

**LEWISTON CITY COUNCIL AGENDA  
CITY COUNCIL CHAMBERS  
JANUARY 5, 2016**

**6:00 p.m. Workshops**

- A. Presentation of the City of Lewiston, Maine Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2015 - 30 minutes
- B. Discussion of Council Rules of Decorum - 15 minutes

**7:00 p.m. Regular Meeting**

Pledge of Allegiance to the Flag.  
Moment of Silence.

Acceptance of minutes of the meeting of December 15, 2015.

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 1.

**REGULAR BUSINESS:**

1. Adoption of the Rules to Govern the City Council for the ensuing Council year.
2. Public Hearing on renewal application for a Special Amusement Permit for Live Entertainment for Fraternal Order of Eagles #618, 1327 Sabattus Street.
3. Amendments to the Policy Manual regarding the Lewiston Youth Advisory Council.
4. Resolve Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year ended June 30, 2015.
5. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance, on behalf of the Municipal Officers.
6. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all permits for circuses and carnivals, on behalf of the Municipal Officers.
7. Authorization for the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers.
8. Authorization for the City Clerk and/or Deputy City Clerk to sign all applications for utility pole permits, on behalf of the Municipal Officers.
9. Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits, on behalf of the Municipal Officers.
10. Authorization for the Finance Director, Tax Collector and Deputy Treasurer to act on behalf of the Municipal Officers regarding deeds, liens and municipal investments.
11. Authorization for City Administration to approve or deny all requests to hang banners and post community event signs on municipal property, and place temporary signs, flags and decorations in the public right of way, on behalf of the Municipal Officers.

12. Authorization for Deputy City Administrator and/or Finance Director to have signatory authority for the City Administrator when the Administrator is unavailable.
13. Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 14 Judkins Avenue.
14. Appointments to various City boards and committees.
15. Reports and Updates.
16. Any other City Business Councilors or others may have relating to Lewiston City Government.
17. Executive Session to discuss Labor Union negotiations regarding four of the City's employee unions.

LEWISTON CITY COUNCIL  
WORKSHOP AGENDA  
TUESDAY, JANUARY 5, 2016  
CITY COUNCIL CHAMBERS, LEWISTON CITY HALL  
6:00 PM

1. Presentation of the City of Lewiston, Maine Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015 – 30 minutes

Representatives of the City's outside audit firm, RHR Smith & Company, will be present to review the City's 2015 annual audit. A copy of the audit has been separately provided.

2. Discussion of Council Rules of Decorum – 15 minutes

At the recent organizational meeting of the 2016 Elected Officials, there was discussion of best practices regarding Council decorum. Based on that discussion, staff has compiled the attached Rules of Decorum for Regular Council Meetings in an effort to assist the Council's discussion of this issue. Should the Council wish, these rules could be adopted as an Addendum to the Council Rules on the agenda this evening for approval or they could simply be seen as a reference guides for the Mayor and Council during meetings.

## Rules of Decorum for Regular Council Meetings

The City Council will practice civility and decorum in discussion and debate. Each member of the Council shall cooperate with the Mayor or Council President when presiding (hereafter the Presiding Officer) in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disturb any member while speaking, or fail to abide by the orders of the Presiding Officer except as specifically permitted by these Rules or Roberts Rules of Order.

- a. Subject to being overruled by a majority vote of the members, which vote shall be taken without debate or comment, the Presiding Officer shall maintain order and preserve the decorum of the meeting.
- b. Every member of the Council desiring to speak shall seek recognition from the Presiding Officer and, upon recognition, shall confine remarks to the question under debate, avoiding all indecorous language or reference to personalities, and direct comments to the Presiding Officer unless otherwise granted permission.
- c. A member of the Council, once recognized, shall not be interrupted when speaking unless it is for the purpose of calling such person to order. If a member of the Council, while speaking, is called to order, that person shall cease speaking until the question of order is determined.
- d. When two or more members request the floor at the same time, the presiding officer shall name the one entitled to the floor.
- e. After receiving permission from the Chair, any member may address a question to any other member.
- f. All Councilors shall be provided the opportunity to speak and agree or disagree, but no Councilor shall speak twice on any given subject unless all other Councilors have been given the opportunity to speak.
- g. No Councilor shall engage in private conversation while in the Council Chamber in such a manner as to interrupt the proceedings of the Council.
- h. If considered necessary because of grave disorder, the Presiding Officer may adjourn or suspend the meeting for a specified time.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:**

Adoption of the Rules to Govern the City Council for the ensuing Council year.

**INFORMATION:**

The City Council, at the beginning of each new biennial Council year, is required to adopt rules to govern the Board for the ensuing year. The City Council operates by Robert's Rules of Order, but must adopt rules to govern those issues not covered by Robert's Rules. These Rules can be amended throughout the year by a vote of the Council. These Rules are the same as in previous years.

Passage is recommended.

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

The Rules are a matter of policy established by the Council for the conduct of its business. The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To adopt the Rules to Govern the City Council for the period of January 5, 2016 to January 9, 2018 as presented.

**RULES GOVERNING THE CITY COUNCIL  
FOR PERIOD 1/05/2016 - 1/09/2018**

**Sec. 1. Regular meetings**

- (a) **Time:** The City Council shall hold regular meetings on the first and third Tuesday of each month at 7:00 p.m.
- (b) **Place:** All regular meetings of the City Council shall be held in the Council Chambers of the City Building.
- (c) Matters that are appropriate for executive session and which are to be held on evenings of regular City Council meetings shall be scheduled either at a workshop preceding the meeting or immediately following Other Business as the final item on the meeting agenda, except in situations when the City Administrator deems it to be in the best interest of the City to hold the executive session at another time.
- (d) Items shall appear on the agenda in the following standard order of business:

Pledge of Allegiance to the Flag  
Moment of Silence  
Ceremonial Presentations and Recognitions  
Acceptance of meeting minutes  
Public Comment period - any member of the public may offer comments regarding issues pertaining to Lewiston City Government; maximum time limit for the full comment period shall be 15 minutes  
Consent Agenda  
Public Hearings (licenses, ordinance adoptions or amendments, other)  
Policy Manual adoptions or amendments  
Items requiring adoption or approval  
Discussion items (no action required)  
Reports and Updates  
Any other city business Councilors, staff or members of the public may have relating to Lewiston City Government

- (e) The Mayor is authorized to adjust the standard order of business to accommodate members of the public attending the meeting in regard to an item or items.

**Sec. 2. Special meetings**

All special meetings shall be called in accordance with Article II, Section 2.10 of the City Charter.

**Sec. 3. Agenda**

- (a) All agenda items must be in the office of the City Clerk no later than 12:00 Noon on the Wednesday prior to a regular meeting.
- (b) A consent agenda shall be prepared for all regular meetings of the City

# **RULES GOVERNING THE CITY COUNCIL FOR PERIOD 1/05/2016 - 1/09/2018**

Council. The consent agenda shall be adopted by a yea and nay vote.

## **Sec. 4. Presiding officer - call to order**

The Mayor, or in the absence of the Mayor, the Council President, shall call the meetings to order. In the absence of the Mayor and Council President, the City Clerk shall call the Council to order, whereupon a temporary chairman shall be elected by the members of the Council present.

## **Sec. 5. Parliamentary Procedure**

- (a) "ROBERT'S RULES OF ORDER" shall be regarded by the Council as the proper authority for parliamentary procedure in conduct of its meetings for the ensuing year, except as otherwise provided herein, or by Charter and may be suspended by a majority vote of the city council at any time.
- (b) Reconsideration of Items - When an item is voted on by the Council, it shall be in order for any member who voted on the prevailing side or who was not present at the time the vote was taken to move a reconsideration thereof, during the same meeting or at the immediate next regularly scheduled Council meeting, but not afterwards. In instances where a majority of those present vote in favor of an item but there are less than the normally required four votes, the prevailing side shall be those who voted against the item. No motion to reconsider a vote taken at a previous meeting shall be in order for consideration at the immediate next regularly scheduled Council meeting unless an item to that effect is scheduled on the agenda for such meeting or unless five of the members consent to such reconsideration.

## **Sec. 6. City Council Teleconference/Video Conference Rules**

- (a) Physical attendance by members of the Lewiston City Council at all meetings is encouraged and expected. Council members and the Mayor should make all reasonable effort to be physically present for every meeting. Teleconference procedures may not be routinely used as a substitute for attendance in person. However, physical attendance may not always be possible.
- (b) Teleconferencing” is defined as remote participation by an official in a meeting of the City Council by means which enables the remote official to clearly hear the Mayor, all Council members, the City Clerk, and public testimony and to be clearly heard by the Mayor, all Council members, the City Clerk, and the public for the duration of the meeting.
- (c) Physical attendance at meetings contributes to quality dialogue and supports a sound deliberative and decision-making process. Consequently, teleconferencing will only be permitted under the following conditions:

**RULES GOVERNING THE CITY COUNCIL  
FOR PERIOD 1/05/2016 - 1/09/2018**

1. a quorum cannot be achieved for a regularly scheduled or special meeting;
  2. one or more member are unable to attend due to absence from the City, employment, or family emergency reasons;
  3. a minimum of three [3] Councilors must be present in person at the meeting location;
  4. an elected official participating by teleconference shall, while actually on the teleconference, be deemed present at the meeting for all purposes. The official shall make every effort to participate in the entire meeting;
  5. if the Mayor participates via teleconference, the Council President, or the Council-appointed presiding officer in the Council President's absence, shall preside over and perform all functions of the Mayor at the meeting; and
- (d) any City Council business, with the exception of items involving public hearings or quasi-judicial proceedings, may be conducted under this policy.
- (e) Where teleconferencing is employed, the Council member requesting to participate via teleconference must provide the City Clerk no less than 24 hours notice of his/her absence in order to participate as a voting member, except in instances where special meetings are called with short notice where a member requesting to teleconference should notify the City Clerk of this request as soon as practicable.
- (f) The following procedures shall apply to teleconferencing:
1. All votes during teleconferenced meetings shall be conducted by roll call.
  2. Agendas shall specify the name of the Mayor/City Councilor participating via teleconference and the location, address, and telephone number to be utilized for the teleconference. In the case of a special meeting called on short notice, this information shall be provided at the start of the meeting.
  3. Two-way communication must be established so that the teleconferenced City Councilor can listen to and participate in the public proceedings and members of the public can hear the comments of the teleconferenced official (with the exception of executive sessions).
  4. The City Clerk shall note in the minutes of the meeting all members attending via teleconference.
  5. To the extent practicable, materials to be considered by the Council shall be made available in advance to those attending by teleconference.

# RULES GOVERNING THE CITY COUNCIL FOR PERIOD 1/05/2016 - 1/09/2018

## Sec. 7. Action on Ordinances

- (a) All ordinances shall be submitted in accordance with Article II, Section 2.11 of the City Charter.
- (b) All proposed ordinances shall be read by title only unless any member of the Council requests a full reading of the ordinance.
- (c) No ordinance, excluding emergency ordinances, shall be passed until it has been read on two separate days, except when the requirement of a reading on two separate days has been dispensed with by the Council.
- (d) When passed by the Council, an ordinance shall be attested by the City Clerk; and it shall be immediately filed and thereafter preserved in the office of the City Clerk.

## Sec. 8. Action on budget

### I. Community-Shared Assumptions and Principles

- (a) The City Council has full authority and responsibility in law to set the municipal budget. The City Council, in consultation with the School Committee, shall approve the specific portions of the school budget in accordance with the applicable sections of MRSA 20-A, and shall establish the mill rate on the combined overall budget for all city and school budgets.
- (b) The School Committee has full authority and responsibility in law to develop the school budget and to establish educational policy in accordance with the applicable sections of MRSA 20-A.
- (c) Direct communication between the participants in these processes is preferable to relying on third party transmission.
- (d) Budgets for the School Department and other municipal offices will be developed with full and complete communication between the City Council and the School Committee. In addition to the regular public sessions presented by the City Council and the School Committee, there will be an appropriate number of joint public work sessions consistent with the limitations prescribed by statute and the charter.
- (e) Public communication on the budgetary process will be open and extensive, and, wherever possible, be jointly made by the City Administrator and Superintendent or the Council and the School Committee.
- (f) The City Council shall submit the approved School Budget for a budget validation referendum and the School Committee shall determine the allocation of the approved school budget among the cost centers of the cost center summary budget format in accordance with those provisions outlined in MRSA 20-A.
- (g) Budgetary development addresses not only the next fiscal year, but is also part of a strategic, long-range process and is viewed in that context.
- (h) The City Council and the School Committee will cooperate in the

## **RULES GOVERNING THE CITY COUNCIL FOR PERIOD 1/05/2016 - 1/09/2018**

development of a strategic, integrated, long-range plan which will involve the whole community.

- (i) Broad-based, strategic, long-range community planning is vital to the process.

### **II. The Superintendent and the City Administrator**

- (a) There will be meetings on a regular basis throughout the year.
- (b) Each will share budget information with as much detail as available at appropriate stages in the budgetary development process. Special emphasis will be given to sharing relevant factual information about personnel, program development, facilities support and strategic development.

### **III. City Council and School Committee**

- (a) The City Council and the School Committee agree to meet jointly prior to the budgetary season to discuss visions, goals and objectives for the coming year.
- (b) Each will share budget information with as much detail as available at appropriate stages in the budgetary development process. Special emphasis will be given to sharing relevant factual information about personnel, program development, facilities support and strategic development.
- (c) The City Council and the School Committee will have a regular agenda item at its meetings, "Report from the (City Council/School Committee)". This will be facilitated by the City Council representative to the School Committee, thereby enhancing that role in the collaborative process.

#### **Sec. 9. Travel by Council Members**

Any member of the City Council who will not be serving an additional term in office shall refrain from out-of-state travel, in an official capacity, following the November Municipal Election.

#### **Sec. 10. Action by Councilors**

A majority vote of the City Council or approval by the council president, or Mayor in the absence of the council president, is required in order for an individual Councilor to obtain an opinion from the City Attorney.

#### **Sec. 11. Suspension of rules**

Any of the foregoing rules may be suspended, amended or repealed providing a majority of the members of the Council vote therefore.

#### **Sec. 12. Institutional Cooperation**

It is the policy of the City to work in close cooperation with the Council and staff of the City of Auburn and to continue to explore ways Lewiston and Auburn can work together to promote economic growth in the L/A region, reduce municipal operating and capital costs, and improve service to the public. To encourage such efforts, periodic joint meetings may be held between the City Councils. In addition, the City

**RULES GOVERNING THE CITY COUNCIL  
FOR PERIOD 1/05/2016 - 1/09/2018**

Administrator should make every effort to meet at least quarterly with the City Manager of Auburn to discuss issues of mutual concern and explore areas of further cooperation

**Sec. 13. Workshops**

- (a) Workshop meetings shall be held when deemed appropriate and necessary.
- (b) Workshop meetings should be focused on the Councils' formulation of policy based upon general topic discussions of current issues or project orientated.
- (c) Citizens are welcome, and highly encouraged, to attend and participate in workshops, however, discussion maybe limited by the Mayor, if deemed appropriate.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 2**

**SUBJECT:**

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fraternal Order of Eagles #618, 1327 Sabattus Street.

**INFORMATION:**

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Fraternal Order of Eagles #618, 1327 Sabattus Street.

The Police Department has reviewed and approved the application.

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

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

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

The City Administrator recommends approval of the requested action.

*EAG/KMM*

**REQUESTED ACTION:**

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To grant a Special Amusement Permit for Live Entertainment to Fraternal Order of Eagles #618, 1327 Sabattus Street.

CITY OF LEWISTON  
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 12/22/15

Expiration Date: 1-4-2017

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

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

\*\*\*\*PLEASE PRINT\*\*\*\*

Business Name: FOE Avenue 618 Business Phone: 7866837

Location Address: 1327 Sabattus Street Lewiston 04240

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

Mailing Address: Same as above

Email address: Lewiston618@gmail.com

Contact Person: Theresa Marcotte Phone: 24645397

Owner of Business: Members Date of Birth: \_\_\_\_\_

Address of Owner: \_\_\_\_\_

Manager of Establishment: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Owner of Premises (landlord): \_\_\_\_\_

Address of Premises Owner: \_\_\_\_\_

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

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

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

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

Corporation Name: Fraternial Order of Eagles #618

Corporation Mailing Address: 1327 Sabattus Street Lewes

Contact Person: Turi Marcotte Phone: 2405394

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

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 800 ft.

Please describe the type of proposed entertainment:

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

If new applicant, what is your opening date?: \_\_\_\_\_

\*\*\*\*\*

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

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

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

Signature: Turi Marcotte Title: Secretary Date: 12/22/15  
Printed Name: Turi Marcotte

\*\*\*\*\*

Hearing Date: 1-5-2016



## ***POLICE DEPARTMENT***

Michael J. Bussiere  
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: November 24, 2015

RE: Liquor License/Special Amusement Permit – **Fraternal Order of Eagles**

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

**Fraternal Order of Eagles**  
**1327 Sabattus Street**



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# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

**SUBJECT:**

Amendments to the Policy Manual regarding the Lewiston Youth Advisory Council.

**INFORMATION:**

The members of the Lewiston Youth Council have recently done a review of their Bylaws and the Policy established to create the group. They are suggesting several housekeeping related changes to better reflect the current practices of the group. These are outlined in the attached memorandum.

Note: Additions are underlined; deletions have ~~strikeout~~ lines.

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

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To approve the proposed amendments to the Lewiston Youth Advisory Council Policy, Policy Manual Number 74, as requested by the Lewiston Youth Advisory Council and their advisors.

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



## EXECUTIVE DEPARTMENT

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

TO: Mayor & City Council

FR: Dottie Perham-Whittier, Community Relations Coordinator (LYAC Advisor)

**RE: Proposed Youth Council Policy & Bylaws Changes**

DT: December 29, 2015

The sitting Lewiston Youth Advisory Council recently did a thorough review of its policy and bylaws to bring them into line with current practice, to make some areas more clear, and to outline new provisions for future reference.

**Policy: Changes Include:**

- Corrected the youth council's establishment date by City Council to October 16, 2001;
- Addressed completion of service should a member's family move out of Lewiston during his/her tenure;
- Clarified language for the rotating "seat" opportunity for LYAC members at City Council meetings.

**Bylaws: Changes Include:**

- Above-noted member's family moving language,
- Updates to the LYAC annual interview process to now include former LYAC members,
- Added orientation attendance requirements for returning members,
- Updated language on how subcommittees are established and work,
- Revised/new language as to unexcused and excused absences,
- Added more specifics to officer duty descriptions, vacancies, officer nomination procedures, and tie votes.

dapw

# LEWISTON YOUTH ADVISORY COUNCIL (LYAC)

## NAME & STATEMENT OF PURPOSE

The official name of the City of Lewiston youth council shall be the "Lewiston Youth Advisory Council" (LYAC). The LYAC, established by the Lewiston City Council on October 16, 2001-~~in July 2002~~, shall serve as an advisory council to the Lewiston City Council in regards to community issues affecting youth and shall serve as a liaison between the youth of the community and the City. The LYAC shall enable youth to work toward goals that empower all of the community's youth and to undertake service projects that enhance the community.

## COMPOSITION

The LYAC shall annually have a composition of up to 15 voting high school aged members chosen through an application/selection process. A youth must be a resident of Lewiston at the time of application and a high school student or home schooled student (State of Maine approved curriculum) in grades 9-12 or, at the time of application, an 8th grade student who will be entering grade 9 in the following academic year. Should a member's family move out of Lewiston during his/her tenure but the youth still attends a local school, the member may complete his or her LYAC term.

The LYAC shall be facilitated by ~~two~~a Lewiston employees serving as "C~~e~~-Advisors", and the C~~e~~-Advisors shall be appointed by the City Administrator.

The LYAC shall also have one (1) ex-officio city councilor annually appointed by the Lewiston City Council. This individual will serve as a liaison between the City Council and the Lewiston Youth Advisory Council.

## MEETING SCHEDULE

During the K-12 academic school year ~~[unless consensus is to meet during summer months (Article VII, Section 2)]~~, a regular meeting of the LYAC shall take place a minimum of ~~one~~twice a month on a ~~day of the week~~weekday and at a time agreed upon by LYAC members and the C~~e~~-Advisors. -Special meetings shall be called if business at hand requires additional meetings.

## LYAC PROCEDURES & RESPONSIBILITIES

All information pertaining to the procedures and responsibilities of the Lewiston Youth Advisory Council are found in the by-laws that are incorporated herewith.

## PARTICIPATION AT CITY COUNCIL MEETINGS

### PURPOSE

Youth council participation at a City Council meeting refers to a ~~The idea of a revolving seat on the Lewiston City Council for members of the Lewiston Youth Advisory Council (LYAC) is being proposed to provide~~ LYAC members with them with an opportunity for further civic engagement in local municipal government. -Their participation will also provide elected officials and members of the public with youth perspectives on topics being discussed.

# LEWISTON YOUTH ADVISORY COUNCIL (LYAC)

## REPRESENTATION

The youth joining the City Council for a particular meeting will have the opportunity to do so due to membership on the youth council; however, the views and opinions youth share will be regarded as their own and are not to be interpreted as the position of the Lewiston Youth Advisory Council. Either the Mayor or City Council President will make that clarification at the beginning of each City Council meeting in which an LYAC member participates per this policy.

The idea of a youth revolving seat shall be reviewed every two years by incoming City Council members. It will be their total discretion as to whether the revolving seat continues or is reinstated if previously stopped.

## ROTATION PROCESS

Participation by an LYAC member is voluntary—not mandatory, as only those LYAC members who wish to participate shall do so.

A list of members who wish to participate will be maintained by the LYAC Co-Advisors, and the order of the list will first consist of high school seniors (listed alphabetically), and then the remaining names will also be listed in alphabetical order. The reason for first utilizing the seniors is due to them being in their last year with the youth council through which this opportunity is being provided.

It is understood that youth might not be available for some meetings due to the unexpected scheduling of a City Council meeting or conflicts with school, family, and/or extracurricular activities.

As one person serves, the next person on the list will be invited to participate at the next City Council meeting. If that person is unable to serve at the current time, the next person on the list will be approached. Should a person be unable to serve his/her assigned rotation, the Advisor will only move down one person on the list to seek a replacement for that respective meeting.

The originally scheduled person for that meeting who was unable to serve will have his/her name placed at the end of the current rotation before the next full rotation of participants begins.

If the Chair is giving his/her monthly update to the City Council, he or she will serve as the rotation representative if it's already his/her assigned rotation OR if no one else is available for that meeting's rotation. If it is someone else's turn to be in the rotated seat, the Chair will leave the City Council seating area for use by the respective LYAC rotating representative.

~~There shall be an understanding that youth might not be available for some meetings due to the unexpected scheduling of a City Council meeting or conflicts with school and/or extracurricular activities.~~

~~The City Clerk will be informed as to made aware of which youth will be serving at the next a particular City Council meeting, on the Wednesday prior to the scheduled meeting.~~

## LEWISTON YOUTH ADVISORY COUNCIL (LYAC)

Prior to an upcoming meeting, the young person who will be engaged in a particular City Council meeting ~~will electronically receive the City Council agenda material~~ will be instructed to review the respective City Council agenda, which is accessible online.

### PARTICIPATION

Youth will have the opportunity to share their thoughts and participate in City Council discussions in accordance with *Robert's Rules of Order*. Youth will not be voting members of the City Council, and youth will not participate in executive sessions due to the nature of confidentiality associated with such sessions. Those LYAC members who participate with the City Council shall be youth who are actively participating in LYAC and in good standing with the group. ~~For each meeting, youth will be asked to wear their LYAC shirt and will sit next to the Council's representative to LYAC.~~

To be prepared for City Council discussions, the youth scheduled for each meeting shall thoroughly review agenda materials prior to arrival. In addition, each youth is expected to arrive on time and to be respectful to elected officials, members of the public, and staff. LYAC youth ~~who will participate at City Council meetings until 9 p.m. have the option of leaving the meeting before it concludes due to family, school-related, or extracurricular commitments. At that time, they may be excused so as not to interfere with assigned homework for the following school day. The 9 p.m. time would not apply at summer City Council meetings when school is not in session.~~

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

## ARTICLE I - NAME

The official name of the City of Lewiston youth council shall be the “**Lewiston Youth Advisory Council**” (LYAC).

## ARTICLE II - PURPOSE

The LYAC shall serve as an advisory council to the Lewiston City Council in regards to community issues affecting youth and shall serve as a liaison between the youth of the community and the City. The LYAC shall enable youth to work toward goals that empower all of the community’s youth and to undertake service projects that enhance the community.

## ARTICLE III - ADVISORS AND ADMINISTRATIVE SUPPORT

### Section 1. ~~Co~~-Advisors

The LYAC shall be facilitated by ~~two~~ a Lewiston employees serving as an “~~Co~~-Advisors”, and the ~~Co~~-Advisors shall be appointed by the City Administrator.

### Section 2. Administrative Support

Administrative support shall be provided to the youth council by the ~~Co~~-Advisors for purposes of guidance relating to LYAC administrative issues.

### Section 3. Vacancy of ~~Co~~-Advisor

The City Administrator shall be responsible for filling a vacancy of ~~one or both of the~~ ~~Co~~-Advisors whenever such a vacancy occurs.

## ARTICLE IV - APPLICATION AND SELECTION

### Section 1. Qualification

To be considered for membership on the LYAC, an individual must be a Lewiston resident at the time of application and a high school student/home schooled student (grades 9-12) or, at the time of application, an 8th grade student who will be entering grade 9 in the following academic year. Should a selected member’s family move out of Lewiston during his/her tenure but the youth still attends a local school, the youth may complete his/her term.

### Section 2. Selection Criteria

Selection criteria shall not be based on popularity, grades, student activities, or such. Students shall be chosen to serve by the Selection Committee (Article IV, Section 6) based on their willingness to serve, ability to interact with others, and ability to be a youth leader.

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

## Section 3. Application Process

Each April, the application process for membership on the LYAC shall be made public. Applications shall be available to all Lewiston residents currently in a high school system or entering a high school system in the following academic year (grades 8-12) through promotional efforts by the sitting LYAC, ~~Co-Advisors~~, and the City Administrator's Office. These promotional efforts may include, but are not limited to, an assembly at Lewiston Middle School, posted flyers, media notification, social media outreach, and mailings. Application forms shall be released, completed by applicants, and returned to specified locations no later than the second Friday in May.

## Section 4. Application Content

The application shall include:

- a. Information regarding due date and return location
- b. Section requesting name, grade, school or home school affiliation, home address, phone number, e-mail address, and parental contact information
- c. Section requesting signatures of two (2) adult community members
- d. Section requesting signatures of fifteen (15) peers that may include friends, neighbors, and classmates
- e. Open response question **"Why do you want to serve on the Lewiston Youth Advisory Council?"** In addition to answering the question, a student may also include other information that may be helpful to the Selection Committee when making a decision about a youth's ability to serve.
- f. A *"Commitment to Serve"* statement for signature by the applicant which shall read, *"If selected to serve on the Lewiston Youth Advisory Council, I agree to work in a spirit of teamwork with my fellow peers, the LYAC ~~Co-Advisors~~, Council Liaison, other members of the LYAC, municipal officials, municipal staff, and community members with the understanding that I have been provided with a unique opportunity to represent my peers in a positive light and effectively contribute on behalf of all youth within our community."*

## Section 5. Interviews

Each applicant shall be contacted within two weeks of submittal of an application for the purpose of scheduling an interview. ~~In an effort to assess leadership qualities and communication skills, the Selection Committee (Article IV, Section 6) shall interview applicants in small groups. Interviews may be videotaped if all applicants within a group give consent. The taped interviews shall be a reference tool for the Selection Committee when deciding upon who will serve on the youth advisory council.~~

## Section 6. Composition & Duties of Selection Committee

## LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

A Selection Committee shall be assembled once a year to choose the new LYAC. This committee shall consist of the ~~Council~~ Advisors; Council Liaison, possible representation from the Mayor/Council; and any member of the municipal staff, member of the community, or member of the local school system that the ~~Council~~ Advisors and Council Liaison may deem appropriate. The interview panel may also include one or more former LYAC members, such as one or more high school senior whose service with LYAC has just ended. —This committee shall be responsible for reviewing all applications, conducting interviews, and appointing up to fifteen (15) capable youth ~~that~~ who best stand out among applicants, thereby best fitting the selection criteria as noted in— Article IV, Section 2. The LYAC Selection Committee shall be responsible for submitting a finalized list of LYAC members to the City Administrator by no later than the last Friday in June. Follow-up contact will thereafter occur informing applicants of the group selected.

### Section 7. Appointment of LYAC Members

Selected youth will be appointed at a City Council meeting in July.—

~~—Orientation/training shall occur during the month of August, summer months (July or August).— Those returning members of the Council do not have to attend the morning sessions of the day-long orientation (to include governmental overview and economic development Powerpoint); however, they are expected to attend the orientation luncheon and afternoon interactive session with new members. The first LYAC meeting of the new LYAC year shall be held in September unless consensus of the standing LYAC is to hold regular meetings during the summer months, following orientation/training.~~

## ARTICLE V - ORGANIZATION OF LYAC

### Section 1. Composition of LYAC

Composition of the Lewiston Youth Advisory Council shall be as follows:

- a. Up to fifteen (15) high school aged voting members appointed by the LYAC Selection Committee
- b. One (1) ex-officio city councilor annually appointed by the Lewiston City Council. This individual will serve as a liaison between the City Council and the Lewiston Youth Advisory Council.

### Section 2. LYAC Membership

The Lewiston Youth Advisory Council's membership shall be Lewiston residents who are or will be high school aged students at the beginning of the following school year, enrolled in school or home schooled utilizing a State of Maine approved curriculum. Should a selected member's family move out of Lewiston during his or her tenure but the youth still attends a local school, the youth may complete his/her term.

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

## Section 3. Subcommittees

- a. At any time, the LYAC reserves the right to create an LYAC subcommittee in order to address a particular issue or issues pertaining to ~~local youth~~ a project the group is focused on.
- b. The officers (Article VI, Section 2) of the LYAC, in consultation with the ~~Co-Advisors,~~ shall appoint members to subcommittees. Subcommittee membership may not exceed seven (7) members and shall hold public meetings. The LYAC Chair shall appoint a subcommittee chair from among the voting membership of the LYAC, with acceptance by a simple majority vote of the LYAC.
- c. Membership of subcommittees shall not be limited to voting LYAC members and may consist of any individual who has an interest in a particular youth advisory council issue. All subcommittee members may vote on issues at subcommittee meetings, regardless of LYAC membership. These votes, however, shall not be binding upon the LYAC. The LYAC membership shall have the final word on recommendations from subcommittees.
- d. Subcommittee chairs are solely responsible to report findings to the LYAC or any other group that may request information of a subcommittee. Subcommittee chairs shall also be responsible for ensuring that subcommittees address forwarded issues in a timely manner.
- e. Subcommittee chairs shall set meeting times based upon a consensus of subcommittee member preferences.

## Section 4. Standing Subcommittees

Any permanent or semi-permanent subcommittee created by act of any LYAC must be observed by succeeding LYAC groups. ~~Record must be maintained of all past and current subcommittees for historical reference.~~ As subcommittee chair vacancies occur, the elected Chair of the LYAC is responsible for filling those vacancies. These Chair nominations must be accepted by a simple majority vote of the LYAC.

## Section 5. Discontinuation of Subcommittees

A subcommittee created by act of the LYAC may be discontinued at any time by a simple majority vote of LYAC membership. ~~The discontinuation of a subcommittee shall be recorded in the LYAC record by a strike through the committee and the date the subcommittee was discontinued.~~

## Section 6. LYAC Term of Service

- a. LYAC members shall be appointed for service in July of each year with a one-year appointment expiring the day the succeeding youth advisory council is installed.

## LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

- b. LYAC members may apply for an unlimited number of terms as long as they submit an application for a new term ~~and are meeting~~<sup>meet</sup> membership criteria (Article V, Section 2). Should a selected member's family move out of Lewiston during his or her tenure but the youth still attends a local school, the youth may complete his/her term.

### Section 7. LYAC Attendance

- a. Members of the LYAC shall adhere to a strict attendance policy.
- b. Three (3) unexcused absences from Lewiston Youth Advisory Council meetings shall be considered as a resignation. An unexcused absence is one in which the member does not inform an officer or ~~one of the Co-Advisors~~ of his or her need to be absent from a meeting. In addition, five (5) excused absences—unless one of those excused absences was due to a family or medical emergency—shall be considered as a resignation. Once a resignation occurs, the seat is automatically vacated, and proper steps (Article V, Section 8) shall be taken to fill a vacancy.
- c. The LYAC Secretary shall maintain an attendance roster to keep track of members' attendance, in particular when unexcused and excused absences are occurring.

### Section 8. LYAC Non-Officer Vacancy

Non-officer vacancies that occur within a LYAC term shall be filled by consideration of a recommendation presented by the sitting LYAC ~~or Co-Advisors~~ and confirmation vote of the sitting LYAC.

Confirmation shall be a simple majority vote of the LYAC as the first order of business at the next regularly scheduled LYAC meeting, with the new member's(s') tenure taking effect immediately.

## ARTICLE VI - OFFICERS & DUTIES

### Section 1. Officers of the Youth Advisory Council

The officers of the Youth Advisory Council shall consist of a Chair, Vice-Chair, Secretary, and Treasurer. ~~These positions shall be elected by a simple majority vote of the LYAC.~~

### Section 2. Descriptions of Offices

- a. **Chair:**  
The LYAC Chair shall set agendas and preside over all meetings of – the LYAC. ~~The Chair shall work with the Secretary to assemble any youth-council distributions and to ensure they are delivered in a manner conducive~~

## LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

~~to municipal courier distribution schedules.~~—The Chair shall delegate responsibilities to LYAC membership.— The Chair shall report to the City Council at least once per month in regards to LYAC activities. The Chair may also convene special meetings of the LYAC to address immediate concerns. ~~The Chair shall interact with the Mayor, City Council, City Administrator, and Co-Advisors as needed to set goals for the LYAC.~~— In addition, the individuals named above may call upon the Chair to represent the LYAC at municipal functions.—The Chair is also responsible for signing any official correspondence of the LYAC.

**b. Vice-Chair:**

The Vice-Chair shall assist the Chair in his or her duties and advise the Chair of any agenda and subcommittee concerns. —In the absence of the Chair, the Vice-Chair shall assume his or her responsibilities; **OR**, when called upon by the ~~Chair, Advisor, or Chair, Mayor, City Council, City Administrator, Co-Advisors,~~ the Vice-Chair shall assume the duties of the Chair. Upon the resignation or dismissal of a Chair, the Vice-Chair immediately assumes the office of Chair.

**c. Secretary:**

The Secretary of the LYAC shall be responsible for processing minutes and electronically distributing them to the membership, and maintaining documentation related to the LYAC. The Secretary shall work with the Chair in assembling LYAC materials for any necessary distributions in a timely manner.— The LYAC Secretary shall maintain an attendance roster to keep track of members' attendance, in particular when unexcused and excused absences are occurring.

The Secretary shall be responsible for maintaining any needed LYAC communication links, including phone information, and e-mail information, and ~~correspondence distribution information.~~ The Secretary may utilize the guidance of ~~the Co-the Advisors~~ for administrative support but shall be responsible for fulfilling his or her own requirements, ~~although he or she may enlist the assistance of other officers if necessary.~~— Minutes from the last LYAC meeting shall be reviewed at the start of the next LYAC meeting.

When the Secretary is aware that he/she will be absent at a meeting, it is his/her responsibility beforehand to ask another member to take the minutes and electronically distribute them in his/her stead, as well as ask that person to keep track of excused absences and unexcused absences. Should the Secretary's non-attendance be a very unexpected, last-minute incident, the Vice-Chair will cover his/her duties for that meeting. Such coverage is anticipated to not be a regular occurrence.

**d. Treasurer:**

The Treasurer of the LYAC, in consultation with the ~~Co-Advisors,~~ shall maintain proper budgetary processes, and facilitate any needed fund-raising activities, and ~~submit budget requests to the Mayor & Council and City Administrator when necessary.~~ The Treasurer shall also ~~serve as an aide to~~

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

~~the other LYAC officers.~~

## **Section 3. ~~Officer Vacancy~~ Vacancy of Vice-Chair, Secretary, Treasurer**

~~Upon the resignation or vacancy of the Chair, the Vice Chair shall immediately assume his or her duties. Upon the resignation or vacancy of any other officer~~ the Vice-Chair, Secretary, or Treasurer, the sitting Chair shall immediately declare a seven (7) day nomination period. Nominations for officer replacement shall be forwarded to the Chair during this time. A list of confirmed nominees shall be forwarded to the LYAC membership ~~within twenty-four (24) hours of the end of nomination.~~ Election of a replacement shall be the first order of business at the next regularly scheduled LYAC meeting thereafter, with the nominee receiving the most votes, by secret ballot, being the newly elected officer. In the case of a tie in nominations, ~~the selected name will be drawn at random, as the Chair already has the right to vote and is therefore unable to break such tie votes, a re-vote will be taken.~~ Following the voting process, the newly elected officer's tenure shall take effect immediately.

Should there be a second tie vote for one of those positions, each of the tie individuals will assume the respective role for one (1) LYAC meeting. After LYAC members have seen each candidate for that position "in action," a re-vote will be taken.

## **Section 4. New Session Procedure**

~~One or both of the Co-Advisors~~ The Advisors shall conduct the first meeting of every new LYAC session ~~year~~ with the nomination process for officers (Article VI, Section 5) as the first order of business. The next scheduled meeting shall focus on ~~have the Advisory Panel conducting~~ officer elections as the first order of business, with new officers taking their seats immediately. Annually, the Co-Advisors shall be responsible for the agendas of the first two meetings of the LYAC. ~~The LYAC officers thereafter shall run every meeting.~~

## **Section 5. New Officer Nomination Procedures**

At the first official LYAC meeting of the year, ~~one or both of the Co-~~ the Advisors shall be responsible for explaining the descriptions of offices as outlined in Article VI, Section 4, as well as facilitating the nomination process. ~~One or both of the~~ The Co-Advisors shall ask for nominations at the first meeting. ~~After these nominations are made, one or both of the Co-Advisors shall inform the youth advisory council that nominations can be made to one of the Co-Advisors within seven (7) days in writing or by phone call. Once the nomination period of seven days ends, one of the Co-Advisors will be responsible for contacting nominees to verify willingness to vie for an officer seat. As soon as confirmation is made, one of the Co-Advisors will distribute the list of nominees to LYAC membership. The voting shall take place as the first order of business at the second LYAC meeting, with secret balloting administered by one or both of the Co-Advisors and/or the Council Liaison. For officer voting only, email votes will be accepted if a member is unable to attend the voting meeting—as long as the email vote is received prior to the actual meeting vote AND the member was present~~

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

when the person running for office gave his/her "why you should vote for me" address to the group. In the event of a tie for a newly elected annual officer(s), the tie names will be put in a "hat," and that particular officer shall be selected through a random drawing facilitated by one or both of the Co-Advisors; a re-vote shall be taken and facilitated by the Advisor and/or the Council Liaison. Elected officers shall be seated immediately.

## ARTICLE VII - MEETINGS & RESPONSIBILITIES

### Section 1. Meeting Schedule

During the K-12 academic school year ~~[unless consensus is to meet during summer months (Article VII, Section 2)],~~ a regular meeting of the LYAC shall take place a minimum of ~~twice~~ once per a month on a day of the ~~week~~ weekday and at a time agreed upon by LYAC members and the ~~Co-Advisors, which shall remain as a consistent monthly schedule unless otherwise voted by LYAC.~~ Special meetings shall be called if business at hand requires additional meetings. At least one of the ~~The~~ Co-Advisors and/or the Council Liaison shall be present at each LYAC meeting.

### Section 2. ~~Summer Meetings~~ Orientation

The LYAC shall hold ~~a day-long two orientation/training meetings in August, the summer (either in July or August).~~ The purposes of these ~~orientation meetings shall be procedural education and team building, team building and procedural education.~~ Returning LYAC members do not need to attend the morning procedural education sessions; however, they are expected to join the new members for lunch and the afternoon interactive teambuilding session. ~~These meetings shall not be considered regular meetings, and, therefore, officer nomination shall not take place. Regular meetings shall be permissible in the summer months following the two summer orientation/training meetings if agreed to by a consensus of LYAC members, and regular business may then take place at such meetings. If no regular meetings are scheduled within the summer months, the regular LYAC meeting schedule will commence in September of each K-12 school year.~~

### Section 3. Special Meetings

A special LYAC meeting may be called at the request of the Mayor, City Council, City Administrator, ~~one or both of the~~ Co-Advisors, or LYAC Chair. A quorum must be met to proceed with the meeting.

### Section 4. Governing Procedure

All meetings of the LYAC shall be open to the public at all times. ~~Robert's Rules of Order shall govern all meetings, with one of the~~ Co-Advisors serving as parliamentary reference.

### Section 5. LYAC Quorum

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

To hold a meeting, a quorum, one more than one half of the active membership, shall be present. If a quorum is not achieved, no formal business may take place.

## Section 6. Voting

Members of the LYAC shall vote on all motions or actions before the LYAC. Members shall abstain from a vote when a conflict of interest arises. Conflict of interest shall be defined as referred to in the newest available *Robert's Rules of Order*, and any subsequent editions, and Maine State Statutes.

## Section 7. Information Process

- a. The Secretary shall keep a public record, minutes, of each meeting and distribute them electronically to members in a timely manner.
- b. When the Secretary is aware that he/he will be absent at a meeting, it is his/her responsibility beforehand to ask another member to take the minutes and electronically distribute them in his/her stead, as well as ask that person to keep track of excused absences and unexcused absences. Should the Secretary's non-attendance be a very unexpected, last-minute incident, the Vice-Chair will cover his/her duties for that meeting. Such coverage is anticipated to not be a regular occurrence.
- ~~b. Successive secretaries shall maintain a public file of LYAC activity. This file shall contain the Lewiston Youth Advisory Council policy, by laws, and any amendments; an updated subcommittee listing; and a collection of all acts/resolutions passed by the LYAC. During the summer months, one of the Co-Advisors shall possess the file for safekeeping.~~

## Section 8. Commitment to Serve

Members of the LYAC shall remain committed to the LYAC "*Commitment to Serve*" statement that he/she signed at the time of application, which states, "*If selected to serve on the Lewiston Youth Advisory Council, I agree to work in a spirit of teamwork with my fellow peers, the LYAC Co-Advisors, Council Liaison, other members of the LYAC, municipal officials, municipal staff, and community members with the understanding that I have been provided with a unique opportunity to represent my peers in a positive light and effectively contribute on behalf of all youth within our community.*"

## Section 9. Behavior

- a. As representatives of Lewiston youth, members of the LYAC shall strive to follow the "*Commitment to Serve*" (Article VII, Section 9) agreed to on the LYAC application. Thus, their behavior should reflect the integrity and accountability that the position merits. Acting in an inappropriate manner, whether it be at an LYAC meeting or during non-meeting time, may be just

# LEWISTON YOUTH ADVISORY COUNCIL BY-LAWS

cause for dismissal.

- b. Upon the occurrence of an LYAC member acting in an inappropriate manner, the ~~Co-Advisors~~ and Council Liaison shall jointly submit to the City Administrator a recommendation to address the behavior. The City Administrator shall reserve the final authority as to discipline of an LYAC member ranging from verbal warning to dismissal. Following the dismissal of a member, ~~it is the responsibility of the Co-Advisors~~ LYAC Chair may choose to leave the seat open or to present a new nominee to the LYAC Chair membership in a timely manner. ~~The LYAC reserves the right to accept or reject the recommendation of the Co-Advisors and request a new nomination.~~

## ARTICLE VIII - ADOPTION AND AMENDMENT

### Section 1. Adoption

Upon a simple majority vote of the Lewiston City Council, these by-laws shall ~~be~~ the by-laws by which the LYAC abides. Any revisions to the by-laws by a two-thirds passage of the sitting LYAC, or by a subsequent LYAC, shall become effective only after a simple majority vote of the Lewiston City Council. Dates of all amendments shall be so noted at the end of these by-laws.

### Section 2. Amendment

These by-laws may be amended with a two-thirds vote of the LYAC and a simple majority confirmation vote of the Lewiston City Council. A proposed change to the by-laws must be introduced in writing at an LYAC meeting or via email prior to the at least ten (10) days before a vote being taken on ~~or~~ such an amendment(s) ~~shall be taken.~~

### Section 3. Informal Acts

The LYAC may create subcommittees; pass "*advisory opinion*" resolutions; make recommendations to the Lewiston City Council; ~~select activities;~~ or undertake appropriate expenditures of LYAC funds. ~~budgeted monies;~~ the latter in consultation with the ~~Co-Advisors~~. The youth advisory council shall, however, not proceed in any way that undermines or serves to inappropriately alter these by-laws or the laws and policies of the City of Lewiston or the State of Maine.

### Section 4. Adopt-A-Spot Beautification

Should a sitting LYAC vote to undertake a beautification Adopt-A-Spot or some kind of greenery nursery towards City beautification, each LYAC membership thereafter will continue maintenance of such an area. ~~areas.~~

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 4**

**SUBJECT:**

Resolve Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year ended June 30, 2015.

**INFORMATION:**

City Finance Director Heather Hunter, along with representatives of the City's auditing firm of RHR Smith & Company will make a presentation to the City Council during the 6pm workshop session regarding the annual financial report for the fiscal year ending June 30, 2015.

This agenda item is asking the City Council to adopt a Resolve to accept the Financial Report as presented by the outside auditors.

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

The City Administrator recommends approval of the requested action.

*ERAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To adopt the Resolve Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2015.



**City of Lewiston Maine  
City Council Resolve  
January 5, 2016**



**Resolve,** Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2015

**Be It Resolved by the City Council of the City of Lewiston**

that the City of Lewiston's Comprehensive Annual Financial Report, including its General Purpose Financial Statements for the year ended June 30, 2015 as prepared by the City Finance Director and the Independent Auditor's Report thereon prepared by RHR Smith & Company, is hereby accepted in its entirety.

**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 5, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 5**

**SUBJECT:**

Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance, on behalf of the Municipal Officers.

**INFORMATION:**

Every two years, the City Council votes to authorize the City Clerk and the Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance on behalf of the City Council. This is done from an efficiency standpoint. The state statutes require the Municipal Officers or their designee to sign licenses for games of chance. This is a standard agenda item in larger municipalities.

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications to operate beano, bingo or other games of chance on behalf of the Municipal Officers, during the period January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 6**

**SUBJECT:**

Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all permits for circuses and carnivals, on behalf of the Municipal Officers.

**INFORMATION:**

Every two years, the City Council votes to authorize the City Clerk and the Deputy City Clerk to approve and sign all applications for circuses and carnivals held within the city, on behalf of the City Council. This is done from an efficiency standpoint. This is a standard agenda item in larger municipalities. The licenses cannot be issued until the Police Department has been notified to do a background check, and the Fire Department and Code Enforcement Department inspect the equipment.

**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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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all permits for a circus or carnival on behalf of the Municipal Officers, during the period January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

**SUBJECT:**

Authorization for the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers.

**INFORMATION:**

Every two years, the City Council votes to authorize the City Clerk and/or the Deputy City Clerk to sign liquor licenses on behalf of the City Council. This is done from an efficiency standpoint. The state statutes require the Municipal Officers or their designee to sign liquor licenses. This is a standard agenda item in larger municipalities.

Before each application for a new liquor license can be approved, a public hearing will be held before the Council to receive citizen input. The Council shall vote to approve or deny a liquor license for each new business. Liquor license renewals do not require a public hearing. The City Council will receive a listing of all liquor licenses that are up for renewal about 60 days before the license is due. If a Councilor requests a public hearing for a certain business for their liquor license renewal, then the City Clerk's Office will not sign the renewal until the hearing has been held.

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

The City Administrator recommends approval of the requested action.

*EARL KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to sign all liquor license applications on behalf of the Municipal Officers, during the period January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 8**

**SUBJECT:**

Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all applications for utility pole permits, on behalf of the Municipal Officers.

**INFORMATION:**

Every two years, the City Council votes to authorize the City Clerk and/or the Deputy City Clerk to approve and sign all applications for utility pole permits on behalf of the City Council. This is done from an efficiency standpoint. The state statutes require the Municipal Officers or their designee to sign these permits. This is a standard agenda item in larger municipalities.

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

The City Administrator recommends approval of the requested action.

*SAR/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all applications for utility pole permits on behalf of the Municipal Officers, during the period January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 9**

**SUBJECT:**

Authorization for the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits, on behalf of the Municipal Officers.

**INFORMATION:**

Every two years, the City Council votes to authorize the City Clerk and/or the Deputy City Clerk to approve and sign all licenses for close out sale permits on behalf of the City Council. This is done from an efficiency standpoint. The state statutes require the Municipal Officers or their designee to sign these permits. This is a standard agenda item in larger municipalities.

Close out sales are also known as "going out of business sales" and other similarly named sales that will dispose of all inventory of a certain business.

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

The City Administrator recommends approval of the requested action.

*SABIKUM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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ORDERED, That the City Council hereby authorizes the City Clerk and/or Deputy City Clerk to approve and sign all licenses for close out sale permits on behalf of the Municipal Officers, during the period January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 10**

**SUBJECT:**

Authorization for the Finance Director, Tax Collector and Deputy Treasurer to act on behalf of the Municipal Officers regarding deeds, liens and municipal investments.

**INFORMATION:**

Every two years, the City Council votes to authorize the Finance Director, Tax Collector and Deputy Treasurer to sign all necessary deeds and liens on behalf of the City Council, as well as to invest city funds in accordance with state statute guidelines. This is done from an efficiency standpoint. This is a standard agenda item in larger municipalities.

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

The City Administrator recommends approval of the requested action.

*← AB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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ORDERED, That the City Council hereby authorizes the Finance Director, Tax Collector or Deputy Treasurer to withhold monies payable by the City of Lewiston to cover taxes due pursuant to MRSA Title 30-A, section 905; to sign on behalf of the City, the necessary deeds and liens and tax settlements; and to invest funds in accordance with Maine Revised Statutes Annotated, Title 30-A, Section 5706, during the period January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 11**

**SUBJECT:**

Authorization for City Administration to approve or deny all requests to hang banners, post community event signs on municipal property, and place temporary signs, flags and decorations in the public right of way, on behalf of the Municipal Officers.

**INFORMATION:**

Since requests to hang banners at various designated locations within the City are fairly routine and non-controversial, as are requests to post signs on traffic islands regarding upcoming community events, every two years the City Council is asked to vote to authorize the City Administrator or Deputy City Administrator to approve or deny these requests, on their behalf. Typically, only non-profit organizations can have banners hung or signs posted to promote an upcoming community event.

The City's Land Use Code (Article XII, Performance Standards, Section 16 Signs, subsection b 1 c 6) states "Upon approval of the city council, temporary signs, banners, flags and other decorations may be erected in the public right of way when in relation to a special event."

**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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ORDERED, That the City Council hereby authorizes the City Administrator or Deputy City Administrator to review and approve or deny all requests to hang banners, post community event signs on city property, and place temporary signs, flags and decorations in the public right of way, on behalf of the Municipal Officers, during the period of January 5, 2016 through January 9, 2018.

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 12**

**SUBJECT:**

Authorization for Deputy City Administrator and/or Finance Director to have signatory authority for the City Administrator when the Administrator is unavailable.

**INFORMATION:**

Every two years, the City Council votes to authorize the Deputy City Administrator sign documents on behalf of the City Administrator when the Administrator is unavailable (on vacation, out sick, at a conference, etc.). In addition, if the Deputy City Administrator is unavailable, then the Finance Director would then be authorized to execute any city related document.

This is done from an efficiency standpoint and is a standard agenda item in larger municipalities.

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

The City Administrator recommends approval of the requested action.

*EAB/Kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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ORDERED, That the City Council hereby authorizes the Deputy City Administrator, or in the absence of the Deputy City Administrator, the Finance Director, to have signatory authority for the City Administrator, when the Administrator is unavailable, during the period of January 5, 2016 through January 9, 2018.

**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 5, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 13**

**SUBJECT:**

Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 14 Judkins Avenue.

**INFORMATION:**

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

At this time, the Finance Director is asking the Council to approve a municipal quitclaim deed for the property located at 14 Judkins Avenue. The quitclaim deed will release any interest the City may have by virtue of undischarged real estate tax liens or utility liens on this property. Payment of an utility lien in the amount of \$104.78 has been received in full. Should the Council approve this Order, the quitclaim will be issued to the owners.

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Order authorizing execution of a municipal quitclaim deed for real estate located at 14 Judkins Avenue.



**City of Lewiston Maine  
City Council Order  
January 5, 2016**

**Order,** Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 14 Judkins Avenue.

**WHEREAS,** the owner, Gregory Bonetti, failed to pay his utility bill on a timely basis at 14 Judkins Avenue (Tax Map 170, Lot 85, Parcel 00-000509); and

**WHEREAS,** a stormwater lien was filed on December 6, 2013 (Book 8830 Page 103) and matured on June 7, 2015, in the amount of \$104.78; and

**WHEREAS,** payment has been received in full;

**NOW, THEREFORE, BE IT ORDERED by the CITY COUNCIL of the CITY of LEWISTON**

that there is hereby authorized the issuance of a quitclaim deed for 14 Judkins Avenue to release the City's interest in the property back to the owner.



## Finance Department

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



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

**FROM:** Heather Hunter, Finance Director/Treasurer

**SUBJECT:** **Quitclaim Deeds**

**DATE:** December 29, 2015

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

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

At your January 5<sup>th</sup> meeting, there will be a quitclaim deed requiring your action dealing with a matured stormwater lien that has since been paid by the owner. At this time, I am requesting you authorize issuance of a quitclaim deed for that account so the property can be released from the City to the owner.

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

# LEWISTON CITY COUNCIL

## MEETING OF JANUARY 5, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 14**

**SUBJECT:**

Appointments to various City boards and committees.

**INFORMATION:**

Every two years at the beginning of each new Council biennial session, the Mayor and City Council have several committee appointments to make. There are two types of committee openings - those that are filled by members of the public (Planning Board, etc.) and those that are filled by Councilors which serve as the Council's representative to a number of boards and committees.

For the City Council representative appointments - The City Council votes to select their representative to various committees. Attached is a listing of Councilors who are interested in serving.

For citizen positions on various boards - The Mayor has the authority to make several appointments directly and some appointments are done at the Mayor's nomination and require Council approval.

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

The Council shall select their representatives to the various boards and committees.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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- 1) To receive the Mayor's appointments to various city boards and committees (no Council action required)
- 2) To approve the Mayor's nominations regarding his appointments to the Cable Television Advisory Committee and the Library Board of Trustees (Council vote required)
- 3) To review and approve the City Council's representative to various boards and committees (please see attached sheet for full listing - Council vote required)
- 4) To receive the City Council President's appointments (please see attached list - no Council action required)

## CITIZEN OPENINGS ON CITY BOARDS AND COMMITTEES JANUARY 2016

### MAYOR APPOINTMENTS - No Council Confirmation Required

1) Assessment Review Board – 3 year term

Full member: Noel Madore, 178 Lisbon Street, term to expire Dec 17, 2017

2) Board of Appeals – 5 year terms each

Full member: John Clifford, IV, 14 Ware Street, term to expire Jan 5, 2021

Full member: Daniel Dube, 42 Cassell Street, term to expire Jan 7, 2020

Associate member: Janet Barrett, 1 Walnut Street, term to expire Jan 8, 2019

Associate member: Leslie Dubois, 588 Main Street, term to expire Jan 5, 2021

3) Finance Committee – 3 year term

Full member: Robert Reed, 58 Albert Street, term to expire Jan 8, 2019

4) Historical Preservation Review Board – 3 year terms each

Full member: William Clifford, 4 Benson Street, term to expire Jan 8, 2019

Full member: Mark Lee, 18 Pond Road, term to expire Jan 8, 2019

Full member: Andrew Knight, 1 Walnut Street, term to expire Jan 8, 2019

5) L/A Community Forestry Board – 3 year terms each

Full member; Christopher Beam, 9 No Name Pond Road, term to expire Jan 8, 2019

6) Planning Board – 5 year terms each

Full member: Normand Anctil, 250 Montello Street, term to expire Jan 5, 2021

Associate member: Sonia Taylor, 250 Bates Street, term to expire Jan 5, 2021

Associate member: Zachery Pettengill, 200 Montello Street, term to expire Jan 8, 2019

**MAYOR Nomination - Council Confirmation is Required**

- 1) Auburn-Lewiston Cable TV Advisory – 2 year terms

Full member: Richard Wagner, 26 Mountain Avenue, term to expire Jan 9, 2018

- 2) Library Board of Trustees - 3 year terms each

Full member: Anne Kemper, 110 Pettingill Street, term to expire Jan 8, 2019

Full member: Zam Zam Mohamud, 66 Tall Pines Drive, term to expire Jan 8, 2019

**LEWISTON CITY COUNCIL REPRESENTATIVES TO  
VARIOUS CITY BOARDS AND COMMITTEES  
January 2016 - December 2017**

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**MOTION: To approve the following appointments of the City Council representatives to the various boards and committees:**

911 Committee	Councilor Lajoie
Airport Board of Directors	Councilor Bouchard
Androscoggin County Budget Committee*	Councilors Bouchard and Lachance
Androscoggin Valley Council of Governments General Assembly	Councilors Lajoie and Lysen
Cable TV Advisory Committee	Councilor Golden
Community Development Block Grant Committee	Councilor Beam
L/A Bike Ped Committee	Councilor Lysen
L/A Transit Committee	Councilor Beam
Lake Auburn Watershed Protection Commission	Councilor Lachance
Lewiston Auburn Economic Growth Council	Councilor Golden
Lewiston Auburn Public Health Committee	Councilor Cloutier
Loan Qualification Committee	Councilor Lajoie
Library Board of Trustees	Mayor (by position)
Maine Municipal Association Legislative Policy Committee	Mayor Macdonald
Public Works Committee	Councilors Beam and Bouchard
School Committee	Councilor Cloutier
South Park Industrial Park Board of Directors	Council President, Mayor (by position)
Taxi & Tattoo Appeals Board	Councilors Bouchard and Lajoie
Youth Advisory Council	Councilor Golden

*\* Elected official is elected by county caucus based upon their residency in the county districts.*

**APPOINTMENT BY CITY COUNCIL PRESIDENT** (as required by the City Charter):

Finance Committee	Councilors Lachance and Lysen
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**LEWISTON CITY COUNCIL**  
**MEETING OF JANUARY 5, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 17**

**SUBJECT:**

Executive Session to discuss Labor Union negotiations regarding four of the City's employee unions.

**INFORMATION:**

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

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Negotiations regarding four of the city's employee unions - International Association of Firefighters, Local 785; Maine Association of Police; Lewiston Police Supervisory Command Unit; and Lewiston Professional Technical Unit, Local 3855.