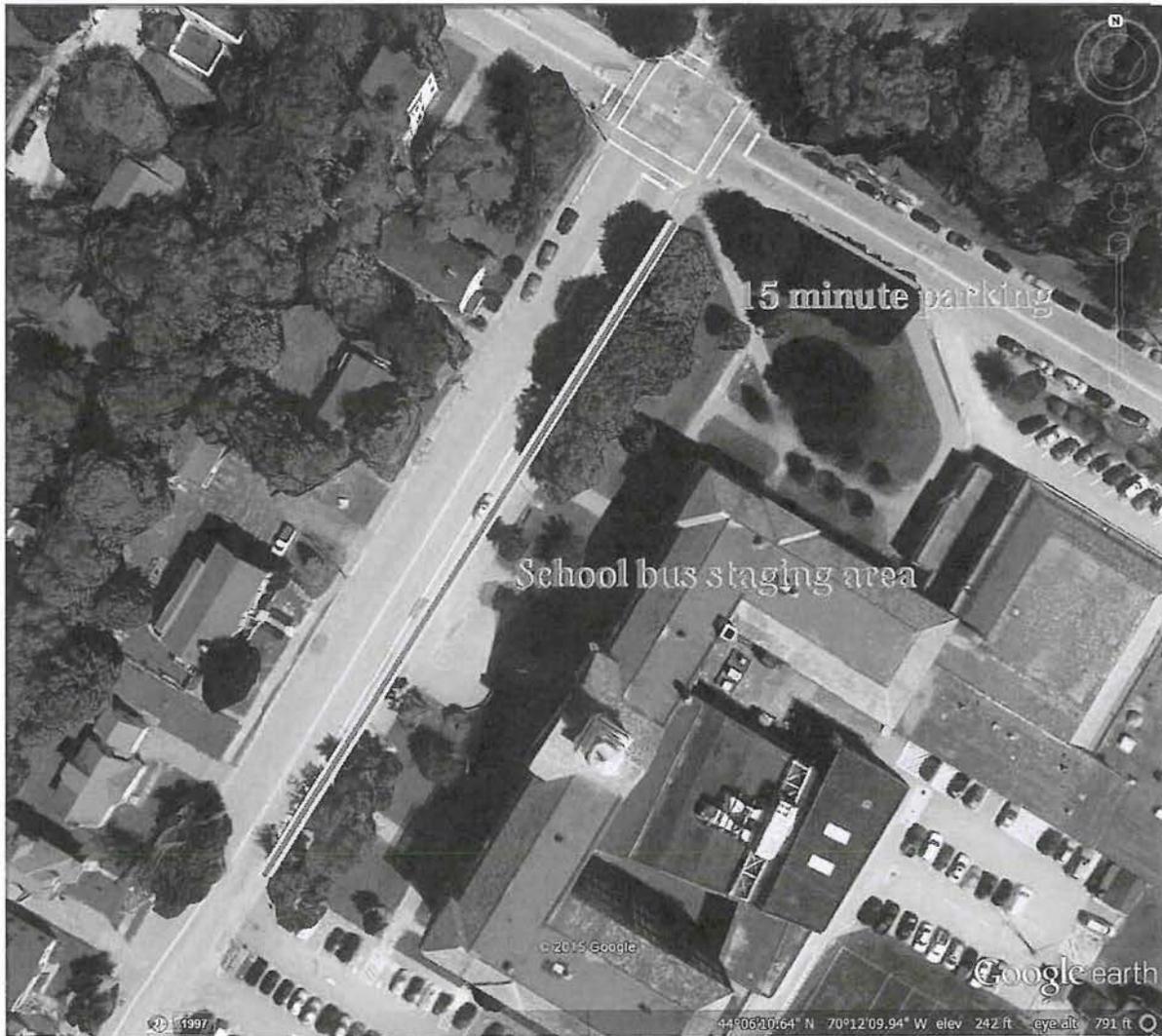
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POLICE DEPARTMENT

Sgt. David K. Chick
Inspector of Police



cc: **Michael Bussiere**
Ed Barrett – City Hall; Phil Nadeau – City Hall; Lincoln Jeffers – City Hall;
Kathy Montejo – City Clerk; Steve Murch – Public Works; Paul Ouellette – Fire



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LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9B

SUBJECT:

Confirmation of the Mayor's nomination of Zam Zam Mohamud to serve on the Lewiston School Committee as the At-Large representative.

INFORMATION:

School Committee Chairperson James Handy has notified Mayor Macdonald that there is an opening on the School Committee for the At-Large representative position. Under the City Charter, if a School Committee member misses three consecutive meetings without being excused, it is deemed that they have forfeited their seat. Chairman Handy has reported that Ms. Mendros has missed such meetings and therefore has vacated her position on the School Committee.

Under the Charter, the Mayor shall nominate a replacement from the same ward and the Council shall vote to confirm the appointment. Since this is the at-large seat, the Mayor is free to nominate any resident of the city regardless of ward residency. The Mayor has nominated Zam Zam Mohamud of 66 Tall Pines Drive to this position.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EABIKMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To confirm the Mayor's nomination of Zam Zam Mohamud to serve as the at-large representative to the Lewiston School Committee, said term to expire January 4, 2016.

Kathy Montejo

From: Bill Webster <bwebster@lewistonpublicschools.org>
Sent: Monday, August 31, 2015 1:54 PM
To: Ed Barrett
Cc: Kathy Montejo
Subject: Fwd: Vacancy on School Committee

Hi, Ed,

Included herein is a copy of Jim Handy's email to Mayor McDonald about the vacancy.

Bill

Bill Webster
Superintendent
Lewiston Public Schools
36 Oak Street
Lewiston, ME 04240
(207) 795-4100
Ensuring Student Academic and Civic Success
Twitter: @LewistonSuper
Facebook: Lewiston Public Schools Superintendent

----- Forwarded message -----

From: **Jim Handy** <jrhandy@lewistonpublicschools.org>
Date: Thu, Aug 20, 2015 at 2:31 PM
Subject: Vacancy on School Committee
To: rmacdonald@lewistonmaine.gov
Cc: Cynthia Mendros <cmendros@lewistonpublicschools.org>, Bill Webster <Bwebster@lewistonpublicschools.org>

Dear Mayor Macdonald,

This is to advise you, pursuant to the Lewiston City Charter, that the at-large member of the Lewiston School Committee, Ms Cynthia Mendros has missed 3 consecutive meetings and has effectively created a vacancy on the Lewiston School Committee.

Thank you.

James R Handy, Chairperson
Lewiston School Committee

CHARTER

ARTICLE V. SCHOOL ADMINISTRATION

Sec. 5.01. School committee.

- (a) *Election and appointment.* There shall be a school committee of nine (9) members, composed of one (1) qualified voter to be elected from each ward, one (1) at-large member to be elected from any ward, and one (1) city council member to be nominated by the mayor and appointed by the city council from any ward, all of whom shall serve two (2) year terms, as set forth herein, and until their successors are elected and/or appointed and qualified. The qualified voters of each of the seven (7) wards of the city shall nominate and elect a school committee member who shall be qualified to vote in the ward from which elected and the qualified voters of the entire city shall nominate and elect one (1) at-large school committee member who shall be qualified to vote in any ward. Nominations and elections shall be conducted as provided in Article VII. The mayor shall nominate one (1) councilor from any ward, who shall be appointed by the city council, at the first city council meeting in January after each biennial election. If an elective position on the school committee is not filled at a regular municipal election, the mayor shall nominate, subject to the consent of the city council, an eligible individual for appointment to assume the vacant position.
- (b) *Compensation.* Each member shall receive compensation at the rate set by ordinance by the city council.
- (c) *Forfeiture of office.* A member of the school committee shall forfeit office and a vacancy therein shall exist if the member:
- (1) Dies;
 - (2) Resigns;
 - (3) For the seven (7) members elected by ward, moves from the ward in which elected;
 - (4) For the one (1) at-large member, moves from the city;
 - (5) Is convicted of a crime punishable by imprisonment of one year or more or a crime of a sexual nature or of dishonesty or false statement, regardless of the punishment while in office;
 - (6) Is found to be in violation of section 8.04 of this Charter; or
 - (7) For the councilor member, is no longer a member of the city council.
 - (8) Fails to attend three consecutive regular meetings of the school committee without being excused by the chair or, in the case of the chair, by the school committee.

If any vacancy in office of any elected member occurs, the vacancy shall be filled from the same ward for the remainder of the unexpired term by nomination of the mayor, subject to the consent of the city council, except that the at-large school committee member may be from any ward. If there is any vacancy in the office of the city council member, it shall be filled by nomination of a councilor by the mayor subject to consent by the city council.

(Ord. No. C86-1, §§ 2--4, 1-1-87; Amd. effective 12-6-12)

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 1, 2015

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

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.

EATB/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.