

**LEWISTON CITY COUNCIL AGENDA  
CITY COUNCIL CHAMBERS  
SEPTEMBER 6, 2016**

**6:00 p.m. Workshop –**

- A. Bond Issue Sale Results and Fiscal Year End Preliminary Financials – 15 minutes
- B. Discussion concerning 422 Pleasant Street – 5 minutes
- C. Installation of Pedestrian Beacons – 10 minutes
- D. Resolve Supporting the Good Food Council of Lewiston-Auburn’s LA Community Food Charter – 20 minutes

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

Pledge of Allegiance to the Flag  
Moment of Silence

Mayoral Recognition in honor of Lewiston resident achieving his Eagle Scout designation.  
Acceptance of minutes of the meeting of August 9, 2016.

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.

**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. Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 5 Riverside Place.
- \*2. Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 55 Hillcrest Avenue.
- \*3. Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 5 Orleans Street.
- \*4. Authorization to accept transfer of forfeiture funds.
- \*5. Order Authorizing the City Administrator to execute a Standard Easement with quit claims and construction access license to the Central Maine Power Company for a new electrical easement near Main Street water pump station.

**REGULAR BUSINESS:**

- 6. Public Hearing on the renewal application for a Special Amusement for Live Entertainment for The Androscoggin Bank Colisee, 190 Birch Street.
- 7. Public Hearing for approval of an Outdoor Entertainment Permit for a musical concert in Kennedy Park.
- 8. Public Hearing for approval of an Outdoor Entertainment Permit for The Dempsey Challenge.
- 9. To postpone indefinitely the Final Passage on the May 3, 2016 version of an amendment of the Animal and Animal Control ordinance and an amendment to the Land Use Code regarding the keeping of chickens in residential zoning districts.
- 10. Public Hearing and Final Passage for Land Use Code Amendments regarding the keeping of chickens on residential lots of no less than 30,000 square feet.

11. Public Hearing and Final Passage regarding an amendment to the Animal ordinance regarding the keeping of chickens.
12. Public Hearing and Final Passage for Land Use Amendments regarding changes to the Net Lot Area per Dwelling Unit Calculation.
13. Public Hearing and First Passage for the conditional rezoning of the property at 117 Webster Street from Neighborhood Conservation "A" (NCA) District to the Downtown Residential (DR) District.
14. Condemnation Hearing for the building located at 24 Lemont Avenue.
15. Order approving changes to the Solid Waste Fee Schedule and authorizing use of \$6,000 for the Solid Waste Repairs to Building Account to Implement Changes in the Scale Management Software to support the fee schedule changes.
16. Resolve rescinding the current Worker's Compensation Safety Incentive Program.
17. Resolve to approve the new Auburn-Lewiston Advisory Cable TV Committee Bylaws.
18. Order authorizing the City Administrator to execute a Collective Bargaining Agreement between the City of Lewiston and the American Federation of State , County and Municipal Employees (AFSCME Council #93) Local 3855-00 on behalf of the Lewiston Professional Technical Unit.
19. Update from the Lewiston School Committee Representative.
20. Reports and Updates.
21. Any other City Business Councilors or others may have relating to Lewiston City Government.
22. Executive Session to discuss labor negotiations regarding the International Association of Firefighters, Local 785.
23. Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
24. Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL  
WORKSHOP AGENDA  
TUESDAY, September 6, 2016  
6:00 PM

1. Bond Issue Sale Results and Fiscal Year End Preliminary Financials – 15 minutes.

We would like to update the Council on the results of the City's bond sale on September 1<sup>st</sup> and review preliminary fiscal year end 2016 financials.

2. 422 Pleasant Street – 5 minutes

The City recently offered this property for sale through the sealed bid process with a minimum bid requirement of \$55,000 as recommended by the Planning Board. No bids were received. At this point, we would recommend that the property be listed with an agent as the next step in its disposition. See attached background memo.

3. Installation of Pedestrian Beacons – 10 minutes

The Maine Department of Transportation has donated 4 sets of rapid flashing crosswalk beacons to the City. While the beacons are available at no cost, the City is responsible for installing them and upgrading the crossings, where necessary, to meet ADA requirements. The Council has funded the removal of the Lincoln Street Alley Bridge at an estimated cost of \$30,000, and this project has been awarded at a significantly lower cost. We would like to use \$21,000 of the remaining balance to install these beacons at various locations. See attached memo from Dave Jones.

4. Resolve, Supporting the Good Food Council of Lewiston-Auburn's LA Community Food Charter – 20 minutes.

The Lewiston Auburn Good Food Council has developed a Community Food Charter that outlines a 5 element policy that promotes healthy food. This Charter was proposed in June and, since then, numerous individuals and businesses have signed on as supporters. The Council is now asking the cities of Lewiston and Auburn to adopt and support the Good Food Charter as a policy statement for: food security, sustainable agriculture, leadership, elevating good food policy, and supporting working landscapes and the development of community infrastructure. Please see the attached information, including an article from the Federal Reserve Bank of Boston describing the Good Food Council.

IMMEDIATELY FOLLOWING THE REGULAR MEETING

1. Executive Session – Labor Negotiations
2. Executive Session – Land Lease Issue
3. Executive Session – Land Acquisition



## Finance Department



Heather Hunter  
Director of Finance/Treasurer  
[hhunter@lewistonmaine.gov](mailto:hhunter@lewistonmaine.gov)

**TO:** Edward A. Barrett, City Administrator  
Mayor Robert E. Macdonald  
Members of the City Council and  
Members of the Finance Committee

**FROM:** Heather Hunter, Finance Director

**SUBJECT:** **Bond Sale and Bond Rating Results and Preliminary FY16  
General Fund Results**

**DATE:** September 1, 2016

### Bond Sale Results

I am happy to report the results of today's (9/1/16) municipal bond sale. Seven bids were received at the office of UniBank Fiscal Advisory Services Inc. on the sale of \$15,202,203 of general obligation bonds to finance portions of the FY2014, FY2015, and FY2016 capital improvement projects and the advance refunding of the City's 2009 bond issue. The series, which totaled \$11,857,203 of new bonds, was sold to Morgan Stanley & Co. LLC at a true interest cost (TIC) of 2.04%, or 1.48% less than the estimated budgeted amount.

Similar to last year's refunding sale, the City was able to reduce the issuance amount by \$190,000 due to the bidder's premium received on the refunding. This is a good problem for the City to have as it reduces the overall outstanding principal and interest balance. The present value savings on the refunding is \$307,200 (\$32,200 higher than expected), or 9.2% of the refunded principal. The refunding produced a \$336,000 cash savings or about \$26,000 per year across all funds.

### S&P's Bond Rating Results

Each public bond sale requires us to seek a bond or credit rating prior to the sale date. These services are currently provided by Standard & Poor's (S&P). Their complete credit report containing the City's Credit Profile is attached and also placed on our website, [www.lewistonmaine.gov](http://www.lewistonmaine.gov), under the Finance Department heading and the Financial Reports subheading. The City of Lewiston's bond rating was reaffirmed at an AA- with a stable outlook. The report, which doesn't vary significantly from prior year's, continues

to focus on Lewiston’s local economy as the only, but significant, negative element. Other important rating factors that contributed to the assignment are:

- ❖ Very strong liquidity;
- ❖ A strong institutional framework;
- ❖ Strong budgetary performance and very strong budgetary flexibility;
- ❖ Overall debt burden is adequate;
- ❖ Strong management conditions with good financial policies.

Clearly, the assignment of “weak” in the local economy and their quoted reference “*The city has a projected per capita effective buying income of 76.9% (up from last year’s 75.2%) of the national level*” plays a major role in the City’s assignment.

The report quotes a \$59,431 market value per capita (population of 36,594), but this year S&P acknowledges this statistic may be understated due to our level of tax exempt property. The city provided S&P our tax exempt value totaling \$589.6 million, which grew the tax base by 28% and adjusted the market value per capita to \$75,530 – an amount still not large enough to take the City out of the “weak” classification.

All parties involved continue to try to reduce the debt burden faced by the City. In spite of our multi-faceted approach of refunding debt, rapid payoff of bonds, and adhering to the prescribed 80% debt limit, we still are faced with what S&P refers to as “adequate debt service” when compared to our expenditures and revenues. However, we are getting closer to an upgrade in this category. S&P acknowledges our rapid payoff debt (80% of the outstanding principal balance is paid off in 10 years) and the substantial savings reaped from the various refundings. Currently, debt service is 9.4% of adjusted governmental fund expenditures, a decrease from 12.1% last year. If this percentage can be reduce to 8% or less, the City will move to a more positive category.

### **Other Debt Information**

In preparation for the S&P rating presentation, I prepare a myriad of financial information. I would like to share some remarkable debt information included in the presentation. The table below illustrates the significant debt reduction in the past five years.

	<b>FY2005-Peak</b>	<b>FY2017-Presale</b>
G.F. Outstanding Principal	71,798,046	45,600,011
G.F. Outstanding Interest	<u>29,702,973</u>	<u>6,275,912</u>
Total	101,501,019	51,875,923
Amount Changed in 12 years		(49,625,096)
% Changed		-48.9%
10-year Overall Amortization Rate	70%	81.5%

Lastly, although all parties have been committed to reducing the debt burden placed upon the Lewiston taxpayers, we must acknowledge the positive impact provided by the market. I find it interesting that not all municipalities have taken advantage of the low interest rates and refunded their debt. The table below demonstrates the present value savings provided by refunding/advance refunding our debt.

<u>Bond Sale Date</u>	<u>Present Value Savings</u>
September 1, 2010	\$718,396
May 23, 2011	\$724,995
February 23, 2012	\$328,020
February 12, 2013	\$3,725,230
April 28, 2014	\$909,972
Colisee Payoff	\$2,081,032
August 5, 2015	\$516,458
September 1, 2016	<u>\$307,200</u>
	<b>\$9,311,303</b>

### Preliminary FY16 General Fund Results

Although we still are processing final FY16 accounts payable and have a few additional yearend adjustments to make, concluding results are very positive and are summarized below.

	<u>FY16 Budget</u>	<u>Actual</u>	<u>Surplus</u>	<u>FY15 Actual</u>	<u>\$ Change</u>
Revenues	\$44,242,017	\$45,644,097	\$1,402,080	\$44,503,308	\$1,140,789
Expenses	\$43,947,213	\$42,229,550	\$1,717,663	\$43,277,062*	(\$1,047,512)
Use of F.B.			\$1,976,725		

\* Excludes Colisee principal payoff in the amount of \$3,720,000.

Overall revenue collections outperformed budget estimates by \$1.4 million. The surplus was a product of five key revenue sources:

Excise Tax Collections	\$650,419
State Revenue Sharing	\$296,000
Solid Waste Tipping Fees	\$179,000
Overall Parking Revenue	\$146,000
Interest Income	\$70,000

It was no surprise given the mild winter we experienced that winter operations provided a \$314,000 budgetary expenditure savings. Other contributions to the \$1.7 million expenditure surplus include: benefits, retirement & insurance \$880,000; overtime \$361,000; gasoline \$115,000; debt service \$190,000; utilities \$108,000; and general assistance \$30,000.

If you have any questions with regards the above information, please give me a call or e-mail me at [hhunter@lewistonmaine.gov](mailto:hhunter@lewistonmaine.gov).

# RatingsDirect®

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## Summary:

# Lewiston, Maine; General Obligation

### Primary Credit Analyst:

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### Secondary Contact:

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## Summary:

# Lewiston, Maine; General Obligation

### Credit Profile

US\$15.192 mil GO pub imp & rfdg bnds ser 2016 due 04/15/2037

*Long Term Rating* AA-/Stable New

Lewiston GO

*Long Term Rating* AA-/Stable Affirmed

Lewiston GO imp bnds

*Long Term Rating* AA-/Stable Affirmed

Lewiston GO pub imp rfdg bnds ser 2015 dtd 08/19/2015 due 02/15/2031

*Long Term Rating* AA-/Stable Affirmed

## Rationale

S&P Global Ratings assigned its 'AA-' rating and stable outlook to the City of Lewiston, Maine's general obligation (GO) public improvement and refunding bonds. At the same time, S&P Global Ratings affirmed its 'AA-' rating on the city's GO debt outstanding. The outlook is stable.

The city's full-faith-and-credit pledge secures the bonds. Although the city is not restricted to a particular revenue source, Lewiston has the power to levy ad valorem property taxes for bond repayment, subject to the limitations of the state's LD-1 legislation.

We understand officials intend to use \$11.9 million of the par amount for various capital projects, including road rehabilitation, improvements to the water and sewer systems, and a roof replacement and playground upgrades at the schools. The remaining \$3.3 million will be used to advance refund the portion outstanding of the city's 2009 bonds. There are no extensions of maturities and the refunding will generate roughly \$250,000 in present value savings.

The rating reflects the following factors for Lewiston:

- Weak economy, with market value per capita of \$59,431 and projected per capita effective buying income at 76.9% of the national level;
- Strong management, with "good" financial policies and practices under our financial management assessment (FMA) methodology;
- Strong budgetary performance, with slight operating surpluses in the general fund and at the total governmental fund level in fiscal 2015;
- Very strong budgetary flexibility, with an available fund balance in fiscal 2015 of 15% of operating expenditures, and the flexibility to raise additional revenues despite statewide tax caps;
- Very strong liquidity, with total government available cash at 16.3% of total governmental fund expenditures and 113.0% of governmental debt service, and access to external liquidity we consider strong;
- Adequate debt and contingent liability position, with debt service carrying charges at 14.5% of expenditures and net direct debt that is 63.9% of total governmental fund revenue, as well as rapid amortization, with 81.6% of debt

- scheduled to be retired in 10 years; and
- Strong institutional framework score.

### **Weak economy**

We consider Lewiston's economy weak. The city, with an estimated population of 36,594, is located in Androscoggin County. The city has a projected per capita effective buying income of 76.9% of the national level and per capita market value of \$59,431. Overall, the city's market value was stable over the past year at \$2.2 billion in 2016. The county unemployment rate was 4.1% in 2015.

Lewiston is the state's second-largest city and is about 45 miles north of Portland. Although historically an industrial center, the city's economy has diversified over the past 20 years into a regional health care, education, and financial employment center. Principal employers include Central Maine Medical Center (2,752 employees), Sisters of Charity Health Care Systems (2,039), TD Bank (989), and Bates College (838).

Much of the development in recent years has focused on Lewiston's downtown area and the Bates Mills, a former textile complex covering one million square feet. The city acquired the mill in 1992 for non-payment of property taxes, and has since leased out 50% of the buildings to various small businesses, including a bank, medical practices, and a brewing company. Among the new tenants is Grand Rounds, a health tech start-up based in San Francisco, which is opening an east coast branch, bringing 200 well-paying jobs over the next five years. The next phase of development is Weave Shed No. 5, which will likely be home to a state-of-the-art rehabilitation center.

City officials also report initial investigation into development off the Interstate 95 interchange, as well as utility expansion by CMP Maine Power, which has added \$124 million to the tax base in the past five years and generated an additional \$2 million in revenue in fiscal 2017.

We recognize that Lewiston's market value per capita may be understated due to a high number of tax exempt properties dedicated to education, government, and health. According to city officials, the total value of tax exempt properties is \$589.6 million, and would make the tax base 28% larger, or put per capita market values at \$75,530 if included in our calculation.

We note that the number of economic development initiatives, combined with a growing local employment base with diverse, cross-sector employers, may lead to fundamental economic shifts over time. However, we believe improvement in the city's wealth and income indicators will take time and we do not expect our assessment of the economy to change during our two-year outlook period.

### **Strong management**

We view the city's management as strong, with "good" financial policies and practices under our FMA methodology, indicating financial practices exist in most areas, but that governance officials might not formalize or monitor all of them on a regular basis.

Lewiston develops its budget using a trend analysis, looking back at past performance to determine future costs. Revenue and expenditure assumptions are generally conservative and the city tends to outperform its budget on a yearly basis. Oversight is strong as management shares budget-to-actual reports with city leadership monthly, and investment holding and earnings semi-annually. The city also maintains a comprehensive five-year capital

improvement plan, which it updates annually and identifies funding sources. Lewiston has a formal fund balance policy that targets unassigned fund balance to be at least 8% of general fund revenues and has historically been adhered to. The city has formally adopted the state policies regarding investments. Its debt policy limits debt authorization to no more than 80% of the average amount of annual tax-supported debt being retired over the three previous fiscal years. This limitation can be waived by five votes of the city council.

### **Strong budgetary performance**

Lewiston's budgetary performance is strong in our opinion. The city had slight operating surpluses of 0.7% of expenditures in the general fund and of 1.0% across all governmental funds in fiscal 2015. General fund operating results of the city have been stable over the past three years, with a result of negative 0.6% in 2014 and a result of 1.4% in 2013.

In calculating total governmental fund performance, we made adjustments for capital outlay paid for with bond proceeds, and for recurring transfers out of the general fund to pay debt service. The surplus was a result of excise taxes coming in better than budget, and savings related to labor costs and utilities.

City officials are expecting similar positive performance in 2016. Expenditures came in \$1.8 million under budget due to savings related to snow and ice, gas prices, and labor contracts. Revenues were \$1.4 million over budget owing to strong excise tax collections and parking garage receipts. The city has dedicated \$2 million of the surplus toward a backlog of one-time capital expenditures.

The 2017 budget is balanced at \$112.6 million and does not appropriate any fund balance. Municipal operating expenses rose by 0.84% or \$365,943. The city increased sewer rates by 18% to cover increasing sewer-related costs. Water and stormwater rates remained level.

School revenue increased \$1.7 million, but was outpaced by expenses, which rose by \$4.07 million. City officials say the mismatch between revenues and expenditures is due to costs related to enrollment growth, which was 290 students in the last year. The enrollment increase follows several years of gains (9% since 2011) related to the growth of the city's immigrant population. Officials expect the school budget to return to balance in future years due to an anticipated corresponding increase in state aid and additional cost-control measures.

The city receives 50% of its revenue from property taxes and 46% from state aid. Based on prudent management and strong oversight, we expect our analysis of budgetary performance to remain strong.

### **Very strong budgetary flexibility**

Lewiston's budgetary flexibility is very strong, in our view, with an available fund balance in fiscal 2015 of 15% of operating expenditures, or \$16.6 million. In addition, the city has the flexibility to raise additional revenues despite statewide tax caps, which we view as a positive credit factor.

In 2015, the city used \$1.05 million in reserves to pay down high interest rate debt associated with the redevelopment of its Colisee ice rink, resulting in a present value savings of about \$2 million. Lewiston officials had originally budgeted \$3.7 million for the pay down, but made up the balance through outperformance of its 2015 budget.

Lewiston officials budgeted \$2 million in use of reserves in 2016 to address a backlog of projects such as replacing

street lights, street paving, and parking garage enhancements. Owing to strong revenue performance and a number of turnbacks on the expenditure side, they did not need to tap into reserves for the projects. In fact, the fund balance is likely to grow by at least \$1 million in 2016.

We expect that reserves will remain strong-to-very-strong in the medium term, owing to a surplus in 2016, and conservative budgeting in 2017. Lewiston has about \$13.1 million, or 12% of expenditures, in excess levy capacity under LD-1 limitations, which enhances the city's budgetary flexibility in our opinion.

### **Very strong liquidity**

In our opinion, Lewiston's liquidity is very strong, with total government available cash at 16.3% of total governmental fund expenditures and 113.0% of governmental debt service in 2015. In our view, the city has strong access to external liquidity if necessary.

Liquidity will likely remain very strong, in our opinion. The city has demonstrated strong access to external liquidity through frequent debt issuance. Furthermore, Lewiston does not currently have any contingent liquidity risk from financial instruments with payment provisions that change on certain circumstances.

### **Adequate debt and contingent liability profile**

In our view, Lewiston's debt and contingent liability profile is adequate. Total governmental fund debt service is 9.4% of total governmental fund expenditures, and net direct debt is 63.9% of total governmental fund revenue. More than 80% of the direct debt is scheduled to be repaid within 10 years, which is in our view a positive credit factor.

Lewiston has \$139 million in direct debt outstanding, \$40 million of which is tax-secured enterprise debt, and \$18 million will be reimbursed by the state. City officials expect to issue \$15 million in additional debt over the next two years for various capital projects.

The city's combined required pension and actual other postemployment benefits contributions totaled 2.4% of total governmental fund expenditures in 2015.

Lewiston participates in the Maine Public Employees Retirement System (MainePERS) and contributed its full actuarial determined contribution of \$2.8 million in fiscal 2015. On joining the plan, the city's initial unfunded unpooled actuarial liability (IUUAL) was calculated and scheduled to be amortized over a 20-year period. In December 2001, the city issued GO pension bonds to pay off its outstanding IUUAL, which has a current balance of \$7.2 million.

The city also administers its own defined-benefit plan for employees before its participation in MainePERS. The city funds this plan on a pay-as-you-go basis and contributed \$240,295 in fiscal 2015.

Lewiston does not pay for postemployment health benefits. Non-school retirees pay their own health insurance as members of the city's plan. The city's only exposure comes from higher use of health services by retirees. The liability that is reported represents the implied subsidy. As of Jan. 1, 2015, Lewiston's unfunded actuarial accrued liability was \$3.4 million.

### **Strong institutional framework**

The institutional framework score for Maine municipalities is strong.

## Outlook

The stable outlook reflects S&P Global Ratings' opinion that Lewiston will maintain at least strong budgetary flexibility supported by good management. Furthermore, we expect that the city's financial profile will remain strong given Lewiston's conservative budgeting practices. In the near term, an upgrade is unlikely due to weak wealth and income levels. However, we believe the property tax base will remain stable or expand within the two-year outlook period resulting from renewed commercial investment.

### Upside scenario

We could raise the rating if we see an improvement in the economic indicators for Lewiston, coupled with a decline in overall debt.

### Downside scenario

If the city were to sustain multiple years of operating deficits and a significant reduction in fund balance, we could lower the rating.

## Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Incorporating GASB 67 And 68: Evaluating Pension/OPEB Obligations Under Standard & Poor's U.S. Local Government GO Criteria, Sept. 2, 2015
- 2015 Update Of Institutional Framework For U.S. Local Governments

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at [www.standardandpoors.com](http://www.standardandpoors.com) for further information. Complete ratings information is available to subscribers of RatingsDirect at [www.globalcreditportal.com](http://www.globalcreditportal.com). All ratings affected by this rating action can be found on the S&P Global Ratings' public website at [www.standardandpoors.com](http://www.standardandpoors.com). Use the Ratings search box located in the left column.

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## Finance Department

Norman J. Beuparlant  
Director of Budget/Purchasing  
[nbeau@ci.lewiston.me.us](mailto:nbeau@ci.lewiston.me.us)



**TO:** Edward Barrett, City Administrator  
**FROM:** Norman J. Beuparlant, Director of Budget/Purchasing  
**SUBJECT:** Sale of 422 Pleasant Street  
**DATE:** August 30, 2016

### **Background:**

The City Council authorized taking possession of tax acquired property at 422 Pleasant Street at its meeting of November 17, 2015. Given the issues involved when the City puts tax acquired properties out for bid simply offering a Municipal Release Deed, the City Administrator requested that the City attorney take steps to clear the title to enable the sale with a warranty deed.

On May 26, 2016, the City attorney informed the Administrator the judgement had been issued in favor of the City and that the property could be conveyed with a warranty deed.

The Assessing Division provided a listing of all abutters within a 300 foot radius of the property. Bid specifications were developed and bid documents were sent to all abutters identified.

### **In addition:**

- A full bid package was posted on the City website, Bid # 2016-044;
- A formal advertisement was placed in the Lewiston Sun/Journal on July 10, 2016;
- A landscape company was contracted to mow the lawn and reshape the plantings;
- A dead tree (50ft tall) was removed from the front of the house; and
- The interior was cleaned of debris.

The bid was open for a period from the July 10<sup>th</sup> advertisement to August 23, 2016. The City Finance Department held an open house on July 20, 2016 and showed the property to five (5) individuals during the day. Bids closed on August 23, 2016 without any proposals submitted.

At this time, I would recommend that the property be turned over to a realtor to list.

**Note:** The property, while sound, has had all copper piping removed by thieves over the years and would require extensive plumbing and heating restoration which likely dampened the interest of the folks that visited during the open house.

NJB/syt



## PUBLIC WORKS DEPARTMENT

David A. Jones, P.E., Director

**To: David A Jones, PE, Director**

**From: Richard C. Burnham, PE, City Engineer**

**RE: Rapid Flashing Beacon Installation and Funding**

**Date: June 15, 2016**

As part of our street repaving and road rehabilitation program, the City considers adaptations for all users. The focus is on safety, and MaineDOT has a program that donates rapid flashing beacons for pedestrian crossings. For sensitive crossings, this method has proven to enhance pedestrian safety. The beacons (see photo below) are solar powered and are valued at ~\$6,000 for each set, but this cost is absorbed by MaineDOT. The City is responsible for installation and making the crossings ADA compliant.

Public Works has accepted four sets of the beacons and proposes to install them at the following locations:

- Lisbon Street at Kaplan University (this location is high on DOT's list of important crossings)
- Park Street (near Victor News)
- Simard Payne Park crossing at Lincoln Street (already has tactile warning strips)
- Main Street (Near LA Harley).

Public Works requested installation pricing from JPratt Construction, the contractor working on the Park Street Rehabilitation project and the Lisbon Street Resurfacing project, and received a quote of \$21,000 to complete the installation at these four locations.

The City Council has previously approved funding for the removal of a bridge over the cross canal on Lincoln Street Ally in the amount of \$30,000. A bid has been awarded for this project in the amount of \$4,500. We would like to use the remainder of this funding to install these beacons.

This clearly qualifies as part of the City's comprehensive street maintenance program and I propose that it be paid for by that program. We hope to have them installed this summer.





GFCLA Vision:

Lewiston-Auburn bustles with people sharing *good food* that is healthy, affordable, and accessible, and that honors the enduring values, rich cultural heritage, and diverse needs of our population.

## L-A COMMUNITY FOOD CHARTER

Because we believe *good food*:

- Is safe and nutritious, enabling people to live healthy, active lifestyles, and helping children learn and play;
- Supports a strong local economy and a thriving food system;
- Is produced with respect for and provides livable wages to workers;
- Stewards and conserves natural resources for future food production; and
- Fits cultural and/or religious beliefs.

Statement of Commitment:

I/We support a Lewiston-Auburn community that values *good food* and honors our enduring values, rich cultural heritage, and the diverse needs of our population. I/We will:



Strive for every member of our community to have a **food secure** future. No one in Lewiston-Auburn should go hungry.



Consider local and **sustainable agriculture** when making food decisions for ourselves and our families. Production systems should enhance healthy soil and clean water; similarly, economic systems should return a fair wage to labor and a fair income to farmers.



Enable **leadership** by all members of our community by sharing knowledge of *good food* and related resources and empowering individuals to take action.



Elevate *good food* **policy** by engaging and informing our local officials and leaders, lifting up examples of what works in other places, and using the definition of *good food* to evaluate relevant legislation and policy decisions.



Support the preservation of **working landscapes** and development of **community infrastructure** that enhances production of and access to *good food*.



**Become a Food Charter Champion!**

Sign the Food Charter at [www.goodfood4la.org](http://www.goodfood4la.org)

# Food Charter Champions

Abby Wilkins Bishop	Aimee Grimmel	Ordway Grove Farm Norway ME
Alyson Cummings	Andrea Breau	<u>Farmers' Gate Market</u>
Ben Tettlebaum	Bettyann Sheats	Bonnie Shulman
Bonnie Lounsbury	Bonnie Pooley	bonnie porta
Brea Pelletier	Camille Parrish	Catherine Lee
Cecile Thornton	<u>Bates College Dining</u>	<u>Double Z Land &amp; Livestock</u>
<u>Central Maine Medical Center/Central Maine Heart &amp; Vascular Institute</u>	<u>Raise-Op Housing Cooperative</u>	Craig Saddlemire
Cynthia Baker	<u>Bear Mountain Botanicals</u>	Dani Scherer
<u>Coastal Enterprises, Inc. (CEI)</u>	Daniel Wallace	Dave Seddon MBA RD LD
David Moyer	<u>Androscoggin Land Trust</u>	Deb Reed
Deborah Burd	Diane Erb	Ellen Shrader
Emily Horton	Erica Dostie	Erica Hebold
Erika Gardner	<u>Trinity Jubilee Center</u>	Erin Cinelli
<u>Healthy Androscoggin</u>	<u>Frantasia Productions</u>	Hannah Horrigan
Hannah Read	<u>Maine Organic Farmers and Gardeners Association</u>	Jeff Harper
<u>Back Cove Personal Fitness</u>	Jan August	Jennifer GendronCarleton
<u>Jenn Howe, Ind. Director w/Pampered Chef</u>	Jessica Elias	Jim Pross
<u>Cumberland County Food Security Council</u>	Jim Lysen	JOANNE CARON
John R. Bolduc	Jonah Fertig	Jonathan Myles
Joy Harrington	Julia Harper	Justin Liudvinaitis
<u>Food Joy</u>	Karen Harris	Karen Lane
Katherine Lary	<u>YWCA Central Maine</u>	Kathy Durgin-Leighton
<u>4 Season Farm Market</u>	Keena Tracy	<u>Maine Network of Community Food Councils</u>
Kim Finnerty	Kim Finnerty	Kira Spellman
Kirsten Walter	<u>St. Mary's Nutrition Center</u>	Kirstin Moynihan
Kyle Dussault	Lauren Breau	Leelaine Picker
Leonard Tower Jr	Lindiwe Majele Sibanda	Lis Janes
Lisa Mayer	Madelyn Reed	Marcel Gagne
Marcela Peres	Maria Harrison	Maurice and Gisele Guerrette
Melissa Emerson	<u>Pinetree Garden Seeds</u>	Mia Poliquin Pross

Missy North-Drain	Nicola Chin	Niomi Larrivee
<u>Lewiston Green Independent Party</u>	Noah Sherwood	<u>Cooperative Development Institute</u>
<u>Austin Associates, PA</u>	Phil Doucette	Rebecca Dugan
Rene Dumont	<u>St. Mary's Health System</u>	Capital Area Food Council
RitaMae Morin	Roberta O'Brion	Ryan Parker
Samuel Chamberlain	<u>The Maine Food Strategy</u>	<u>Sara Goodrich, LMT - Renew You! Massage and Yoga</u>
Sarah Ullman	Scott Vlaun	<u>Center for Ecology Based Economy</u>
Seth Mirsky	Shaad Masood	Shae Morin
Shana Wallace	<u>Grow L+A</u>	Shelley Kruszewski
Sherie Blumenthal	Susan Brown	Taylor Brosious
Tessa Lajoie	Auburn PAL Cooking Thru Science	Tracey Miller
Maine MEP	Will Fessenden	Zizi Vlaun

loading



# The Maine Food Strategy Framework

A Tool for Advancing Maine's Food System

Executive Summary | Summer 2016

This Framework is intended as a organizing tool for individuals and organizations interested in working together to support Maine's food system.

The Maine Food Strategy is a statewide initiative to create a stronger and more connected network of people working in food systems in Maine. The Initiative and Framework Report were developed in response to the need to improve communication and information exchange between the people working across diverse food sectors.

With input from many experienced service agencies, businesses, consumers and others, the Initiative identified four outcomes Maine people are seeking from our food system:

- **Creates economic development** opportunities and builds lasting livelihoods
- **Relies upon and contributes** to a healthy and resilient environment
- **Enriches our cultural heritage**, ecology, economy, and wellness, and is strongly supported by Maine communities
- **Ensures everyone has access** to healthy food.

The Maine Food Strategy Framework is an organizing tool for focusing independent efforts to strengthen Maine's food system around a set of goals and objectives that support these values. The document features information on five goal areas, 13 leverage areas and many supporting actions steps. Additionally, information is highlighted on over 30 Maine organizations currently involved in programs or projects related to the goals.



Barbara Ives photo.

## The Food System

From production to consumption, the food system is comprised of many parts working in tandem to move what we eat from soil and fishery, to fork. How these parts interact with each other impact the health of localized economies, ecosystems and communities. Food systems work recognizes that changes in how the system operates, require changes in how the parts of the system work together. This is critical information for understanding what types of policies, resources or investments can best address issues or barriers that affect business success, ecological and public health, workers, and general food security.



Jenny Nelson photo, courtesy of Maine Farmland Trust

## Goals & Leverage Areas

**Goal 1** Global and in-state market share of foods farmed, fished, foraged and/or processed in Maine show measurable annual increases within the ecological bounds of the resource.

- Increase the effectiveness of marketing investments by encouraging cross-sector collaboration.
- Increase sales of products produced using best management practices and risk management strategies that improve the resiliency of land and water resources, improve food quality and adhere to food and workplace safety standards.
- Expand opportunities for farmers and fishermen to connect with markets.

**Goal 2** Improve the ability of businesses across the food production supply chain to manage growth and change in the market place.

- Increase numbers of employees and businesses using workforce development resources
- Improve business access to data on market demand and pricing
- Increase awareness of successful business models
- Improve business access to financing and incentives that support development and expansion.

**Goal 3** Improve incomes, and access to benefits, for individuals employed in businesses along the food production supply chain.

- Increase numbers of employees and businesses using workforce development resources
- Increase awareness of financial planning and saving tools

**Goal 4** Public policies are supportive of farms, fisheries and other supply chain businesses involved in food production that contribute to communities, local economies and natural resource sustainability.

- Increase public awareness of food systems issues and opportunities.
- Build community and consumer awareness of positive community, economic and environmental impacts created by food producers, farmers and fishermen.

**Goal 5** Food insecure individuals and communities in Maine have access to resources that address their needs.

- Expand consumer education on nutritional food choices and options for accessing healthy foods.
- Develop statewide policies, partnerships and incentives that support increased access to healthy foods for all Mainers.
- Policymakers and the general public have a better understanding of the conditions that contribute to food insecurity and the unique nutritional needs of different populations.



Ben Martens photo

# A Collective Impact Initiative

**F**ood systems are dynamic. How do we know if our collaborative work is producing the desired results? How do we shift our work over time to reflect changing needs of businesses and communities?

The Framework lists several state and federal data sources that may be used to gauge progress over time.

This information feeds into the Maine Food Strategy's approach to collaboration which rests on the principles of Collective Impact:

## A Common Agenda

Helps focus all parties on one, or a set of, common goal(s)

## Shared Measurements

Agreed upon indicators of change that can be assessed over time

## Mutually reinforcing activities

Involved parties are working within their individual spheres to support common goals

## Communications

Information sharing across sectors and organizations that facilitates collaborative opportunities, and deepens the network's understanding of issues and best practices

Based on methods that networks use to produce results effectively, the Collective Impact model was developed by principals from FSG.org after studying successful networks that have achieved social change. The Collective Impact model was featured in a 2011 article in *Stanford Social Innovation Review* and has since been adopted by numerous networks. (For more information on this model, visit [www.ssir.org/articles/entry/collective\\_impact](http://www.ssir.org/articles/entry/collective_impact)).

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## Next Steps

**T**he information contained within the Maine Food Strategy Framework document sets forth multiple opportunities across a variety of sectors to help strengthen the food system. Through the process of drafting the Framework, three areas emerged as critical to advancing the goals and objectives contained within the report:

**1. Network Building:** Convening organizations around common needs and interests; seeding opportunities for collaboration

**2. Keeping the Whole System in View:** Promoting deeper public awareness of the interconnectedness between food systems components and their impact on economic, community, and environmental health and well-being.

**3. Demonstrating the Value of Collaboration:** Showcasing how and where coordinated approaches can help us address areas of opportunity and concern.

To support these areas, we envision the following next steps:

- **Action:** Partners convene to work on specific activities, policies and programs that advance the goals identified in the Framework.
- **Assessment:** Work within this emergent food systems network to find agreement on measurements that will help us know when progress is made.
- **Evaluation:** Develop channels for deeper communication across and within the network.

Many people, businesses and organizations have contributed to the tremendous strides Maine's food system

### It's a barn raising! Join together:

- **Make the connection.** If you, or other organizations you're familiar with, are involved in work that relates to the Framework goal areas, share that information with others in the network.
- **Take the pledge.** Sign on to the Maine Food Strategy Network Agreement and become a part of the network.
- **Work with a Subcommittee.** Subcommittee discussions shaped the focus of the Framework's goals. Participate in subcommittee efforts to advance collaborative projects.
- **Network for action.** Join us in December when the Maine Food Strategy and partners from other statewide organizations host a 2nd Annual Network Gathering at the University of Maine, Orono.

has made. While the Framework can be used to guide the work of individual organizations, there is a hope that it, too, will be used as a roadmap and the next step in mobilizing people to work together to build a healthy and equitable food system for all.



## Acknowledgments:

The success of this project reflects the input and involvement from dedicated stakeholders in Maine's food system. We would like to thank the hundreds of individuals who provided such input throughout this process. This especially includes the many participants at subcommittee meetings and the December 2015 Network Gathering and Work Session. Your input and support made valuable contributions to the development of this report.

The initial stages of this process involved many visionary and dedicated individuals who foresaw the potential of a statewide food system plan. Those individuals were the spark that generated the Maine Food Strategy, and provided much expertise, advisement, and support. Those specific individuals and the committees they served on can be found in Appendix V of the Framework.

A final special thanks to the original backbone team of the project's first fiscal home at the Edmund S. Muskie School of Public Service: Dr. Mark Lapping, Dr. Sam Merrill, and Barbara Ives.

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## Support:

The Maine Food Strategy Framework was made possible through the vision and efforts of many people and organizations committed to growing and sustaining strong food systems in Maine, for now and the future. The project involved many visionary and dedicated individuals who grappled together with the complexities of the food system, and worked to balance input from diverse perspectives and interests. These individuals foresaw the benefits of a statewide initiative that encourages industry growth and development while also recognizing the role of communities and our natural resources in sustaining these opportunities.

### Special thanks to

Past and Current Steering Committee Members  
Subcommittee Participants  
The Edmund Muskie School of Public Service at the University of Southern Maine

### and our generous funders:

Broad Reach Fund  
Donald Sussman  
Doree Taylor Foundation  
Elmina B. Sewall Foundation

Henry P. Kendall Foundation  
Jane's Trust  
John Merck Fund  
Hudson Foundation

Maine Community Foundation  
Sandy River Charitable Foundation

For more information on the Maine Food Strategy, visit [www.mainefoodstrategy.org](http://www.mainefoodstrategy.org) or contact [mfs@mainefoodstrategy.org](mailto:mfs@mainefoodstrategy.org).

# Our Opinion: Making a bright future for Maine farms

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cm [www.centralmaine.com/2016/08/14/our-opinion-making-a-bright-future-for-maine-farms/](http://www.centralmaine.com/2016/08/14/our-opinion-making-a-bright-future-for-maine-farms/)

By The Editorial Board

Editorials

Posted August 14

increase font size

If developed correctly, food production could be Maine's next big industry.



Small farms have driven Maine's agricultural renaissance, as young farmers reclaim land for food production at a rate not seen anywhere else in the country.

As a result, Maine's economy is poised to benefit greatly from the relatively new emphasis on healthy local food, as long as the state can find a way to harness the power of all those small producers.

That's the message from two reports released in the last year, and it's one that needs to be heard. Agriculture, among the oldest of industries, can be new again, and it can help enrich all parts of the state, north and south. But only if it's given the attention it deserves.

## TWO REPORTS

The latest report, from *Maine Food Strategy*, a broad coalition individuals, businesses and organizations involved in food production, outlines five goals for capitalizing on all the talent and resources in Maine agriculture.

The report calls for measurable annual increases in global and in-state market share for food grown and processed in Maine; improved ability for businesses across the supply chain to manage growth and changes in the marketplace; improved wages and benefits for workers; public policies supportive of local agriculture; and a dedication to providing resources to people who are not getting enough food.

To accomplish those goals, the report says, food producers and processors must be more seamlessly connected — all those various small levers and pulleys must be put together in the right way to make a powerful machine.

That means more awareness of the value of local food, better financing and incentives to encourage growth, identification and widespread use of the best business models for Maine, improved workforce development, and the proliferation of cooperatives that allow many small producers to gain the benefits of scale.

The *Maine Food Strategy* report builds on an analysis last year from the Harvard School for Business and Government, which also called for better coordination among food producers, institutions and public officials.

The state, the Harvard report said, needs a dedicated business accelerator program that can provide networking and coaching to growing businesses, as well as aid in finding investors and developing a business plan. Maine's various trade groups need to work together, as well, to cut out inefficiencies.

## MAINE'S HIGH CEILING

That would help Maine farmers and fishermen, who do well on direct sales to consumers, scale up and reach outside the state to bigger markets, a necessity for the industry to reach its full potential.

Similar programs worked well in Oregon and Vermont, where the Farm to Plate initiative launched in 2009 led to 35 percent growth in food manufacturing jobs, and the addition of 4,189 agricultural jobs.

The ceiling in Maine is even higher. The state has built a reputation for its local, environmentally friendly food industry. The products and innovation coming out of the state — think lobster, craft beer, aquaculture and organic food — show Maine can punch above its weight when it comes to food production, and the rest of New England is looking our way.

The eventual rise of fuel prices and the developing water scarcity in California and the Midwest, among other factors, mean New England will have to produce more of its own food in the future.

The New England Food Vision imagines a time when the region produces half of its own food — and we should imagine it, too.

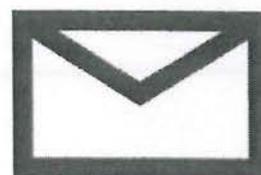
Now only 5 percent of land in New England is used for agriculture. To reach the goal — to go from 9 percent local food to 50 percent — another 10 percent of the region's land would have to be converted to agriculture, and most of the available land is in Maine.

That is a remarkable opportunity to build an industry that could rival paper at its most recent peak, one that would benefit Aroostook and Somerset counties as much as Cumberland and York, and keep local dollars flowing locally, where they do the most good.

Share

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Federal Reserve Bank of Boston

# Communities & Banking

Supporting the Economic Strength of Lower-Income Communities

summer 2015  
volume 26, number 3

## Children's Rights

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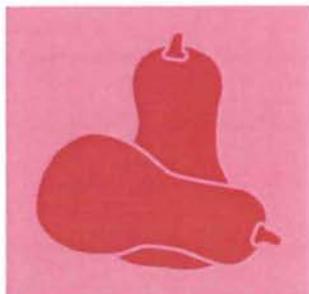
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# Food Council Accelerates Community Transformation



*Daniel Wallace, Julia Harper, and Deborah M. Burd*  
GOOD FOOD COUNCIL OF LEWISTON-AUBURN

Now entering its third year, a local food council is connecting across multiple sectors to support the rebuilding of a healthy, community-based food system.

Much is made these days of food as a pivot point for community development, a sort of lever for community engagement and action. Why? On the face of it, the answer is simple: food can bring people together, and people acting in concert drive change.

One growing though not new model is the community food council. A food council knits together a wide variety of people for a specific set of food-related goals. It can be formed at a local, state, or regional level. The structure depends on how the group organizes itself and the purpose for which it is formed. The motivation to form a council can range from fighting food insecurity to creating food policy, but a common theme is an integrated approach to improving the food system.<sup>1</sup> The approach takes a comprehensive view of all of the players, processes, and infrastructure involved in getting food from land and sea to table. It also incorporates the physical, psychological, and cultural ways in which food touches people's lives. Such a systems approach recognizes interconnectedness, limits unintended consequences, and gives lift to the whole.

## The Good Food Council

The Good Food Council of Lewiston-Auburn (GFCLA) formed in late 2012 as the next step in an effort dating back to 1999, when organizing began around an urban garden project in Lewiston, Maine.<sup>2</sup>

## The Meaning of Good

Lewiston is Maine's second-largest metro area. Its demographic profile speaks to the severity of the challenges it faces. It is home to the state's highest childhood poverty level. Ninety-eight percent of students in a downtown elementary school are eligible for free or reduced-price school meals. And over the last 10 years, the resettlement of large numbers of refugees, mostly from Africa, has presented a different kind of challenge, requiring adjustments for both the existing population and the immigrants.<sup>3</sup>

The GFCLA envisions a community bustling with people sharing *food* that is healthful, affordable, and accessible, one that honors enduring values, cultural heritage, and diverse needs. Food that is good in every way is the GFCLA's central organizing tenet. It is food that provides nutrients for healthy, active lives and enables children to learn better and to play. It fits cultural and religious beliefs, is grown in a way that treats producers with respect and provides them with a livable wage, and supports local businesses. It nourishes not only human bodies but the planet—so that soil and water can provide the nutrients needed to grow food in the future.

## Community Food Assessment

In 2008, a Community Food Assessment (CFA) began in Lewiston.<sup>4</sup> A CFA is a collaborative process that examines food and agriculture issues and assets within a community or region. Key to the effort was grounding the work through citywide charrettes, community-action research, and small planning sessions called "good food gatherings." The idea was to uncover mutual-gain scenarios—ways in which the entire community could benefit from food-related interventions—using existing resources. As the initiative transitioned

from research to planning to implementation, the assessment work expanded to include Auburn, and the council model was adopted.

The GFCLA released the completed CFA in December 2013 at a well-attended community forum.<sup>5</sup> It focused on access to healthful food, particularly among populations with limited income.<sup>6</sup> The CFA and concurrent research highlighted the following:

- healthful food costs on average 40 percent more in downtown neighborhoods than in Lewiston's outskirts, and up to half of households lack access to a vehicle;
  - 79 percent and 98 percent of students in Lewiston's downtown elementary schools are eligible for free or subsidized lunch, respectively;
  - the percentage of the Lewiston population using the Supplemental Nutrition Assistance Program (SNAP) was 36 percent in 2012—nearly twice Maine's average of 18.5 percent;
  - of 64 stores selling food in Lewiston, only seven had at least six types of food identified as healthy;<sup>7</sup> and
  - 72 percent of Lewiston's African immigrants face barriers accessing culturally appropriate, nutritious food.<sup>8</sup>
- Armed with this information and the outcomes of community meetings, the GFCLA began its work.

### Community Impact

Much of GFCLA's first two years was spent on internal process, priority setting, and councilor education. But now that many members of the Lewiston-Auburn community recognize the value that agriculture and food play in creating a vibrant, economically viable community, the insights are beginning to have ripple effects:



Gardening together in Maine.

- **Economic Development** – Grow L+A, a nonprofit, seeks to rehabilitate the 345,000-square-foot Bates Mill 5. The 1914 Albert Kahn–designed former textile mill sits along the Androscoggin River in the middle of Lewiston-Auburn's downtown. Its rehabilitation could support a revitalized regional food system, improve downtown viability, create jobs, and strengthen local businesses.



One way St. Mary's Nutrition Center promotes community health is through a year-round farmers market.

The aim is to include a vertically integrated food chain within the facility and to investigate the potential of a local food aggregator. Grow L+A used the CFA to attract grants to fund the research and to conduct a feasibility study.<sup>9</sup>

- **Transportation Planning** – The Androscoggin Valley Council of Governments (AVCOG) is tasked with routinely evaluating the twin city bus routes. The CFA painted a fuller picture of the experience of someone living without a vehicle, including a description of one resident's two-hour round trip to the grocery store. Given that existing bus routes had limited evening and no weekend service hours, expanding the bus routes was identified as critical. Funds were allocated to expand routes and create limited Saturday services. Today the routes are among those with the highest ridership. AVCOG has requested additional input and recommendations from the council to inform its next transit review.
- **Public Health** – Healthy Androscoggin (HA), part of the statewide Healthy Maine Partnership network, is an important public-health advocate.<sup>10</sup> The GFCLA and the CFA provided a framework and direction for HA's food-related policy, systems, and environmental-change work. HA has used the CFA data in grant proposals, including a Community Transformation Grant and a recent Farm-to-School Grant. The council has helped HA identify community partners, clearly define organizational roles, and reduce service duplication.
- **Research** –The work of the council has enabled student and professional research at Bates College, the University of Southern Maine, and the Muskie School of Public Service. Currently a project led by Bates students is assessing the local farm-to-institution landscape and developing a deeper understanding of existing opportunities and challenges to increasing institutional purchase of local foods. This research could be coupled with similar research in other parts of Maine and begin to form a body of knowledge that would support state-level policy initiatives.<sup>11</sup>

photos St. Mary's Nutrition Center, Lewiston, Maine

- **Priority Setting** – Organizations have used the council to help connect the dots between concurrent yet disparate efforts, thus enabling partners and community leaders to tackle the issues that they are best equipped to address. For instance, early findings of the CFA highlighted the limited access to and high cost of fresh produce in downtown neighborhoods. As a result, St. Mary's Nutrition Center worked to strengthen the local farmers' market and developed complementary programs to support low-income customers. Through this effort, the number of market vendors grew fourfold and both a winter market and a farmers' market incentive program for SNAP- and WIC-eligible consumers were established.



photo Cultivating Community, Portland, Maine

- **Broader Impact** – The GFCLA is a leader in a new movement in Maine. Individuals on the council have been instrumental in building the Maine Network of Community Food Councils. In addition, the council has two representatives on the steering committee of the statewide Maine Food Strategy, an initiative that looks to local councils for data and information to develop clear goals and to become implementation partners down the road.<sup>12</sup>

But the impact of the GFCLA is perhaps more powerfully about individuals and relationships. One council member notes that, as a father, he has gained the knowledge and vocabulary to be able to explain to his children where food comes from and what makes a healthy food system. As a local certified public accountant who has farmers and producers as clients, he is able to bring awareness to his clients about the issue of food insecurity and the potential for expanding into new markets.

\*\*\*

The GFCLA is just beginning to hit its stride. The needs are monumental and require systemic change. The CFA created a data base-line, but the council still needs to develop quantitative measures of progress. To date, the council's greatest success is seen in a deeper understanding of the regional food system, the intangible forma-

tion of relationships, and the network of partners needed to make change within the community. The GFCLA is committed to supporting the greater Lewiston-Auburn community's development of a thriving food system that supports healthy people, vibrant neighborhoods, and a strong local economy.

*Daniel Wallace is a program developer at Coastal Enterprises Inc. and a counselor on the Good Food Council of Lewiston-Auburn. Julia Harper is Good Food Council coordinator. Deborah M. Burd is grants manager at St. Mary's Health System in Lewiston, Maine. Contact them at [goodfood4la@gmail.com](mailto:goodfood4la@gmail.com).*

#### Endnotes

- <sup>1</sup> The USDA Economic Research Service describes *food security* as access by all people at all times to enough food for an active, healthy life. With *food insecurity*, consistent access to food is limited by lack of money or other resources. A *food system* is defined as all the processes and infrastructure needed to get food from the field or ocean to consumers. It includes production, processing, wholesale and retail distribution, waste management, and support systems such as transportation, education, city and town governments, and emergency food providers.
- <sup>2</sup> See Kirsten Walter, "Somalis in Maine: Collaborating on Gardens and Nutrition," *Communities & Banking* 22, no. 1 (winter 2011), [https://www.bostonfed.org/commdev/c&cb/2011/winter/Walter\\_Somali\\_garden\\_Lewiston.pdf](https://www.bostonfed.org/commdev/c&cb/2011/winter/Walter_Somali_garden_Lewiston.pdf).
- <sup>3</sup> For interactive demographics on Lewiston, see the Boston Fed's New England City Data tool, <http://www.bostonfed.org/commdev/data-resources/city-data/index.htm>.
- <sup>4</sup> Kirsten Walter, "Local Food for Lewiston: Exploring the Role of Food Assessment as Part of Broader Work in Community-Engaged Food Systems," *Maine Policy Review* 20, no 1 (winter–spring 2011), <http://digitalcommons.library.umaine.edu/cgi/viewcontent.cgi?article=1041&context=mpr>.
- <sup>5</sup> See <http://goodfood4la.org/resources/community-food-assessment/>.
- <sup>6</sup> Access is defined here as the availability, affordability, and appropriateness of healthful food options.
- <sup>7</sup> The data—high poverty, low vehicle access, very few stores with healthy options—suggest that the population is likely to have poor health outcomes. In fact, 31 percent of adults in the area are obese. As other studies have shown, the connection between poverty and obesity often reveals itself in the food environment. Low-income individuals rely on cheaper, calorie-dense foods, often highly processed and less nutritious, rather than more expensive and less accessible healthier foods.
- <sup>8</sup> Research conducted with the Muskie School of Public Service.
- <sup>9</sup> A grant came through the Local Food Promotion Program, which offers funds with a 25 percent match to develop and expand local and regional food enterprises to increase consumption of, and access to, locally and regionally produced agricultural products and to develop new local market opportunities for farms and ranches.
- <sup>10</sup> A collaborative effort of the Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention, Maine Office of Substance Abuse, and the Maine Department of Education.
- <sup>11</sup> See "Bates Contemplates Food," <http://www.bates.edu/food>.
- <sup>12</sup> See <http://mainefoodstrategy.org/>.

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**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:**

Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 5 Riverside Place.

**INFORMATION:**

The Council is asked to approve a municipal quitclaim deed for the property located at 5 Riverside Place. 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.

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

The City Administrator recommends approval of the requested action.

*EVABKmm*

**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 5 Riverside Place.



COUNCIL ORDER

**Order,** Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 5 Riverside Place.

**WHEREAS,** the owner, Patricia A. Springer, failed to pay her utility bills on a timely basis for 5 Riverside Place (Tax Map 193, Lot 49, Parcel 00-004532); and

**WHEREAS,** a water lien was filed on March 2, 2012 (Book 8348 Page 139) and matured on September 1, 2013 in the amount of \$130.99; and

**WHEREAS,** a water lien was filed on December 21, 2012 (Book 8567 Page 250) and matured on June 22, 2014 in the amount of \$135.44; and

**WHEREAS,** a sewer lien was filed on March 2, 2012 (Book 8348 Page 213) and matured on September 1, 2013 in the amount of \$155.47; and

**WHEREAS,** a sewer lien was filed on December 21, 2012 (Book 8567 Page 318) and matured on June 22, 2014 in the amount of \$117.73; and

**WHEREAS,** a stormwater lien was filed on December 6, 2013 (Book 8830 Page 107) and matured on June 7, 2015 in the amount of \$104.27; and

**WHEREAS,** payment was received in full;

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

That a quitclaim deed is hereby authorized to release the City's interest in the property located at 5 Riverside Place to the owner.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 2**

**SUBJECT:**

Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 55 Hillcrest Avenue.

**INFORMATION:**

The Council is asked to approve a municipal quitclaim deed for the property located at 55 Hillcrest 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.

**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 55 Hillcrest Avenue.



CITY OF LEWISTON, MAINE

September 6, 2016

COUNCIL ORDER

**Order,** Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 55 Hillcrest Avenue.

**WHEREAS,** the owners, Tammy Churchill-Caouette and Steven D. Caouette, failed to pay their utility bills on a timely basis for 55 Hillcrest Avenue (Tax Map 149, Lot 203, Parcel 00-020014); and

**WHEREAS,** a water lien was filed on August 29, 2013 (Book 8760 Page 117) and matured on February 28, 2015 in the amount of \$173.54; and

**WHEREAS,** a water lien was filed on June 19, 2014 (Book 8936 Page 224) and matured on December 19, 2015 in the amount of \$198.52; and

**WHEREAS,** a sewer lien was filed on August 29, 2013 (Book 8760 Page 288) and matured on February 28, 2015 in the amount of \$147.54; and

**WHEREAS,** a sewer lien was filed on June 19, 2014 (Book 8936 Page 136) and matured on December 19, 2015 in the amount of \$161.26; and

**WHEREAS,** a stormwater lien was filed on December 6, 2013 (Book 8830 Page 170) and matured on June 7, 2015 in the amount of \$103.76; and

**WHEREAS,** payment was received in full;

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

That a quitclaim deed is hereby authorized to release the City's interest in the property located at 55 Hillcrest Avenue to the owner.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 3**

**SUBJECT:**

Order Authorizing execution of a Municipal Quitclaim Deed for Real Estate located at 5 Orleans Street.

**INFORMATION:**

The Council is asked to approve a municipal quitclaim deed for the property located at 5 Orleans Street. 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.

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

The City Administrator recommends approval of the requested action.

*ERB/kmm*

**REQUESTED ACTION:**

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



COUNCIL ORDER

**Order,** Authorizing Execution of a Municipal Quitclaim Deed – Real Estate Located at 5 Orleans Street.

**WHEREAS,** the owners, Randy Gervais and Penata N. Pringle, failed to pay their utility bills on a timely basis for 5 Orleans Street (Tax Map 148, Lot 137, Parcel 00-011543); and

**WHEREAS,** a water lien was filed on June 19, 2014 (Book 8936 Page 223) and matured on December 19, 2015 in the amount of \$127.74; and

**WHEREAS,** a sewer lien was filed on June 19, 2014 (Book 8936 Page 134) and matured on December 19, 2015 in the amount of \$146.79; and

**WHEREAS,** payment was received in full;

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

That a quitclaim deed is hereby authorized to release the City's interest in the property located at 5 Orleans Street to the owner.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 4**

**SUBJECT:**

Authorization to accept transfer of forfeiture funds.

**INFORMATION:**

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

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

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of items as outlined on the attached listing, less administrative fees or any portion thereof, in the cases of US Department of Justice Drug Enforcement Administration vs the cases outlined on the attached listing. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program' account.



# MEMO



Date: August 22, 2016  
To: Kathy Montejo, City Clerk  
From: Brian O'Malley, Chief of Police (Interim)  
Re: Forfeiture funds

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

Please credit these funds to the Federal Drug Forfeiture Account, number 5902-351450.

**Our share of each of the following is yet to be determined and is less administrative fees:**

Asset ID#	Case No	Asset
16-DEA-620251	CE-14-0008	\$40,703
16-DEA-620445	CE-16-0017	7,375
16-DEA-621590	CE-14-0037	\$1,630
16-DEA-619104	CE-15-0031	\$18,000
16-DEA-622915	CE-14-0036	Financial instrument – Brokerage or Investment Account – Value \$20,178.72

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 5**

**SUBJECT:**

Order Authorizing the City Administrator to execute a Standard Easement with quit claims and construction access license to the Central Maine Power Company for a new electrical easement near Main Street water pump station.

**INFORMATION:**

As part of the Central Maine Power company's upgrades to the Lewiston Lower Substation, an electrical easement near the Main Street water pump station needs to be issued to them for the completion of the work. Passage is requested.

**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 the City Administrator to execute a Standard Easement with quit claims and construction access license to the Central Maine Power Company for a new electrical easement near Main Street water pump station.



# City of Lewiston Maine

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September 6, 2016

**ORDER,** Authorizing the City Administrator to execute a Standard Easement with quit claims and construction access license to the Central Maine Power Company for a new electrical easement near Main Street water pump station.

Whereas, the City of Lewiston originally acquired easement rights from W. S. Libby Company in 1987; and

Whereas, said easement was acquired for a new water pump station and 24 inch diameter water pipe for the City Water Division at the corner of Main Street and Mill Street; and

Whereas, the proposed easement to Central Maine Power Company (CMP) is to expand an existing electrical pad easement; and

Whereas, proposed easement is a 16 ft. by 16 ft. area for new electrical gear to benefit the City and the Main Street pump station; and

Whereas, the proposed easement includes a 15 ft. wide easement from Mill Street to the proposed easement pad, centered over a new underground electrical service line to benefit the City and the Main Street pump station; and

Whereas, the proposed easement has been reviewed by staff and will not interfere with the City's water utility operations; and

Whereas, Central Maine Power Company has planned improvements on this proposed easement as part of their upgrades to the Lewiston Lower Substation; and

Whereas, Central Maine Power Company shall compensate the City of Lewiston up to \$2,500 for landscaping replacement around the new pad and transformer;

**Now, therefore, be it Ordered By the City Council of the City of Lewiston that**

the City Administrator is authorized to execute a Quit Claim Deed and construction access license to the Central Maine Power Company for a 16 ft. by 16 ft. easement on the Main Street water pump station parcel at Mill Street.



## PUBLIC WORKS DEPARTMENT

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David A. Jones, P.E., Director

**To: David A Jones, PE, Director**

**From: Kevin A. Gagne, PE, Deputy Director**

**RE: City grant CMP Utility Easement at Main St Pump Station**

**Date: August 31, 2016**

As part of the Central Maine Power (CMP) – Maine Power Reliability Project (MPRP) in Lewiston, City of Lewiston staff were contacted in February 2016 by the engineering firm of Burns & McDonnell (CMP's consulting engineers) to review and ultimately approve an easement for construction of a new power switchgear and electrical service piping located on the Main Street water pump station property parcel at Mill Street and Main Street. CMP plans to construct the proposed switchgear and service lines as early in September as possible. The easement and installation of a new concrete pad, service piping and switchgear would upgrade the electrical service to the area of Main & Mill Streets and would directly benefit the City of Lewiston's water pump station with new equipment and, ultimately, increased power reliability to the pump station.

During the City staff review process, we discussed with Burns & McDonnell the existing waterline along with the criticality and operational needs at the Main Street pump station as the installation of the new electrical switchgear/services lines would need to work around our existing piping. Burns & McDonnell modified their utility plan and electrical designs to incorporate a new switch gear pad on the property and accommodate the waterlines at the pump station. City staff received a draft easement and sketch for review at the beginning of August 2016. Staff reviewed the proposed easement and met with Burns staff on site to field verify actual size/location of the proposed work and easement, and City staff are comfortable with the proposed construction to install a new switchgear adjacent to the exiting transformer pad on the Main Street water pump station parcel.

After review of the proposed construction and easement documents, it is my recommendation to execute a Quit Claim Deed and construction access license to the Central Maine Power Company for a 16 ft by 16 ft easement on the Main Street water pump station parcel at Mill Street.

## Standard Easement Quit Claim Deed

City of Lewiston, a body politic and corporate located in the county of Androscoggin, State of Maine, for consideration paid, grants to Central Maine Power Company, a Maine corporation with an office at 83 Edison Drive, Augusta, Maine 04336, with Quit Claim Covenants grants an easement to erect, bury, maintain, rebuild, respace, patrol, operate, and remove and do all other actions involving electric and communication distribution equipment and facilities, consisting of wires, cables, anchors, guywires or pushbraces, together with all necessary fixtures and appurtenances over, across and under a portion of the surface of the land of the Grantors and being a certain parcel of land, situated in Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows;

A 16'x 16' easement area situated on the Northeasterly side of Mill Street but, not adjacent to, and beginning at the most northerly corner of an existing 8 foot by 8 foot concrete slab. Said slab being located approximately 18 feet from the northeasterly side of the traveled way of Mill Street.

Thence Northeasterly at an extension of the Northeasterly side of the existing slab, 4.0 feet to a point.

Thence Northeasterly at a 90 degree angle from the Northeasterly side of the existing slab, 16.0 feet to a point.

Thence Southeasterly and running parallel with the northeasterly side of the slab, a distance of 16.0 feet to a point.

Thence Southwesterly at a 90 degree angle, a distance of 16.0 feet to a point.

Thence Northwesterly in part along the Northeasterly side of said slab, a distance of 12.0 feet to the point of beginning.

Also an additional easement area for an underground utility line to run from the above described easement area to the northeasterly side of Mill Street. This easement to be 15 feet wide and to be centered on the proposed underground utility line to be installed. (See attached Exhibit A)

This easement affects land conveyed to the Grantors in a deed from W. S. Libbey Company dated April 30<sup>th</sup>, 1987, and recorded in the Androscoggin County Registry of Deeds in Book 2086 , Page 181.

THIS EASEMENT IS GRANTED AND IS SUBJECT to the following conditions and covenants:

1. The Grantee's electrical cables and underground equipment shall be located under the city of Lewiston's current water main located in and near Mill Street and shall not affect their ability to maintain, repair or replace said water main at any time.
2. The Grantor shall compensate Grantee up to \$2500.00 for landscaping materials around the new pad and transformer. Grantor will remove whatever scrubs and bushes they wish to

salvage prior to August 18<sup>th</sup>, 2016. After August 18<sup>th</sup>, 2016 the Grantee can remove and dispose of any vegetation within the easement area.

DATED: \_\_\_\_\_, 2016

City of Lewiston Maine

\_\_\_\_\_  
Printed Name and Office:

State of Maine  
County of Androscoggin

The above-named \_\_\_\_\_, duly authorized to sign of behalf of the City of Lewiston personally appeared before me on \_\_\_\_\_, 2016 and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity.

\_\_\_\_\_  
Notary Public:  
My Commission Expires:

## Construction Access License

The city of Lewiston Maine, a body politic and corporate located in the county of Androscoggin, State of Maine, hereby grants Central Maine Power Company, a Maine corporation("CMP"), 83 Edison Drive, Augusta, Maine 04336, a license to cross over and use the City of Lewiston's land located in Lewiston, Maine on an existing lot and parking area substantially as shown of Exhibit A, attached and made a part hereof, ("Construction Access Area"). Subject to the following conditions:

1. The location of the Construction Access Area shall be as shown on Exhibit A, attached and made a part hereof.
2. This license shall commence upon execution by both parties and expire on December 15, 2016 and may only be extended in writing by the City of Lewiston and CMP. The City of Lewiston is under no obligation to extend or renew this license. This License covers any use by CMP, its agents, contractors or those operating through CMP, its agents or contractors for the period of this license or any extensions thereof.
3. CMP shall improve the surface of the Construction Access Area as approved by the City of Lewiston in advance.
4. CMP shall comply with all applicable laws, rules, orders, ordinances, and regulations of the town, county, state and federal government or agency thereof at any time issued or in force applicable to the Construction Access Area or to CMP's use thereof.
5. Prior to the expiration of the License, CMP shall restore the surface of the Construction Access Area to as good or better condition as those existing on August 4, 2016. CMP's use of the Construction Access Area will not change the drainage on the Construction Access Area or on the City of Lewiston's abutting land either during the term of this license or as a result of the surface restoration.
6. CMP is fully familiar with the condition of the Construction Access Area and the City of Lewiston's property. The City of Lewiston has made no representations of whatever nature as to the condition of the Construction Access Area. CMP accepts use of the Construction Access Area "as is".

IN WITNESS WHEREOF, the parties hereto represent that the undersigned have been authorized to execute the License as of \_\_\_\_\_, 2016

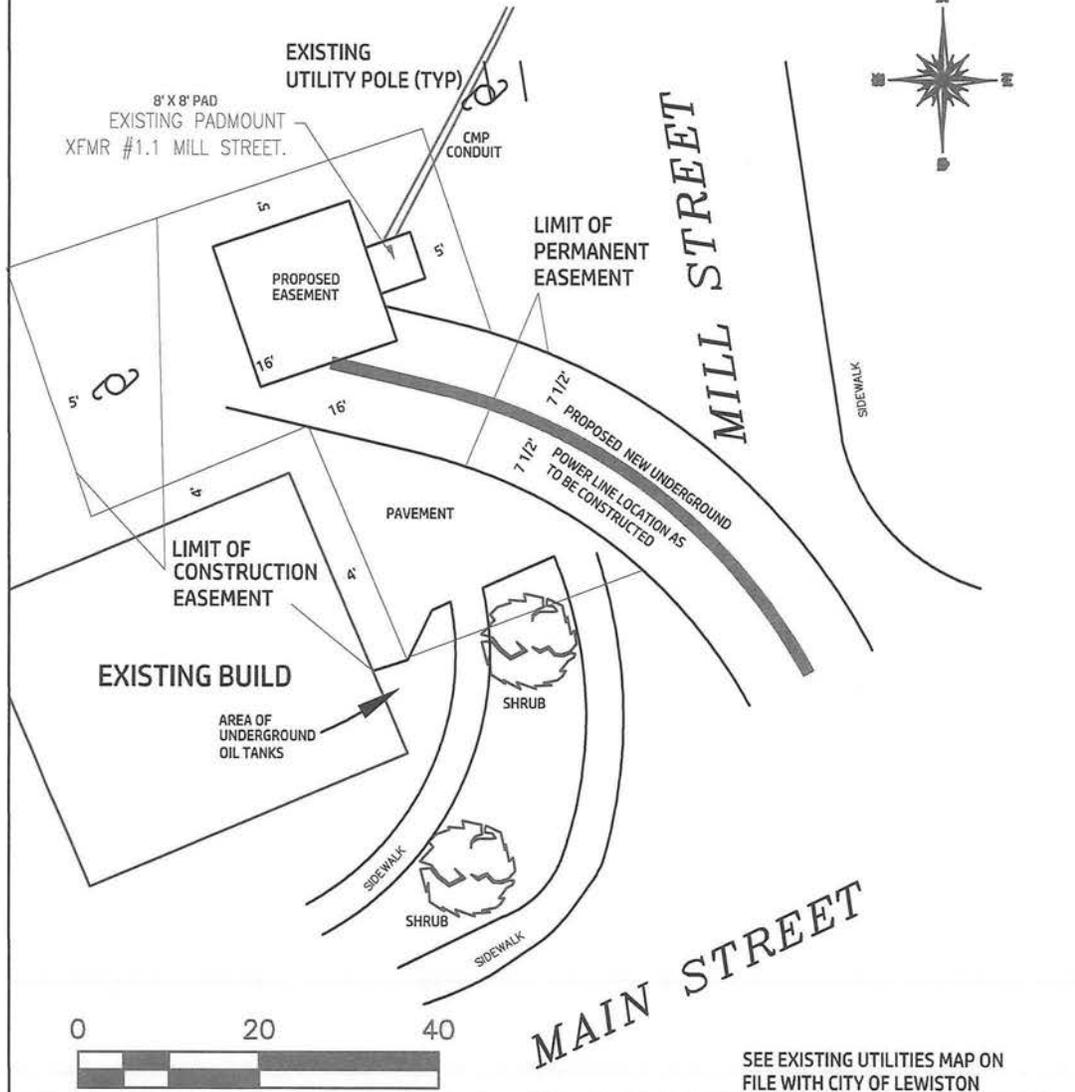
Central Maine Power

City of Lewiston Maine

\_\_\_\_\_  
Alice Richards  
Supervisor, Real Estate Services  
Exhibit A : Construction Access Area

\_\_\_\_\_

# EXHIBIT "A"



SEE EXISTING UTILITIES MAP ON FILE WITH CITY OF LEWISTON


**Dirigo Partners, Ltd**  
 INTEGRATED REALITY SOLUTIONS  
 79 OLD WINTHROP ROAD      AUGUSTA, ME

FOR  
**CENTRAL MAINE POWER**  
 MILL STREET "DB" LEWISTON, ANDROSCOGGIN

INVALID - UNLESS SIGNED, SEALED AND/OR EMBOSSED

MICHAEL J. MORIN  
 P.L.S. # 2157

SCALE 1"= 20'  
 08-09-2016

PROJECT # N/A

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 6**

**SUBJECT:**

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for The Androscoggin Bank Colisee, 190 Birch Street.

**INFORMATION:**

We have received a renewal application for a Special Amusement Permit for Live Entertainment from The Androscoggin Bank Colisee, 190 Birch 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.

*ETAB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to The Androscoggin Bank Colisee, 190 Birch Street.

CITY OF LEWISTON  
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: Aug 8 2016

Expiration Date: 7-31-2017

- 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: Androscoquin Bank Colisee Business Phone: 207 783 2009

Location Address: 190 Birch St. Lewiston

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

Mailing Address: 190 Birch St. Lewiston ME.

Email address: Mcain@ICEBIRKS.COM

Contact Person: Michael Cain Phone: 207 783 2009

Owner of Business: James Cain Date of Birth: 01 14 79

Address of Owner: Webster St. Lewiston ME.

Manager of Establishment: Michael Cain Date of Birth: 05 03 75

Owner of Premises (landlord): Rita

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 6 No If yes, please explain: \_\_\_\_\_

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

Corporation Name: Lewiston Urban Civic Center LLC

Corporation Mailing Address: 190 Birch St. Lewiston Me 04240

Contact Person: Michael Cain Phone: 207 783 2009

Do you permit dancing on premises? 6 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? 360'

Please describe the type of proposed entertainment:

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> dancing           | <input checked="" type="checkbox"/> stand up comedian | <input checked="" type="checkbox"/> piano player  |
| <input checked="" type="checkbox"/> music by DJ       | <input checked="" type="checkbox"/> karaoke           | <input type="checkbox"/> other, please list _____ |
| <input checked="" type="checkbox"/> live band/singers | <input checked="" type="checkbox"/> magician          | <input type="checkbox"/> 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: [Signature] Title: GM Date: Aug 8 2016

Printed Name: Michael Cain

\*\*\*\*\*

Hearing Date: 9-6-2016



## ***POLICE DEPARTMENT***

Michael J. Bussiere  
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: June 23, 2016

RE: Liquor License/Special Amusement Permit – **Androscoggin Bank Colisee**

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

**Colisee  
190 Birch St.**



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171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007  
[www.lewistonpd.org](http://www.lewistonpd.org)



*Professionalism*

*Integrity*

*Compassion*

*Dedication*

*Pride*

*Dependability*

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

**SUBJECT:**

Public Hearing for approval of an Outdoor Entertainment Permit for a musical concert in Kennedy Park.

**INFORMATION:**

The Church of All Nations located in Auburn is sponsoring a free music concert on Saturday, Sept 17 in Kennedy Park. This is being held in conjunction with their Evangelical outreach event. Since they will be having live music, they are required by the Code of Ordinances to obtain an Outdoor Entertainment permit from the City Council. Staff has reviewed their application and has no concerns with this event. Approval is recommended.

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

The City Administrator recommends approval of the requested action.



**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To conduct a public hearing on an application for an outdoor entertainment event in Kennedy Park, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, for an outdoor music concert to be held at Kennedy Park on Saturday, September 17, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances.

**If the applicant is not a qualifying non-profit, 100% of all applicable fees must be paid.**

3. Were you paid by another non-profit agency to raise money for their organization?  
 Yes  No  
If "Yes", provide a signed statement and with financial information from the non-profit indicating how much money they received. Church of All Nations
4. Name of Contact Person for Event: REV. DR. JEAN-PIERRE TSHAMALA
5. Title of Contact Person: REV. DR., SENIOR PASTER
6. Mailing Address: 108 SUMMER STREET AUBURN, ME 04210
7. Daytime Telephone: 207-331-7864 Cell Phone: 207-331-7864
8. Email Address: ~~XXXX~~ Jeanpbe.tshamala@yahoo.com
9. Contact Name and Cell Phone Number DURING the Event: Same as above
10. Name of Event: EVANGELISM
11. Type of Event (walk, festival, concert, etc.): \_\_\_\_\_
12. Day of Event: SATURDAY Date of Event: 09/17/2016
13. Rain Date (if applicable): \_\_\_\_\_
14. Times of Event:  
Start Time including set-up: 09:00 AM Ending time including clean up: 03:00 PM  
Actual Event Start Time: 10:00 AM Actual Event End Time: 03:00 PM
15. Estimated Attendance: 300 to 500
16. Open to public:  Yes  No
17. By Invitation Only:  Yes  No
18. Location(s) of Event: KENNEY PARK
19. Age restriction on Admission?  Yes  No
20. If yes specify age required for admission: \_\_\_\_\_

**DESCRIPTION OF EVENT -- Please describe what will occur during your event**

Christian music, Feed people, speak to people about the Good News of Jesus Christ.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 8**

**SUBJECT:**

Public Hearing for approval of an Outdoor Entertainment Permit for The Dempsey Challenge.

**INFORMATION:**

The Dempsey Challenge is now an annual event in Lewiston and this year's event will be held on October 1-2 (Friday - Sunday). As part of the athletic events, the function will also have live musical entertainment. As such, the organizers are required to obtain an Outdoor Entertainment permit from the city.

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

The City Administrator recommends approval of the requested action.

*EA/B/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To conduct a public hearing on an application from The Dempsey Challenge Committee for outdoor musical concerts to be held at Simard-Payne Memorial Park on October 1<sup>st</sup> and 2<sup>nd</sup>, as part of The Dempsey Challenge, and to authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the organizing committee for the outdoor music concerts, contingent upon positive recommendations from the Police Department, Fire Department, Code/Land Use Officer and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances.

CITY OF LEWISTON - EVENT APPLICATION

GENERAL EVENT INFORMATION (Section 1)

EVENT and/or PARK USE ONLY INFORMATION

Event Name: Dempsey Challenge Requested Date: Sept 26 - Oct 3

Rain Date (if applicable): NA

Type of Event (Walk/Run, Festival, Concert, Etc.): Ride, Run/Walk, festival

Event Start Time: Oct.1 - 7:30am Oct.2 - 7:30am Event End Time: Oct.1 - 10:00am Oct.2 - 5:00pm Estimated Attendance: 5000

Set-up Start Time: Sept 26 Clean-up End Time: Oct 3

- Open to the Public
Invitation Only
Age Restriction

Event Location: Simard Payne

(If you will utilize a park, please check ALL that apply below)

FEES APPLY

- Simard-Payne Park \$27 x 8 days
Dufresne Plaza \$ x days

NO FEE ASSESSED

- Kennedy Park
Veterans Park
Marcotte Park
Potvin Park
Mark Paradis Park
Raymond Park
Sunnyside Park

Location Other Than Parks:

Street(s): Oxford, Cross, Lincoln, Cedar

Sidewalk(s): none

Other:

PARK USE ONLY - Provide Overview

PARK FEES & APPLICABLE DISCOUNTS

SIMARD-PAYNE PARK (check one)

- Full Price: \$135 day
Lewiston-based NP (80% discount): \$27 day
Out-of-Town, NP Fundraisers (50% discount): \$67.50 day
Out-of-Town, NP Event (34% discount): \$89.10 day

DUFRESNE PLAZA (check one)

- Full Price: \$265 day
Lewiston-based NP (80 discount): \$53 day
Out-of-Town, NP Fundraisers (50% discount): \$132.50 day
Out-of-Town, NP Event (34% discount): \$174.90 day

## CITY OF LEWISTON - EVENT APPLICATION

### CONTACT INFORMATION (Section 2)

Host Organization: Dempsey Center

Mailing Address: 29 Lowell St 5th Floor City: Lewiston

Name of Person Responsible for Event: Aimee Labbe Title: Special Events Mng

Name of Contact Person (if different): Jeff Corbett Title: Technical Director

Daytime Phone: \_\_\_\_\_ Cell: 803-447-4068 Cell During Event: same

Contact Email: labbeai@cmhc.org , jeff.corbett@medalistsports.com

### EVENT DETAILS | PERMITTING (Section 3)

**Please check all that apply;** include detail if applicable. Arrow denotes who to contact.

- Park Use**  N/A → **Administration**  
Fees Apply
- Sound Amplification Needed**  N/A → **City Clerk's Office**  
A Permit will be required
- Live Music**
- Speaker | Presenter**
- Details** \_\_\_\_\_
- Food**  N/A → **Sanitarian /Code**
- Sold** → **City Clerk's Office**
- Given Away**  
Food Services License may be required
- Type** \_\_\_\_\_
- BBQ** (see policy: <http://www.lewistonmaine.gov/DocumentCenter/View/5535>)
- Beverages**  N/A → **Sanitarian /Code**
- Sold** → **City Clerk's Office**  
Food Services License may be required
- Given Away**  
Requirements Apply for Alcohol at Event
- Alcohol Beverage**
- Type** \_\_\_\_\_
- Product (Non-Food Item)** → **City Clerk's Office**  
A Peddler's Permit may be required
- Sold**
- Given Away**
- Type** \_\_\_\_\_

# LEWISTON CITY COUNCIL

## MEETING OF MAY 3, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 9**

**SUBJECT:**

To Postpone Indefinitely the Final Passage on the May 3, 2016 version of an amendment of the Animal and Animal Control ordinance and an amendment to the Land Use Code regarding the keeping of chickens in residential zoning districts.

**INFORMATION:**

At the May 3, 2016 City Council meeting, the Council approved first passage of ordinance changes pertaining to the keeping of chickens. This version was based upon a citizen petition that was submitted requesting these amendments on residential property of no less than 20,000 square feet. The Planning Board voted 6-1 to send an unfavorable recommendation regarding that requested change. The Council approved first passage and noted this issue would be sent to workshop for additional review prior to final passage. During the numerous summer workshops on this topic, additional versions of the ordinance changes were developed. At the July 19 City Council meeting, the Council adopted first passage of the revised versions of the ordinance amendments. Items 10 and 11 call for the final passage of these revised changes. Due to this, staff is asking the Council to take a vote to Postpone Indefinitely (to kill) the ordinance version of May 3 since it conflicts with the new language. Basically a vote is needed to formally remove the first version from the books since it did receive first passage in May.

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

The City Administrator reserves comment on this matter until the Council meeting.

*EAB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To Postpone Indefinitely final passage of the proposed amendment to the City Code of Ordinances, Chapter 14 "Animals", Article. VII "Keeping of Non-Domestic Animals", Division 4 "Keeping of Chickens on Lots Developed with Single Family Detached Dwellings Including Mobile Homes on Individual Lots" and Appendix A "Zoning and Land Use Code", Article V "Administration and Enforcement" that received first passage at the May 3, 2016 City Council meeting.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 10**

**SUBJECT:**

Public Hearing and Final Passage for Land Use Code Amendments regarding the keeping of chickens on residential lots of no less than 30,000 square feet.

**INFORMATION:**

The City Council has held workshops on this topic several times this spring. This proposed change to the Land Use Code would allow for the keeping of up to 6 female chickens in residential zoning districts on lots of no less than 30,000 square feet. The Planning Board recommended this amendment by a vote of 5-2.

This agenda item is connected with Agenda Item 11.

**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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That the proposed amendments to Appendix A, Zoning and Land Use Code, Article V, "Administration and Enforcement", Section 3 "General Provisions", of the City Zoning and Land Use Code, receive final passage by a roll call vote.

9/6/16

**AN ORDINANCE PERTAINING TO THE ZONING AND LAND USE  
CODE 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 V. ADMINISTRATION AND  
ENFORCEMENT**

**Sec. 3. General  
provisions.**

(aa) Notwithstanding the provisions under Article XI, Section 23 of this Code, the keeping of up to six female chickens is permitted in the Rural-Agricultural (RA), Low Density Residential (LDR), Suburban Residential (SR), Medium Density Residential (MDR), and the Neighborhood Conservation "A" (NCA) districts. ~~residential zoning districts, with the exception of the Neighborhood Conservation "B" (NCB) district, on lots of no less than 30,000 square feet developed with single family detached dwellings including mobile homes on individual lots pursuant to the provisions contained in Chapter 14, Article XIII, Sec 14-45 thru 14-53.~~

**REASONS FOR THE PROPOSED  
AMENDMENT**

In the City of Lewiston, the keeping of chicken is limited to properties located in the Rural Agricultural (RA) district on lots of at least three acres. There has been an interest by citizens to keep domesticated chickens in zoning districts other than the RA.

The proposed amendment to Article V, Section 3(aa) of the Zoning and Land Use Code allows for the keeping of up to six female chickens permitted in all residential zoning districts on lots developed with single family detached dwellings including mobile homes on individual lots pursuant to the provisions contained below in Chapter 14, Article XIII, Sec 14-45 thru 14-52.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

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

**From:** David Hediger

**Date:** August 29, 2016

**Subject:** Planning Board Action

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The Planning Board took the following action at its meeting held August 22, 2016 regarding a proposed amendment to Article V, Section 3(aa) of the Zoning and Land Use Code to allow the keeping of up to six chickens in residential zoning districts:

The following motion was made:

**MOTION:**

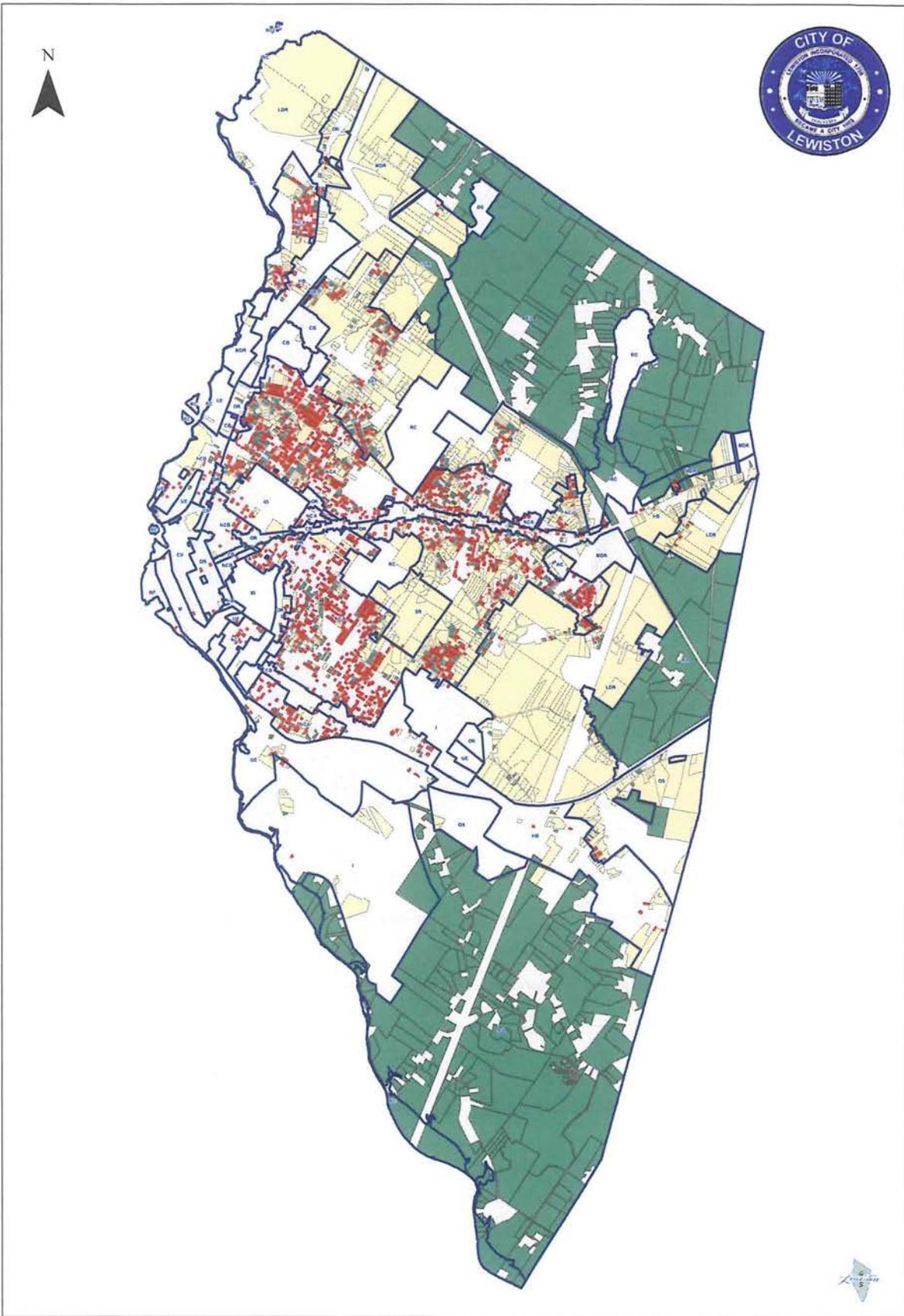
by **Michael Marcotte** pursuant to Article VII, Sections 3 and 4 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration a proposed amendment to Article V, Section 3(aa) of the Zoning and Land Use Code to allow the keeping of up to six female chickens limited to the Rural-Agricultural (RA), Low Density Residential (LDR), Suburban Residential (SR), Medium Density Residential (MDR), and the Neighborhood Conservation "A" (NCA) districts, on lots of no less than 30,000 square feet developed with single family detached dwellings, including mobile homes on individual lots. Second by **Paul Madore**.

**VOTED: 5-2 (Passed) Sandra Marquis & Pauline Gudas Opposed.**

Note: The Planning Board's motion was in support of the changes recommended by the City Council on July 19, 2016; however, additional language is being recommended by the Board to reinforce that only female chickens are allowed (i.e. no rosters) and to list the residential districts that chickens shall be allowed in rather than listing the one zone that they would be prohibited from (i.e. the Neighborhood Conservation "B" (NCB) district). The additional language recommended by the Board provides additional clarification and does not result in substantive changes from that of the Council's proposed language.

c: Ed Barrett, City Administrator

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**Legend**

-  vac or single family RA Lots 3 ac plus
  -  vac or single family 10,000 sf to 19,999 sf
  -  vac or single family 20,000 sf to 29,000 sf
  -  vac or single family 30,000 sf or greater
-  Property Records
  -  Zoning Districts

**Parcel Zoning, Size Relationship  
Ordinance Consideration  
for Domestic Chickens**



Date: 6/11/2016

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 11**

**SUBJECT:**

Public Hearing and Final Passage regarding an amendment to the Animal ordinance regarding the keeping of chickens.

**INFORMATION:**

This agenda item is for proposed amendments to the City's Animal Ordinance regarding the keeping of chickens in residential areas. The City Council has held several workshops on this issue during the spring. This amendment would allow six female chickens as the maximum number that can be maintained at a single family dwelling and addresses such issues as enclosures, odor and noise impacts and permit requirements.

This agenda item is connected with Agenda Item 10.

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

The City Administrator recommends approval of the requested action.

*ERB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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That the proposed amendment to the City Code of Ordinances, Chapter 14 "Animals", Articles VII "Keeping of Non-Domestic Animals", receive final passage by a roll call vote.

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**AN ORDINANCE PERTAINING TO THE KEEPING OF CHICKENS IN  
THE CITY OF LEWISTON HEREBY ORDAINS:**

**Chapter 14 Animals**  
**Article VII. Keeping of Non-Domestic Animals**  
**Division 3. Other Animals**

**Sec. 14-31. Keeping of fowl, rabbits and guinea pigs.**

Fowl, rabbits and guinea pigs must be kept indoors, or if outdoors, in a secure pen or enclosure. Litter and droppings from these animals must be collected and disposed of in accordance with the provisions of section 14-41, disposal of excrement in general, shall specifically apply to the disposal of excrement of fowl, rabbits, and guinea pigs. Provided, however, that the provisions of this section and section 14-41 shall not apply to ducks or other waterfowl inhabiting natural or manmade water courses or bodies of water.

**Division 4. Keeping of Female Chickens on Lots Developed with Single Family Detached Dwellings Including Mobile Homes on Individual Lots.**

**Sec. 14-45. Purpose**

The purpose of this article is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while creating standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept. The provisions of this section are not to preclude other sections of Chapter 14 as applicable.

**Sec. 14-47. Number and type of chickens allowed.**

- (a) The maximum number of chickens allowed is six (6) per lot developed with a single family dwelling.
- (b) Only female chickens are allowed. There is no restriction on chicken species.
- (c) Chickens must be purchased from an approved source such as the National Poultry Improvement Plan (i.e. hatcheries that participate in the National Poultry Improvement Plan).
- (d) This provision shall not apply to allowed agricultural uses.

**Sec. 14-48. Non-commercial use only.**

Chickens shall be kept as pets and for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

**Sec. 14-49. Enclosures.**

- (a) Chickens must be kept in a fenced area or enclosure at all times. Enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition, in a manner that will not disturb the use of neighboring lots due to noise, odor or other adverse impact. The free ranging of chickens is not allowed.
- (b) Chickens shall be secured within a henhouse during non-daylight hours.
  - (1) Henhouses are not allowed to be attached or located in any part of a dwelling unit. The henhouse shall be enclosed on all sides and shall have a roof and doors. The henhouse must be well-maintained.
- (c) Chickens shall be kept only in the rear or side yard behind the principle structure of the lot and must be kept on the property of the owner. Chicken henhouses, fenced areas, and enclosures shall not be closer than twenty (20) feet to any property line.

**Sec. 14-50. Odor and noise impacts.**

The keeping of chickens authorized under this section shall not create a nuisance and shall

be conducted in a manner that does not disturb the use of adjacent properties. Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries. Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

**Sec. 14-51. Predators, rodents, insects, and parasites.**

The property owner and/or chicken owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by the City, through the animal control officer, or any other designee, and the cost of the same shall be borne by the property owner and/or chicken owner.

**Sec. 14-52. Permit requirements.**

The keeping of chickens authorized under this section shall require the issuance of a use permit as per Appendix A, Article V, Section 5 of the Zoning and Land Use Code. The issuance of a use permit will include any permitting required for enclosures referenced in Sec. 14-49. Enclosures.

**Sec. 14-53. Separability.**

In the event that any section, subsection or portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 12**

**SUBJECT:**

Public Hearing and Final Passage for Land Use Code Amendments regarding changes to the Net Lot Area per Dwelling Unit Calculation.

**INFORMATION:**

This proposed amendment addresses the issue of the minimum net lot area per dwelling unit requirements in the Neighborhood Conservation B District (NCB). The Council held a workshop on this topic in June. The Planning Board voted at their August 22 meeting to send a favorable recommendation to the City Council regarding this amendment.

**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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That the proposed amendment to Appendix A, Article XI "District Regulations", of the City Zoning and Land Use Code, concerning changes to the net lot area per dwelling unit calculation, receive final passage by a roll call vote.

**AN ORDINANCE PERTAINING TO NEIGHBORHOOD  
CONSERVATION "B" (NCB) ZONING DISTRICT DENSITY**

**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 XI. DISTRICT REGULATIONS**

**Sec. 7. Neighborhood conservation "B" district (NCB).**

(a) *Statement of purpose.* The purpose of the neighborhood conservation "B" district is to promote the stability and improvement of older multifamily residential neighborhoods by requiring the development of new buildings or the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The standards of the district allow multifamily housing while encouraging the upgrading of this housing stock.

**Sec. 23. Space and Bulk Requirements**

*Space and Bulk Table* - Lots in each District shall meet or exceed the following minimum space and bulk standards as noted in the Space and Bulk Standards Table.

<b>Dimensional Requirements (13)</b>	<b>Neighborhood Conservation B (NCB)</b>
<b>Minimum net lot area per dwelling unit with public sewer</b>	
Single family detached	
Single family attached	
Two-family dwellings	
Mixed single family residential development (14)	
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	120% of average (26) 1,500 sf

Space and Bulk Table: NCB Density Amendment 05.31.16

Dimensional Requirements (13)	Neighborhood Conservation B (NCB)
<b>Minimum net lot area per dwelling unit with public sewer</b>	
Single family detached	
Single family attached	
Two-family dwellings	
Mixed single family residential development (14)	
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	120% of average (26) 1,500 sf

*Space and Bulk Table Notes*

(26) The required minimum lot area per dwelling unit for any residential use in the neighborhood conservation "B" district shall be ~~120 percent~~ of the average lot area per dwelling unit of impacted properties ~~as of the date of adoption of this Code~~. The maximum number of dwelling units that can be placed on a parcel in the district shall be figured by the following procedures: The total lot area of all developed impacted properties shall be calculated. In determining the total area of the impacted properties, the tax records of the City of Lewiston shall be used unless the applicant or the owner of an impacted property presents definitive evidence to the contrary. The total number of legally existing dwelling units ~~as of the date of adoption of this Code~~ shall be calculated. The total lot area shall be ~~multiplied by 120 percent and then~~ divided by the total number of dwelling units existing on the impacted properties. This figure divided into the lot area of the subject parcel yields the total dwelling units which can be placed on the lot. If less than 50 percent of the impacted properties are in residential use, the minimum lot area per dwelling unit shall be the greater of: (1) One thousand five hundred square feet per dwelling unit; or (2) The minimum area derived by the procedure outlined above.

**REASONS FOR PROPOSED AMENDMENT**

The current provisions for determining net lot area involve a calculation that is time consuming and does not represent current density of neighborhoods in the NCB district. In order to undertake the calculation, staff must determine the number of units that existed in 1987, calculate the 1987 average lot area per dwelling unit and inflate the area by 120%. This calculation reduces the number of new units allowed by 20%. The proposed amendment to the net lot area per dwelling unit calculation shall be the average lot area per dwelling unit of impacted properties utilizing current dwelling unit density versus inflating the density that existed in December 1987. This calculation will better allow for development of new buildings or the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood.

## **CONFORMANCE WITH COMPREHENSIVE PLAN**

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the 1997 Comprehensive Plan for the following reasons:

1. Review development review, permitting, and licensing policies and practices to see where they can be streamlined in order to better service the development community (1997 Plan, Economy, Policy 1, Strategy B and C).
2. 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 (1997 Plan, Land Use, Goals, #1).
3. Continue to allow a wide range of housing types in Zoning (Long Range Planning, Policy 5, Strategy A).

The City Council hereby determines that the changes to the Zoning and Land Use Code are in conformance with the Draft 2016 Comprehensive Plan for the following reasons:

1. Strengthen neighborhoods & expand housing choice: provide a greater range of housing choices to meet the needs of young adults, families, retirees, seniors, immigrants, refugees, and people of different income levels. Housing types should include small-houses, multi-family buildings, live-work units, accessory dwelling units, and single-family homes. A more intentional and diversified housing strategy is critical to the City's quality of life and the economic growth (p. 116).
2. G-5 Infill Growth Sector: Infill Growth Sectors are areas that are mostly or fully built-out in the City's historic development pattern but that still have vacant or underutilized land. Additional growth and development in these areas is desirable due to the presence of existing infrastructure. The plan envisions that most residential and non-residential development over the next ten years will occur in this growth sector. All of these should be rezoned as character-based districts to more easily enable context-appropriate investment in the City center (p. 125).
3. Simplify the rules making it easier to develop or redevelop buildings in a way that respects the character of the neighborhood. Encourage reinvestment in older higher density residential neighborhoods by allowing full utilization of existing buildings and flexible parking requirements (p. 128).
4. Continue to provide and enhance incentive programs for new infill mixed-income housing downtown, requiring a mix of quality subsidized, affordable, and market-rate units (p.173).

# MEMORANDUM

TO: Mayor Robert E. Macdonald  
Members of the City Council  
FR: Gildace J. Arsenault, Director of Planning and Code Enforcement  
RE: Neighborhood Conservation “B” District – Amendment to the Net Lot Area per Dwelling Unit Calculation  
DT: July 16, 2016

## Background

On June 21, 2016, the City Council conducted a workshop to discuss the minimum net lot area per dwelling unit requirements for the Neighborhood Conservation “B” District (NCB). The space and bulk regulations for the NCB district do not provide a set number for the minimum net lot area per dwelling unit. The following calculation must be undertaken for each and every property in the NCB district to determine net lot area per dwelling unit:

*The required minimum lot area per dwelling unit for any residential use in the NCB district shall be 120 percent of the average lot area per dwelling unit of impacted properties as of the date of adoption of this Code. The maximum number of dwelling units that can be placed on a parcel in the district shall be figured by the following procedures: The total lot area of all developed impacted properties shall be calculated. In determining the total area of the impacted properties, the tax records of the City of Lewiston shall be used unless the applicant or the owner of an impacted property presents definitive evidence to the contrary. The total number of legally existing dwelling units as of the date of adoption of this Code shall be calculated. The total lot area shall be multiplied by 120 percent and then divided by the total number of dwelling units existing on the impacted properties. This figure divided into the lot area of the subject parcel yields the total dwelling units which can be placed on the lot. If less than 50 percent of the impacted properties are in residential use, the minimum lot area per dwelling unit shall be the greater of: (1) One thousand five hundred square feet per dwelling unit; or (2) The minimum area derived by the procedure outlined above.*

Note the definition of an impacted property means a lot which has frontage on the same street(s) as the lot in question and lies, in whole or in part, within five hundred (500) feet of any property line of the subject lot.

As mentioned at the June 21<sup>st</sup> workshop, this calculation is time consuming and does not represent current density. In order to undertake the calculation, staff must determine the number of units that existed in 1987, calculate the 1987 average lot area per dwelling unit and inflate the area by 120%. This calculation reduces the number of new units allowed by 20%. It should also be noted that, notwithstanding the minimum net lot area per

dwelling unit requirements, density is also limited by other provisions of the Zoning and Land Use Code such as the following space and bulk standards: minimum front setback, minimum front yard, side and rear setback, side and rear yards and maximum lot coverage. The biggest factor that limits the redevelopment and development of lots in the NCB district rests with parking requirements as parking consumes a tremendous amount of land area. Depending upon the number of bedrooms, five to seven parking spaces would be required to construct a new three-unit apartment building. The land area occupied for such parking could consume approximately 2,500 square feet to 3,400 square feet of lot area. A building foot print for a three-unit three story building would likely consume another 1,200 square feet of lot area. Regardless of density provisions, it is not likely that more than a three-unit building could be constructed on a 5,000 square foot lot in the NCB.

If adopted, the proposed amendment to the net lot area per dwelling unit calculation will utilize current day dwelling unit density versus inflating the density that existed in December 1987. Staff does not expect that the change in the calculation will have an adverse impact on the NCB district. This calculation will better allow for development of new buildings or the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO: Planning Board**  
**FROM: David Hediger, City Planner**  
**DATE: August 18, 2016**  
**RE: August 22, 2016 Planning Board Agenda Item IV(e)**

**A proposed amendment to Appendix A, Article XI, Section 23, Space and Bulk Requirements, Net Lot Area Requirements of the Neighborhood Conservation “B” (NCB) district.**

On July 19, 2016, the City Council voted in support of a proposed amendment concerning changes to the net lot area per dwelling unit calculation in the NCB district and that the matter be referred to the Planning Board for their review and recommendation.

The current provisions for determining net lot area involves a calculation that is time consuming and does not represent current density of neighborhoods in the NCB district. In order to undertake the calculation, staff must determine the number of units that existed in 1987, calculate the 1987 average lot area per dwelling unit and inflate the area by 120%. This calculation reduces the number of new units allowed by 20%.

The proposed amendment to the net lot area per dwelling unit calculation shall be the average lot area per dwelling unit of impacted properties utilizing current dwelling unit density versus inflating the density that existed in December 1987. This calculation will better allow for development of new buildings or the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. Reference should be made Director of Planning and Code Enforcement, Gil Arsenault’s memorandum to the City Council dated July 16, 2016.

Staff supports the adoption of the proposed amendment as a step toward helping property owners determine allowed densities in the NCB district with a less complicated calculation reflective of the average of the current densities in those neighborhoods.

#### **ACTION NECESSARY**

Make a motion pursuant to Article VII, Sections 3 and 4 of the Zoning and Land Use Code to send a favorable recommendation for the City Council’s consideration to adopt a proposed amendment to Article XI, Section 23, Space and Bulk Requirements, Net Lot Area Requirements of the Neighborhood Conservation “B” (NCB) district.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

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

**From:** David Hediger

**Date:** August September 1, 2016

**Subject:** Planning Board Action: NCB net lot area

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The Planning Board took the following action at its meeting held August 22, 2016 regarding a proposed amendment to Appendix A, Article XI, Section 23, Space and Bulk requirements, Net Lot Area Requirements of the Neighborhood Conservation "B" (NCB) district:

The following motion was made:

**MOTION:**

by **Paul Madore** pursuant to Article VII, Sections 3 and 4 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration to adopt a proposed amendment to Article XI, Section 23, Space and Bulk Requirements, Net Lot Area Requirements of the Neighborhood Conservation "B" (NCB) district. Second by **Zachary Pettengill**.

**VOTED:** 7-0 (Passed)

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](http://www.lewistonmaine.gov) and click on the Non-Discrimination Policy.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 13**

**SUBJECT:**

Public Hearing and First Passage for the conditional rezoning of the property at 117 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 117 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 which pertains to his project at 111 Webster Street which he is in the process of converting the existing commercial building into 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 117 Webster Street from the Neighborhood Conservation "A" (NCA) District to the Downtown Residential (DR) District, subject to a conditional agreement, and to continue the public hearing to the next regularly scheduled City Council meeting.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO: Planning Board**  
**FROM: David Hediger, City Planner**  
**DATE: August 18, 2016**  
**RE: August 22, 2016 Planning Board Agenda Item IV(a)**

**A proposal submitted by Stoneybrook Consultants, Inc. on behalf of Jamey Pittman to conditionally rezone the property at 117 Webster Street from the Neighborhood Conservation "A" district to the Downtown Residential district to allow accessory uses to support the existing commercial/multifamily dwelling at 111 Webster Street.**

Jamey Pittman has submitted a petition to conditionally rezone the property at 117 Webster Street from the Neighborhood Conservation "A" district to the Downtown Residential (DR) district to allow accessory uses to support the existing commercial/multifamily dwelling at 111 Webster Street.

This vacant property consists of approximately 0.29 acres. Given the current zoning, the property is limited to construction of a single family dwelling. The petitioner is requesting the property be conditionally rezoned to the DR district to allow accessory uses to support the existing commercial/multifamily dwelling at 111 Webster Street. That property was conditionally rezoned by the Planning Board and City Council in 2015 from NCA to DR to support redevelopment of the property with eight dwelling units. The applicant has since purchased the abutting property at 117 Webster Street from the City in July 2016. Conditionally rezoning the property will allow the applicant to construct garages, storage units, or other accessory uses to support the multi-family use at 111 Webster Street and specifically not allow the right to add multifamily units or a single-family home.

With respect to the space and bulk standards, the applicant is proposing a split between the two districts and some modifications. The NCA provisions that will remain in place include front setback, minimum frontage, and maximum height. The DR provisions to be included are minimum lot size, minimum net lot area per dwelling unit (which is not applicable since additional dwelling units are not being allowed), minimum side and rear yard, and maximum impervious ratio. Modified provisions include front yard (20' versus the NCA's 15' to 20' and the DR having none), and side and rear setback (15' versus 10' to 30' in the NCA and DR).

Staff recommends the Planning Board provide a favorable recommendation for the City Council's consideration.

#### **ACTION NECESSARY**

Make a motion 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 117 Webster Street from the Neighborhood Conservation "A" district to the Downtown Residential district to allow accessory uses to support the existing commercial/multifamily dwelling at 111 Webster Street (including, if any, specific conditions raised by the Planning Board).



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

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

**From:** David Hediger

**Date:** March 29, 2016

**Subject:** Planning Board Action

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The Planning Board took the following action at its meeting held August 22, 2016 regarding a proposal submitted by Stoneybrook Consultants, Inc. on behalf of Jamey Pittman to conditionally rezone the property at 117 Webster Street from the Neighborhood Conservation "A" district to the Downtown Residential district:

The following motion was made:

**MOTION:**

by **Michael Marcotte** 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 117 Webster Street from the Neighborhood Conservation "A" district to the Downtown Residential district to allow accessory uses to support the existing commercial/multifamily dwelling at 111 Webster Street. Second by **Paul Madore**.

**VOTED: 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

August 16, 2016

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

Re: 117 Webster Street Apartments  
Conditional Rezoning Request

Dear David:

On behalf of Jamey Pittman (Pittman), we have submitted a Petition to amend the City of Lewiston Zoning and Land Use Code to Conditionally Rezone property located at 117 Webster Street. The Petition and attachments previously submitted explain our request to Conditionally Rezone the property to allow accessory uses to support the market rate apartments currently being constructed in the existing building located on the adjacent property at 111 Webster Street. That property was Conditionally Rezoned by the City last year.

The property is located in the Neighborhood Conservation "A" (NCA) district where commercial uses and multi-family use is not allowed. With this Petition, we are seeking to Conditionally Rezone the property to the Downtown Residential (DR) district to allow accessory uses associated with commercial or multi-family development. This request is very similar to the previous request for the property at 111 Webster Street which was approved last year. We have attached a Comparison Chart, showing the changes proposed in the zoning requirements between these two districts, to support our request. You will note that the changes requested allow accessory uses to support the development at 111 Webster Street, but does not allow the right to add multi-family units or single-family homes on this property.

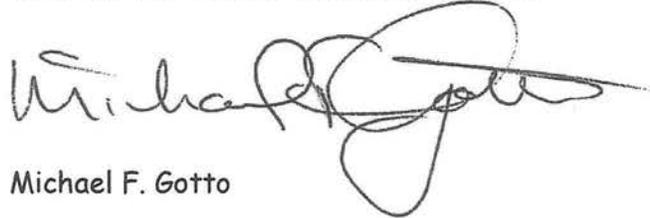
August 16, 2016  
David Hediger  
RE: 117 Webster Street  
Page 2

The purpose of this zoning request is to allow for driveway construction to serve the multi-family use at 111 Webster Street without larger setback requirements. While a driveway is allowed on the 117 Webster Street property, it is required to be no less than 22.5 from the property line. This zoning request would allow that drive to be closer to the property line. This zoning request would also allow for future use of this property to construct garages, storage units or other accessory uses to support the multi-family use at 111 Webster Street. Other than the driveway, already approved, no other construction is proposed on this property at this time.

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

**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 117 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	<i>ROGER BARD</i>	Roger J. Bard	103 Webster Ave	7/27/16
②	<i>[Signature]</i>	Laura Lemley	98 Webster St.	7/27/16
③	<i>[Signature]</i>	ENRICO HERRING	98 WEBSTER ST.	7-27-16
④	<i>[Signature]</i>	SHERRON HERRING	57 TALLPINES DR APT 5	7/27/16
⑤	<i>[Signature]</i>	Nicholas Meserve	89 Webster St #1	7/27/16
⑥	Bruce A. Cavanagh	BRUCE A. CAVANAGH	11 DOVE LANE	7/27/16
⑦	Lorraine A. Cavanagh	LORRAINE A. CAVANAGH	11 Dove Lane	7/27/16
⑧	<i>[Signature]</i>	Margaret Williams	35 Barron	7-27-16
⑨	<i>[Signature]</i>	RANDY BUCKLIN	21 GERMAINE	7-27-16
⑩	<i>[Signature]</i>	CAROLINE PEASE	22 GERMAINE	7-27-16
⑪	<i>[Signature]</i>	LAURIER P. PEASE	22 GERMAINE ST	7-27-16
⑫	Sandra Worthington	Sandra Worthington	28 Barron Ave	7/27/16
⑬	<i>[Signature]</i>	R. HARRIS COTE	25 GERMAINE	7/27/16
⑭	Rejeanne A. Cote	REJEANNE COTE	25 GERMAINE	7/27/16
⑮	Joseph R. Fournier	JOSEPH R. FOURNIER	100 CAMPUS RD	7/27/16
⑯	<i>[Signature]</i>	Celeste Onofri	15 Marquette Ave	7/27/16
⑰	Jan Corey	Jan Corey	127 Webster St New	7/27/16
⑱	Rita Penney/T	Rita Penney/T	30 Webster St	7/27/16
⑲	<i>[Signature]</i>	LISA L. WILSON	36 Barron Ave	7/27/16
⑳	Paul Melanson	Paul Melanson	121 Webster St Lew	7/28/16

**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.

James Pittman  
Signature of Circulator

JAMES PITTMAN  
Printed Name of Circulator

7/28/16  
Date

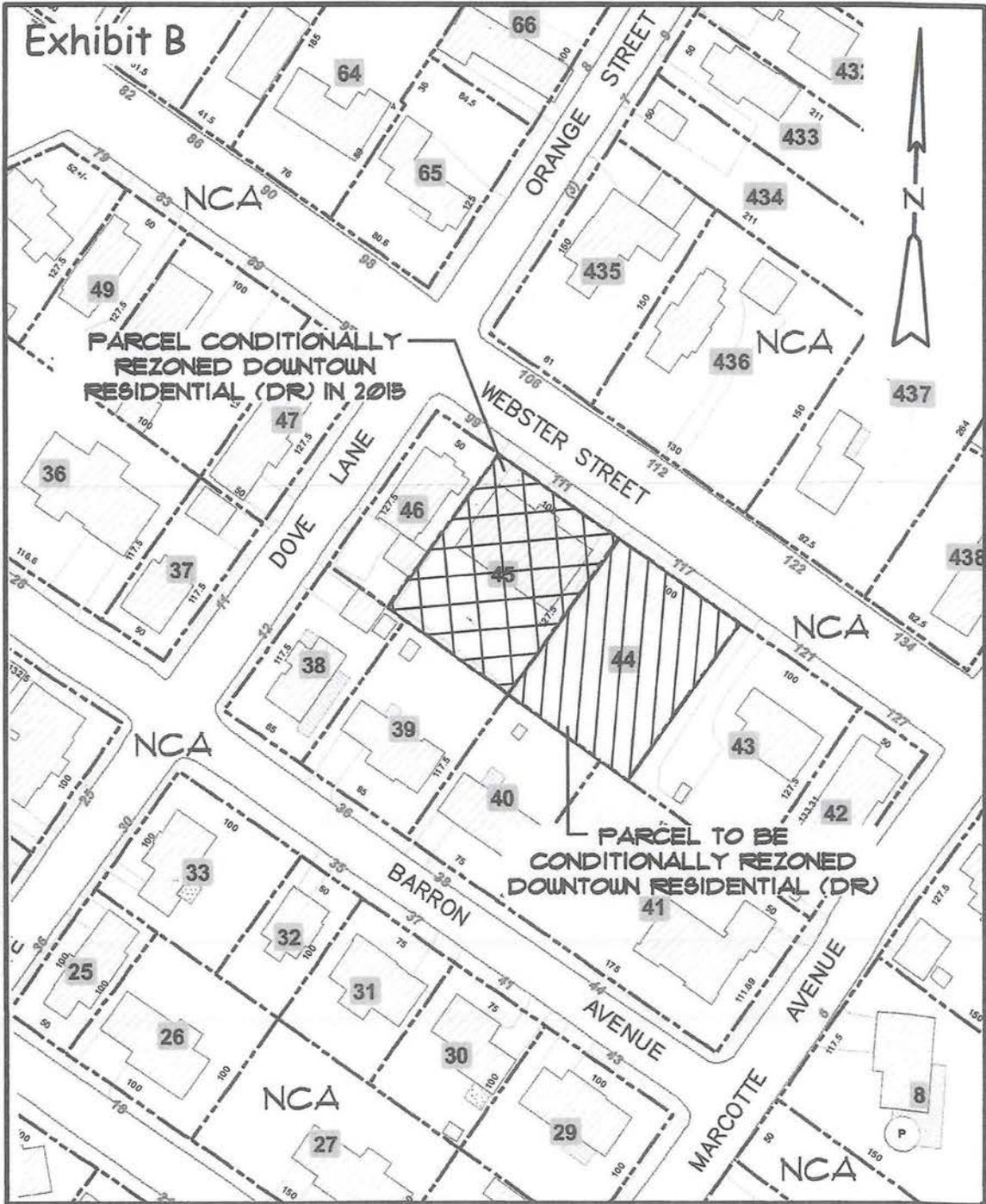
**REGISTRAR'S CERTIFICATION**

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

Quinn P. Blain, Rep.  
Signature of Registrar/Deputy Registrar

Date: 7/28/16



# PROPOSED ZONING MAP AMENDMENT

117 WEBSTER STREET - LEWISTON, MAINE  
 OWNER: JAMEY PITTMAN  
 SCALE: 1" = 100'  
 DATE OF GRAPHIC: JULY 27, 2016  
 SOURCE: CITY OF LEWISTON TAX MAP 174  
 PUBLICATION DATE: 2014

Stoneybrook  
 Consultants, Inc.

## 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 117 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 117 Webster Street is to allow accessory uses to support the existing commercial building located on the abutting property at 111 Webster Street which was recently rezoned for market rate multifamily housing. This site has been vacant for many years. The proposed change would allow access, additional parking and construction of garage and/or storage units for the tenants of the 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 of accessory structures or uses to support the market rate multifamily dwellings at 111 Webster Street in addition to those uses currently allowed in the NCA.

#### 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.

<b>Land Use Table: All Zoning Districts</b>	Conditional Rezoning (DR) 117 Webster Street
<b>USES(15)(33)</b>	
Accessory use or structure	P
<b>Commercial-Service</b>	
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	
<b>Industrial</b>	
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)	
<b>Transportation</b>	
Airports or heliports	
Commercial parking facilities	
Transit and ground transportation facilities	
Transportation facilities	
<b>Public and Utility</b>	
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	
<b>Institutional</b>	
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	
<b>Residential (8)</b>	
Single-family detached dwellings on individual residential lots	
Mobile homes on individual residential lots	
Two-family dwellings	
Multifamily dwellings in accordance with the standards of Article XIII	
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	
<b>Natural Resource</b>	
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	

<b>Recreation</b>	
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:

- XII Sec. 22.  
(22) Accessory to public schools, religious facilities, multifamily or mixed residential developments and mobile home parks.

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.

<b>Dimensional Requirements</b>	<b>Downtown Residential DR</b>
<b>Minimum lot size with public sewer</b>	
Single family detached	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Veterinary facilities	
Other uses	
All permitted uses	5,000 s.f.
<b>Minimum lot size without public sewer</b>	
Single family detached	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Veterinary facilities	
Other uses	
<b>Minimum net lot area per du with public sewer</b>	
Two-family dwellings	
Multifamily dwellings	
All permitted uses	1,250 s.f.
<b>Minimum net lot area per du without public sewer</b>	
Two-family dwellings	
<b>Minimum frontage</b>	
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.
<b>Minimum front setback</b>	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	20 ft. (21,22)
All permitted uses	20 ft. (21, 22)
<b>Minimum front yard</b>	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	20 ft. (21)
All permitted uses	20 ft. (21)
<b>Minimum side and rear setback</b>	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	15 ft. (21)
All permitted uses	15 ft. (21)
<b>Minimum side and rear yard</b>	
Single family detached, mobile homes on individual lots	
Two-family dwellings	
Single family cluster development	
Multifamily dwellings	
Religious facilities	
Other uses	10 ft.
All permitted uses	10 ft.
<b>Maximum height</b>	
Other permitted uses	35 ft.
<b>Ratios</b>	
Maximum lot coverage	
Maximum impervious coverage	0.75

Applicable Footnotes:

(21) Notwithstanding, applicable setback and yard requirements and the provisions of Article XII, section 17(f)(3), the area between the required front yard and the front wall of the portion of the building or structure closest to the street and running the full width of that portion of the building shall be maintained as a yard area, except that only one (1) of the two (2) following options may be instituted: a. Access roads or drives in this area are permitted only when a minimum of twenty (20) feet of front yard area can be maintained (forty (40) feet in the NCA District); or b. No more than one (1) parking space shall be created in this area.

(22) In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.

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 \_\_\_\_\_, 2016, personally appeared the above named Jamey Pittman and acknowledged the foregoing to be of his free act and deed.

---

Notary Public

My Commission Expires:

**MUNICIPAL QUITCLAIM DEED**  
**STATUTORY SHORT FORM**  
**TITLE 33, §775**

CITY OF LEWISTON, a body corporate and politic in Androscoggin County, Maine, with a mailing address of 27 Pine Street, Lewiston, ME 04240, for consideration paid, releases to JAMEY PITTMAN having a mailing address of 30 Taywood Road, Auburn, Maine 04210, a certain lot or parcel of land situated in the City of Lewiston, County of Androscoggin, and State of Maine, more particularly described in Exhibit A attached hereto and made a part hereof.

The said Inhabitants of the municipality of the City of Lewiston have caused this instrument to be signed in its corporate name by Edward A. Barrett, its City Administrator, duly authorized, this 7<sup>th</sup> day of July, 2016.

CITY OF LEWISTON

Edward A. Barrett  
By: Edward A. Barrett  
Its: City Administrator

STATE OF MAINE  
COUNTY OF ANDROSCOGGIN

July 7, 2016

Personally appeared the above-named Edward A. Barrett, City Administrator for the City of Lewiston and acknowledged the above instrument to be his free act and deed and the free act and deed of the City of Lewiston.

Before me,



Susan Y. Turcotte  
Notary Public/Attorney-at-Law

Susan Y. Turcotte  
(Print Name)

**EXHIBIT A**

The land and buildings thereon in Lewiston, Androscoggin County, Maine, bounded and described as follows:

COMMENCING in the Southwesterly line of Webster Street at the Easterly corner of a parcel of land conveyed by the Franklin Company to Annie Ross by deed numbered 1664, dated November 14, 1924; thence in a Southeasterly direction by the said Southwester line of Webster Street about one hundred (100') feet to land conveyed by the Franklin Company to Armand Poliquin by deed numbered 1744, dated August 12, 1931; thence in a Southwesterly direction by land conveyed to the said Poliquin one hundred twenty-seven and five-tenths (127.5') feet to land conveyed by the Franklin company to Paul J. and Annette M. Fortier by deed numbered 1983, dated February 10, 1959; thence in the Northwesterly direction by land of the said Fortier and by land conveyed by the Franklin Company to Lucien J. Lebel by deed numbered 1982, dated January 9, 1959, one hundred (100') feet, more or less, to land conveyed to the said Ross; thence in a Northeasterly direction by land conveyed to the said Ross one hundred twenty-seven and five-tenths (127.5') feet to the point of beginning.

SUBJECT to the restrictions that no buildings erected thereon shall be placed nearer the line of Webster Street than twenty-five (25') feet.

NO building other than a dwelling house for occupancy of not more than two (2) families and only such garage or other outbuildings as may be appropriate for or incidental to the use of the occupants of such dwelling house shall be built on the lot hereby conveyed. No such house shall be occupied by more than two (2) families and no such house or buildings shall be built for or used in whole or in part as a store or for business purposes.

ALSO hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

Meaning and intending to convey the same property described in a Warranty Deed from Guildo O. Poliquin, Milio J. Poliquin, Sr., and Monita P. Collet to Jean Marie Paradis and Rita C. Paradis dated April 7, 1986, and recorded in the Androscoggin County Registry of Deeds in 1916, Page 55.

Maine Real Estate Transfer Tax Paid  
TINA M. CHOUINARD, REGISTER  
ANDROSCOGGIN COUNTY MAINE E-RECORDED

Informational  
Land Use Comparison Chart

Land Use Table: All Zoning Districts 6.27.14	Neighborhood Conservation "A" NCA	Downtown Residential DR
<b>USES(15)(33)</b>		
Accessory use or structure	P	P
<b>Commercial-Service</b>		
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		E
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		
<b>Industrial</b>		
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)		
<b>Transportation</b>		
Airports or heliports		
Commercial parking facilities		E
Transit and ground transportation facilities		
Transportation facilities		
<b>Public and Utility</b>		
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		
<b>Institutional</b>		
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		E
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
<b>Residential (8)</b>		
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		E
<b>Natural Resource</b>		

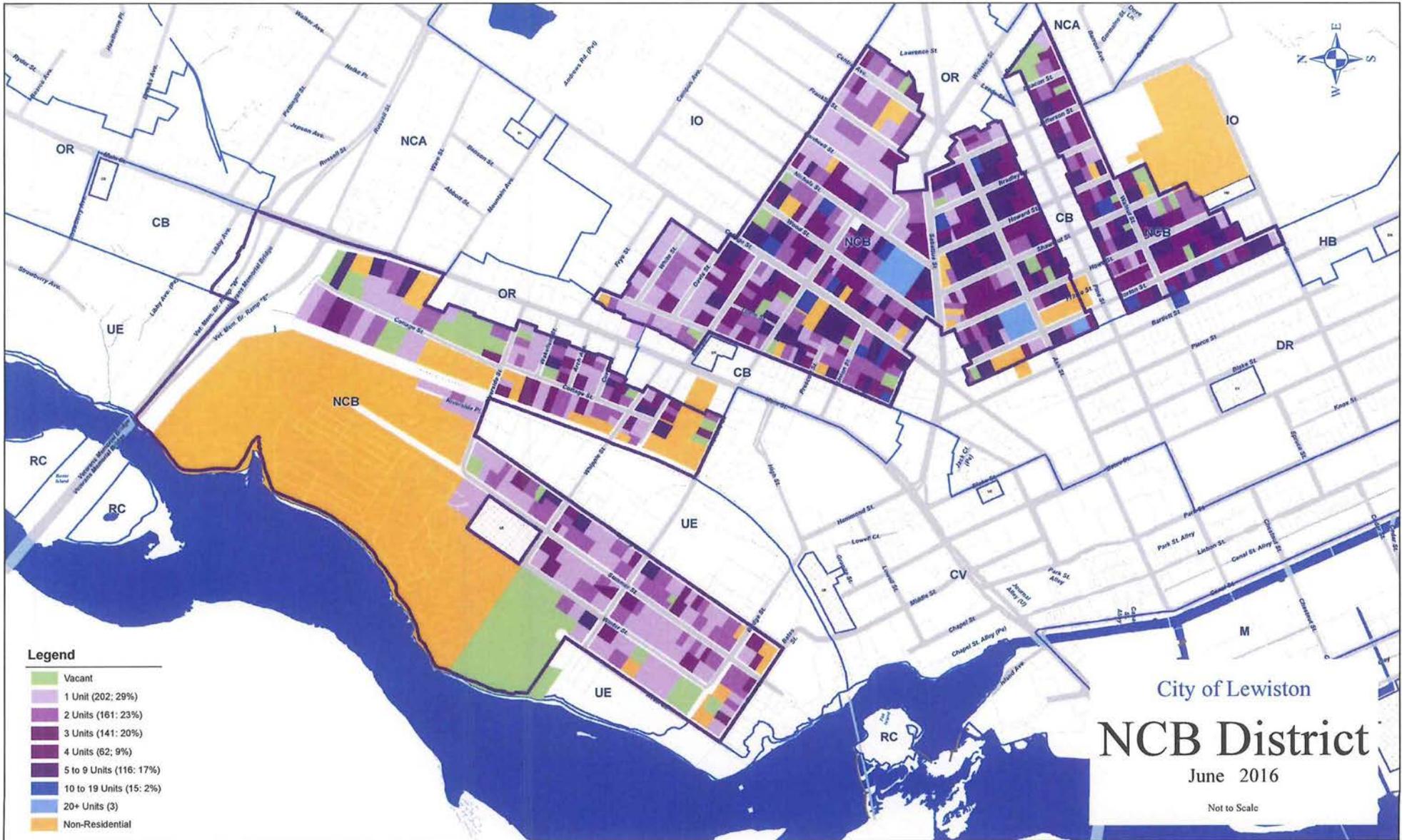
Agriculture		
Farm stands		
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P	
Earth material removal		
Community gardens (20)	P	P
Water dependent uses, e.g. docks and marinas		
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet		
<b>Recreation</b>		
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

<b>Space and Bulk Table: All Zoning Districts 12.18.12</b>			
<b>Dimensional Requirements</b>	<b>Neighborhood Conservation "A" NCA</b>	<b>Downtown Residential DR</b>	<b>Proposed Conditional Downtown Residential DR</b>
<b>Minimum lot size with public sewer</b>			
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.
<b>Minimum lot size without public sewer</b>			
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.		
<b>Minimum net lot area per du with public sewer</b>			
Two-family dwellings	5,000 s.f.		
Multifamily dwellings			
All permitted uses		1,250 s.f.	1,250 s.f.
<b>Minimum net lot area per du without public sewer</b>			
Two-family dwellings	5,000 s.f.		
<b>Minimum frontage</b>			
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.
<b>Minimum front setback</b>			
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)		20 ft. (21, 22)
All permitted uses		None (22)	20 ft. (21, 22)
<b>Minimum front yard</b>			
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)		20 ft. (21)
All permitted uses		None (22)	20 ft. (21)
<b>Minimum side and rear setback</b>			
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.		15 ft. (21)
All permitted uses		10 ft.	15 ft. (21)
<b>Minimum side and rear yard</b>			
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)		10 ft.
All permitted uses		10 ft. required on one side	10 ft.
<b>Maximum height</b>			
Other permitted uses	35 ft.	60 ft.	35 ft.
<b>Ratios</b>			
Maximum lot coverage	0.40		
Maximum impervious coverage		0.75	0.75



**Legend**

Light Green	Vacant
Light Purple	1 Unit (202; 29%)
Medium Purple	2 Units (161; 23%)
Dark Purple	3 Units (141; 20%)
Very Dark Purple	4 Units (62; 9%)
Black	5 to 9 Units (116; 17%)
Blue	10 to 19 Units (15; 2%)
Dark Blue	20+ Units (3)
Orange	Non-Residential

# LEWISTON CITY COUNCIL

## MEETING OF AUGUST 9, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 14**

**SUBJECT:**

Condemnation Hearing for the building located at 24 Lemont Avenue.

**INFORMATION:**

This item is being continued from the August 9, 2016 City Council meeting. The City has begun the process for condemnation of the property at 24 Lemont Avenue under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

**PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.**

**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
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 24 Lemont Avenue has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

*If it is determined that the building does meet the dangerous building criteria, then the Council is asked :*

2) With regard to the property at 24 Lemont Avenue, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

FORECLOSURE DEED

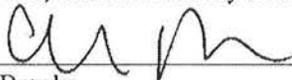
KNOW ALL BY THESE PRESENTS, that U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2, with a mailing address of c/o Wells Fargo Home Mortgage, 3476 Stateview Blvd, Fort Mill, South Carolina 29715 (GRANTOR), for consideration paid, the receipt of which is hereby acknowledged, does hereby give, grant, convey and release unto U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2, with a mailing address of c/o Wells Fargo Home Mortgage, 3476 Stateview Blvd, Fort Mill, SC 29715 (GRANTEE) its successors and assigns forever, that certain lot or parcel of land, with any buildings thereon, located at 24 Lemont Avenue, Lewiston, Androscoggin County, Maine, 04240, as more fully described in Exhibit A attached hereto and fully incorporated herein by reference.

BEING THE SAME PREMISES described in a Mortgage Deed of Michael A. Conant and Julia A. Conant, dated March 3, 2006 and recorded in the Androscoggin County Registry of Deeds in Book 6689, Page 58, which mortgage was foreclosed by civil action pursuant to 14 M.R.S.A §6321 et seq. in Maine District Court, Lewiston Docket No. LEWDC-RE-14-134, entitled U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2 v. Michael A. Conant a/k/a Michael Conant and Julia A. Conant. Evidence of compliance with 14 M.R.S.A. §6323(1) is attached hereto.

Notwithstanding the date of execution or acknowledgement, this deed shall not be deemed delivered and the conveyance of the subject property and assignment of rights shall not be effected until this deed has been recorded in the Androscoggin County Registry of Deeds.

IN WITNESS WHEREOF, the said U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2 by Wells Fargo Bank NA as attorney in fact, has caused these presents to be signed this 31<sup>st</sup> day of March 2016.

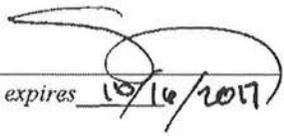
U.S. Bank National Association, as Trustee for  
SASCO Mortgage Loan Trust 2006-WF2 by Wells  
Fargo Bank, N.A. as Attorney-in-Fact

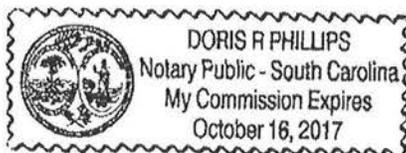
By:   
Asahia Brooks  
Vice President Loan Documentation  
Wells Fargo Bank NA  
03/31/2016

State of South Carolina

County of York

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of March 2016 by Asahia Brooks Vice President Loan Documentation; on behalf of Wells Fargo Bank, N.A., a national banking association. Asahia Brooks [ ] is personally known to me or [x] produced satisfactory evidence of identification.

Notary Public   
My commission expires 10/16/2017



14-020990

MAINE REAL ESTATE  
TRANSFER TAX PAID



Exhibit A

A certain tract or parcel of land, with the buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, being more particularly bounded and described as follows:

BEGINNING at a point on the southwesterly line of Lemont Avenue which point is one hundred fifty-five (155) (sic) feet from the intersection of the northwesterly line of East Avenue and the southwesterly line of Lemont Avenue; thence in a northwesterly direction, along Lemont Avenue, a distance of one hundred (100) feet to property conveyed by Joseph S. Thibodeau, et al, to Norman G. Berube and Bertha L. Berube by deed dated November 4, 1959 and recorded in the Androscoggin County Registry of Deeds in Book 815, Page 492; thence in a southwesterly direction, along said land now or formerly owned by said Berube, a distance of one hundred (100) feet to Berube's southerly corner; thence at right angles in a southeasterly direction a distance of fifty five (55) feet to land conveyed to Pierre Chabot by Albro D. Morse by deed dated July 16, 1916 and recorded in said Registry in Book 264, Page 479; thence at right angles in a northeasterly direction, along said land now or formerly of Chabot, a distance of twenty (20) feet to a point; thence at a right angle in a southeasterly direction forty five (45) feet to a point; thence at a right angle in a northeasterly direction a distance of eighty (80) feet to the point of beginning.

Reference is hereby made to a deed from Beau John Blais dated June 28, 2002 to Matthew J. Prince and Candie M. Prince and recorded in the Androscoggin County Registry of Deed in Book 5038, Page 235.

EVIDENCE OF COMPLIANCE WITH 14 M.R.S.A. §6323(1)

In accordance with the Consent Judgment of Foreclosure and Sale with Waiver of Deficiency and Waiver of Redemption entered January 12, 2016, U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2 caused a Notice of Public Sale to be published in the Lewiston Sun Journal on February 15, 2016, February 22, 2016, and February 29, 2016. This newspaper is of general circulation in Androscoggin County, and the first publication was within the 90 day period provided for by 14 M.R.S.A. §6323. An affidavit of this publication is attached hereto.

Pursuant to the Notice of Public Sale, U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2 conducted a sale of the property at 24 Lemont Avenue, Lewiston, ME 04240 on March 17, 2016 at the Law Office of Shapiro & Morley, LLC, 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106.

At said sale, the property was sold to U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2, as the highest bidder.

Above information supplied by Shapiro & Morley, LLC, Attorneys for U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2.

# Sun Journal

*Connecting you with your community*

3/1/2016

SHAPIRO & MORLEY LLP  
ATTN: CHRISTIE A. LADD  
707 SABLE OAKS DRIVE SUITE 250  
PORTLAND, ME 04106

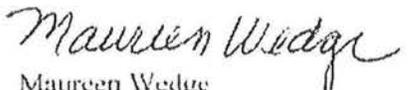
TO WHOM IT MAY CONCERN:

We hereby certify that the following:  
LEGAL AD US Bank v Conant  
was published in the DAILY Sun-Journal a newspaper having its principal place of  
business in the County of Androscoggin. With general circulation in the Counties of  
Androscoggin, Franklin and Oxford.

Date(s) Published: 2/15, 2/22, 2/29/16

Tearsheet (s): ENCLOSED  
Invoice: ENCLOSED

Sun-Journal/SUNDAY  
Lewiston, Me

  
Maureen Wedge  
Vice President/ Human Resources

Subscribed and sworn to before me this 1<sup>st</sup> Day of March, 2016 at Lewiston, in the  
County of Androscoggin, in the State of Maine.

  
NOTARY PUBLIC

KRISTINE M. POWELL  
Notary Public, Maine  
My Commission Expires July 18, 2021

104 PARK STREET • P. O. BOX 4400 • LEWISTON, MAINE • 04243-4400

(207) 784-5411 • toll free 1 800 482-0753 • advertising fax (207) 784-5955 • news fax (207) 777-3436

**NOTICE OF PUBLIC SALE**

Notice is hereby given that in accordance with the Consented Judgment of Foreclosure and Sale entered January 12, 2016 in the action entitled **U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF2 v. Michael A. Conant a/k/a Michael Conant and Julia A. Conant, et al.**, by the Maine District Court, Lewiston, Docket No. LEWDC-RE-14-134, wherein the Court adjudged the foreclosure of a mortgage granted by Michael A. Conant and Julia A. Conant to Wells Fargo Bank, N.A. dated March 3, 2006 and recorded in the Androscoggin County Registry of Deeds in Book 6689, Page 58, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **Thursday, March 17, 2016, commencing at 10:00AM, at the Law Office of Shapiro & Morley, LLC, 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106.**

The property is located at 24 Lemont Avenue, Lewiston, Maine.

The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in cash, certified or bank check at the time of the public sale made payable to Shapiro & Morley, LLC, which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale.

Shapiro & Morley, LLC, 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106, (207)-775-6223.  
14-020990

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

U.S. Bank National Association,  
(as trustee for SASCO Mortgage  
Loan Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

US Bank National Association  
(as trustee for Structured Asset Securities  
Corporation Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

Michael A. Conant  
78 E Valentine Street  
Westbrook, ME 04092

Julia A. Conant  
151 Riverside Dr., Apt. 2  
Auburn, ME 04210

Republic Bank & Trust Company  
ATTN: Legal Department  
601 West Market Street  
Louisville, KY 40202

**24 LEMONT STREET, LEWISTON, MAINE**

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

August 9, 2016 at 7:00 pm  
Lewiston City Hall  
27 Pine Street, Lewiston, Maine 04240

This hearing is to determine whether the residential structure at 24 Lemont Street, Lewiston, Maine, identified as Lot 042 on Tax Map 146 of the City of Lewiston Tax Maps, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 6049, Page 237, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

**EXHIBIT B**

July 13, 2016

Kathleen M. Montejo  
Kathleen M. Montejo, City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

July 13, 2016

Before me this day personally appeared Kathleen M. Montejo, who acknowledges the foregoing instrument to be her free act and deed.

Kelly J. Brooks  
Notary Public /-Attorney at Law

Kelly J. Brooks  
Notary Public, Maine  
My Commission Expires Sept. 11, 2018

SEAL

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

Return

CITY OF LEWISTON  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
24 LEMONT STREET, LEWISTON, MAINE  
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-2- 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, U.S. Bank National Assoc., (as trustee for SASCO Mortgage Loan Trust 2006-WF2), c/o Wells Fargo Home Mortgage, by delivering a copy of the same at the following address: 3476 Stateview Blvd., Fort Mill, SC 29715

- to the above named party in hand.
- to \_\_\_\_\_ (name), a person of suitable age and discretion who was then residing at the party's usual residence.
- to Cynthia Evans (name), who is authorized to receive service for the party.
- by (describe other manner of service):

\_\_\_\_\_  
\_\_\_\_\_

Costs of Service:

Service: \$ \_\_\_\_\_  
 Travel: \$ \_\_\_\_\_  
 Postage: \$ \_\_\_\_\_  
 Other: \$ \_\_\_\_\_  
 TOTAL: \$ \_\_\_\_\_

[Signature]  
Signature

YC50  
Agency

EXHIBIT C

**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

U.S. Bank National Association,  
(as trustee for SASCO Mortgage  
Loan Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

US Bank National Association  
(as trustee for Structured Asset Securities  
Corporation Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

Michael A. Conant  
78 E Valentine Street  
Westbrook, ME 04092

Julia A. Conant  
151 Riverside Dr., Apt. 2  
Auburn, ME 04210

Republic Bank & Trust Company  
ATTN: Legal Department  
601 West Market Street  
Louisville, KY 40202

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If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

July 13, 2016

Kathleen M. Montejo  
Kathleen M. Montejo, City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

July 13, 2016

Before me this day personally appeared Kathleen M. Montejo, who acknowledges the foregoing instrument to be her free act and deed.

Kelly J. Brooks  
Notary Public /-Attorney at Law

Kelly J. Brooks  
Notary Public, Maine  
My Commission Expires Sept. 11, 2018

SEAL

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

Return

CITY OF LEWISTON  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
24 LEMONT STREET, LEWISTON, MAINE  
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-2, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, U.S. Bank National Assoc., (as trustee for Structured Asset Securities Corporation Trust 2006-WF2), c/o Wells Fargo Home Mortgage, by delivering a copy of the same at the following address: 3476 Stateview Blvd., Fort Mill, SC 29715

- to the above named party in hand.
- to \_\_\_\_\_ (name), a person of suitable age and discretion who was then residing at the party's usual residence.
- to Christian EVANS (name), who is authorized to receive service for the party.
- by (describe other manner of service):

\_\_\_\_\_  
\_\_\_\_\_

Costs of Service:

Service: \$ \_\_\_\_\_  
 Travel: \$ \_\_\_\_\_  
 Postage: \$ \_\_\_\_\_  
 Other: \$ \_\_\_\_\_  
 TOTAL: \$ \_\_\_\_\_

[Signature]  
Signature

YC50  
Agency

EXHIBIT D

**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

U.S. Bank National Association,  
(as trustee for SASCO Mortgage  
Loan Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

US Bank National Association  
(as trustee for Structured Asset Securities  
Corporation Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

Michael A. Conant  
78 E Valentine Street  
Westbrook, ME 04092

Julia A. Conant  
151 Riverside Dr., Apt. 2  
Auburn, ME 04210

Republic Bank & Trust Company  
ATTN: Legal Department  
601 West Market Street  
Louisville, KY 40202

**24 LEMONT STREET, LEWISTON, MAINE**

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If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

July 13, 2016

Kathleen M. Montejo  
Kathleen M. Montejo, City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

July 13, 2016

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Kelly J. Brooks  
Notary Public / Attorney at Law

Kelly J. Brooks  
Notary Public, Maine  
My Commission Expires Sept. 11, 2018

SEAL

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

CITY OF LEWISTON  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
24 LEMONT STREET, LEWISTON, MAINE  
Pursuant to 17 M.R.S. §§ 2851, et seq.

On July 20, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Michael A. Conant, by delivering a copy of the same at the following address: 78 E Valentine Street, Westbrook, ME 04092

- to the above named party in hand.
- to Anne Knight (name), a person of suitable age and discretion who was then residing at the party's usual residence.
- to \_\_\_\_\_ (name), who is authorized to receive service for the party.
- by (describe other manner of service):

Costs of Service:

Service:	\$	<u>16.00</u>
Travel:	\$	<u>9.70</u>
Postage:	\$	<u>.60</u>
Other:	\$	<u>5.00</u>
TOTAL:	\$	<u>31.30</u>

  
Signature

CCSO  
Agency

**EXHIBIT E**

**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

U.S. Bank National Association,  
(as trustee for SASCO Mortgage  
Loan Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

US Bank National Association  
(as trustee for Structured Asset Securities  
Corporation Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

Michael A. Conant  
78 E Valentine Street  
Westbrook, ME 04092

Julia A. Conant  
151 Riverside Dr., Apt. 2  
Auburn, ME 04210

Republic Bank & Trust Company  
ATTN: Legal Department  
601 West Market Street  
Louisville, KY 40202

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This hearing is to determine whether the residential structure at 24 Lemont Street, Lewiston, Maine, identified as Lot 042 on Tax Map 146 of the City of Lewiston Tax Maps, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 6049, Page 237, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

July 13, 2016

Kathleen M. Montejo  
Kathleen M. Montejo, City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

July 13, 2016

Before me this day personally appeared Kathleen M. Montejo, who acknowledges the foregoing instrument to be her free act and deed.

Kelly J. Brooks  
Notary Public / Attorney at Law

Kelly J. Brooks  
Notary Public, Maine  
My Commission Expires Sept. 11, 2019

SEAL

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS

CITY OF LEWISTON  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
24 LEMONT STREET, LEWISTON, MAINE  
Pursuant to 17 M.R.S. §§ 2851, et seq.

On July 19, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Julia A. Conant, by delivering a copy of the same at the following address: 151 Riverside Drive, Auburn, ME 04210

- to the above named party in hand.
- to \_\_\_\_\_ (name), a person of suitable age and discretion who was then residing at the party's usual residence.
- to \_\_\_\_\_ (name), who is authorized to receive service for the party.
- by (describe other manner of service):

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>3.00</u>
Postage:	\$	<u>2.00</u>
Other:	\$	<u>2.00</u>
 TOTAL:	\$	<u>28.00</u>

[Signature]  
Signature

ASO  
Agency



**NOTICE OF HEARING**  
**Pursuant to 17 M.R.S. §§ 2851-59**  
**Dangerous Buildings**

U.S. Bank National Association,  
(as trustee for SASCO Mortgage  
Loan Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

US Bank National Association  
(as trustee for Structured Asset Securities  
Corporation Trust 2006-WF2)  
c/o Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715

Michael A. Conant  
78 E Valentine Street  
Westbrook, ME 04092

Julia A. Conant  
151 Riverside Dr., Apt. 2  
Auburn, ME 04210

Republic Bank & Trust Company  
ATTN: Legal Department  
601 West Market Street  
Louisville, KY 40202

**24 LEMONT STREET, LEWISTON, MAINE**

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

August 9, 2016 at 7:00 pm  
Lewiston City Hall  
27 Pine Street, Lewiston, Maine 04240

This hearing is to determine whether the residential structure at 24 Lemont Street, Lewiston, Maine, identified as Lot 042 on Tax Map 146 of the City of Lewiston Tax Maps, and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 6049, Page 237, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

July 13, 2016

Kathleen M. Montejo  
Kathleen M. Montejo, City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

July 13, 2016

Before me this day personally appeared Kathleen M. Montejo, who acknowledges the foregoing instrument to be her free act and deed.

Kelly J. Brooks  
Notary Public / Attorney at Law

Kelly J. Brooks  
Notary Public, Maine  
My Commission Expires Sept. 11, 2018

SEAL

ANDROSCOGGIN COUNTY  
TINA M CHOUINARD  
REGISTER OF DEEDS



Serve

CITY OF LEWISTON  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
24 LEMONT STREET, LEWISTON, MAINE  
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On \_\_\_\_\_, 2016 (date), I served the above-referenced NOTICE OF HEARING upon party, Republic Bank & Trust Company, ATTN: Legal Department, by delivering a copy of the same at the following address: 601 West Market Street, Louisville, KY 40202

- to the above named party in hand.
- to \_\_\_\_\_ (name), a person of suitable age and discretion who was then residing at the party's usual residence.
- to \_\_\_\_\_ (name), who is authorized to receive service for the party.
- by (describe other manner of service):

Costs of Service:

Service:	\$	<u>40<sup>00</sup></u>
Travel:	\$	_____
Postage:	\$	_____
Other:	\$	_____
 TOTAL:	\$	<u>40<sup>00</sup></u>

Signature

JEFFSON CO SHERIFF

Agency

**CODE ENFORCEMENT  
CITY BUILDING  
27 PINE STREET  
LEWISTON, MAINE 04240  
(207) 513-3125 EXT. 3226**

**NOTICE OF CONDEMNATION/PLACARDING  
VIA FIRST CLASS & CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
POSTED AT SITE**

September 12, 2014

Michael Conant  
24 Lemont Street  
Lewiston Maine 04240

Julia Conant  
24 Lemont Street  
Lewiston Maine 04240

RE: 24 Lemont Street, Lewiston, Maine

Dear Mr. and Mrs. Conant:

It has come to the attention of this office that the building at 24 Lemont Street has suffered severe deterioration making it unfit for occupancy due to violation(s) of the following provisions of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, Article VI, Sections 18-200 & 18-201, as per the Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). The building is without necessary facilities such as heat, potable water. Furthermore the second floor apartment continues to be occupied without these necessary facilities. Due to obsolescence of the mechanical systems, dilapidation and deterioration of the structural elements and unsanitary conditions, substantial rehabilitation is required for re-occupancy or the building must be demolished.

I hereby condemn and placard the building and property at 24 Lemont Street as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, IPMC-108.1 et seq, IPMC-109.1 et seq, IPMC-110.1 et seq, , IPMC-302.1 et seq, IPMC-304.1 et seq, IPMC-305.1 et seq, IPMC-306.1 et seq, IPMC-402.2 et seq, IPMC-504.1 et seq, IPMC-505.1 et seq., IPMC-506.1 et seq, IPMC-602.1 et seq, IPMC-603.1 et seq, IPMC-604.1 et seq, IPMC-605.1 et seq, IPMC-703.1 et seq and PMC-704.1 et seq of the Code of Ordinances of the City of Lewiston. You are hereby ordered to immediately ensure this building is unoccupied and secured from unauthorized entry. You are to make substantial repairs, with all appropriate permits issued by this office, or to demolish this building, leaving the property in manner to the satisfaction of this office by no later than **October 15, 2014**.

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section § 2851, if

**EXHIBIT H**

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section IPMC-108.4.1 stating "the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code."

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and five dollar (\$105.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

  
Jeff Barz  
Code Enforcement Officer

Code case: 2332-2014

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**MICHAEL & JULIA CONANT  
24 LEMONT STREET  
LEWISTON ME 04240**

2. Article (Trans)

PS Form

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*\*Fern Twitchell*

- Agent
- Addressee

B. Received by (Printed Name)

*Fern Twitchell*

C. Date of Delivery

*10/6/14*

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Domestic Return Receipt

1C2595-02-M-1540

**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Posimark Here

7012 3460 0003 3328 6457

PS

Instructions

**MICHAEL & JULIA CONANT  
24 LEMONT STREET  
LEWISTON ME 04240**

## 24 Lemont Street

Photos taken July 2, 2013, August 27, 2014, June 26, 2015, March 1, 2016 and July 12, 2016. Front view of the building showing severely deteriorated asbestos siding, trim and collapsing porch.



EXHIBIT 1

Photo # 2 shows the deteriorated collapsing porch, missing and deteriorated siding

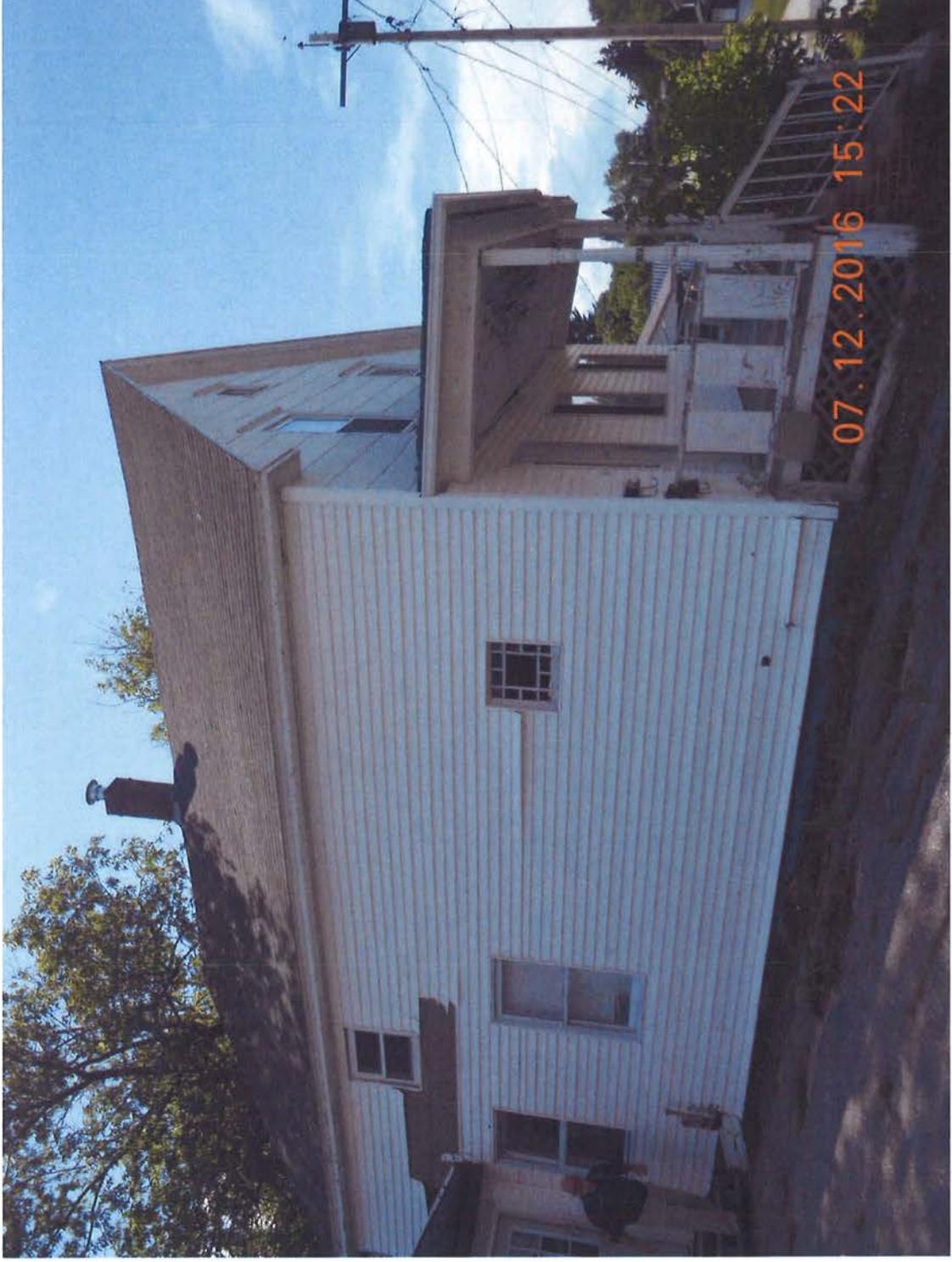


Photo # 3 shows the collapsed deck and porch roof bearing post off of the bearing metal pipe creating a dangerous potential for catastrophic collapse.



Photo # 4 shows another view of the collapsed porch.



Photo # 5 shows a raised deck plank due to the bearing steel post pushing through structural components creating instability.



Photo # 6 shows damage porch roof leak, structural failure and collapse of the ceiling planks.



Photo # 7 shows the failure of a bearing post and beam resulting in compression of the bearing members likely due to rot from moisture infiltration.



Photo # 8 shows another collapse of the porch bearing members off the bearing steel post making the structure unstable and hazardous.



Photo # 9 shows the ineffective attempts to stabilize the porch with the haphazard stacking of cinder blocks and lumber.



Photo # 10 shows another angle of the blocks and lumber. Observe the cracked stringer beam center of the photograph.



Photo # 11 shows missing siding and the collapse of the side porch and stairs making hazardous conditions.



Photo # 12 shows an ineffectively constructed porch roof with exposed unrated materials and over cantilevered 2x4 roof rafters in violation of Code .



Photo # 13 shows broken windows left on the rear porch area and exposed unrated materials.



Photo # 14 shows the remnants of a removed roove structure leaving exposed unrated material.

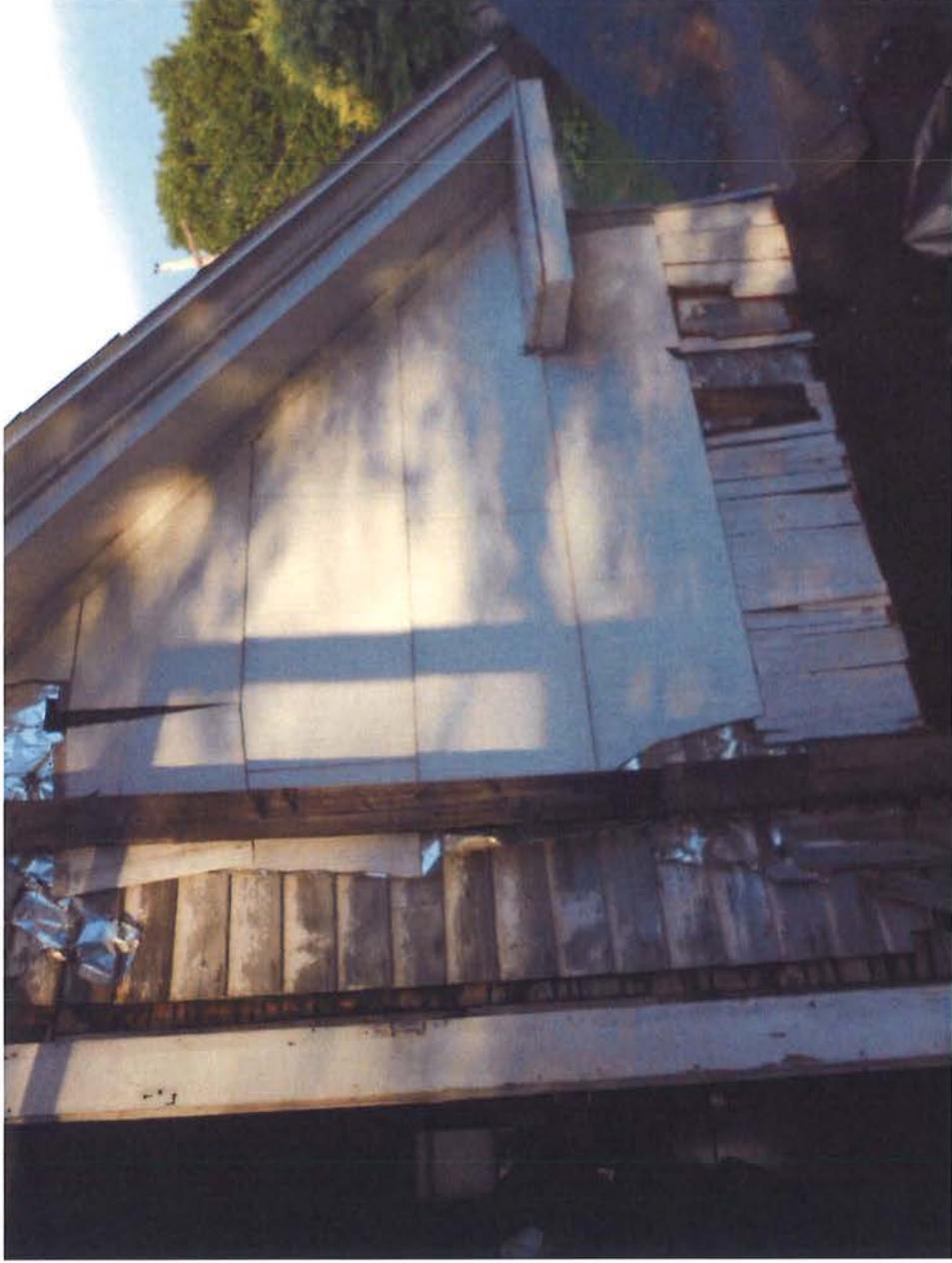


Photo # 15 shows damage and frayed asbestos siding creating hazardous conditions and openings through the exterior finish materials into the structure allowing the entry of the elements.



Photo # 16 shows loose and collapsed siding leaving unrated materials exposed.



Photo # 17 shows more failing siding attachments allowing for its collapse from the building.



Photo # 18 shows severely deteriorated and collapsing skirting leaving unrated materials exposed.



Photo # 19 shows failing plumbing drainage system and opening through the fire rated assembly creating a pathway for the accelerated spread of fire.



07.12.2016 15:15

Photo # 20 shows the removal of copper heating pipes making the heating system inoperative.

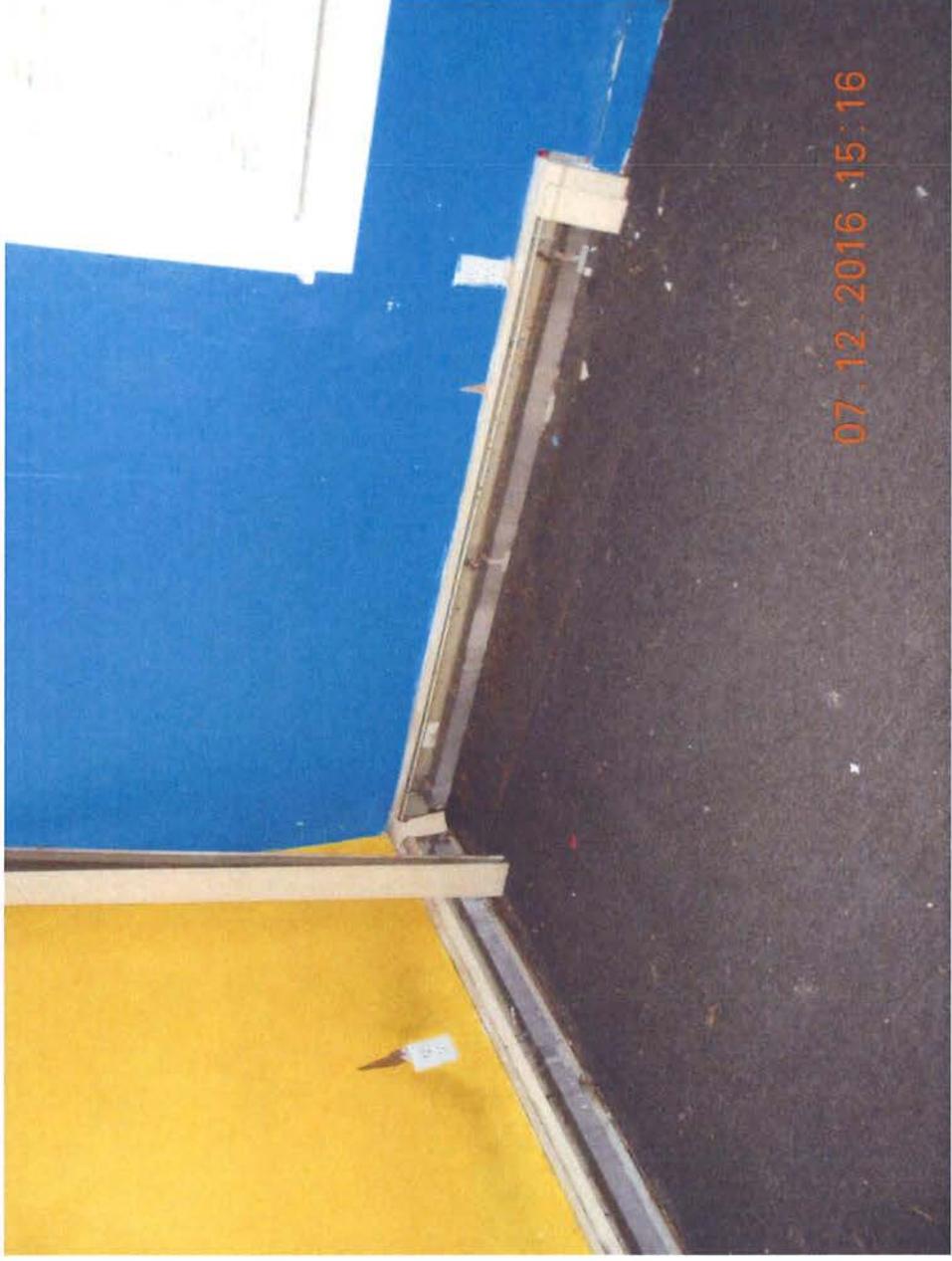


Photo # 21 shows the open electrical panel with illegally installed conductors and a severely deteriorated and corroded service entry cable creating hazardous and dangerous conditions when energized.

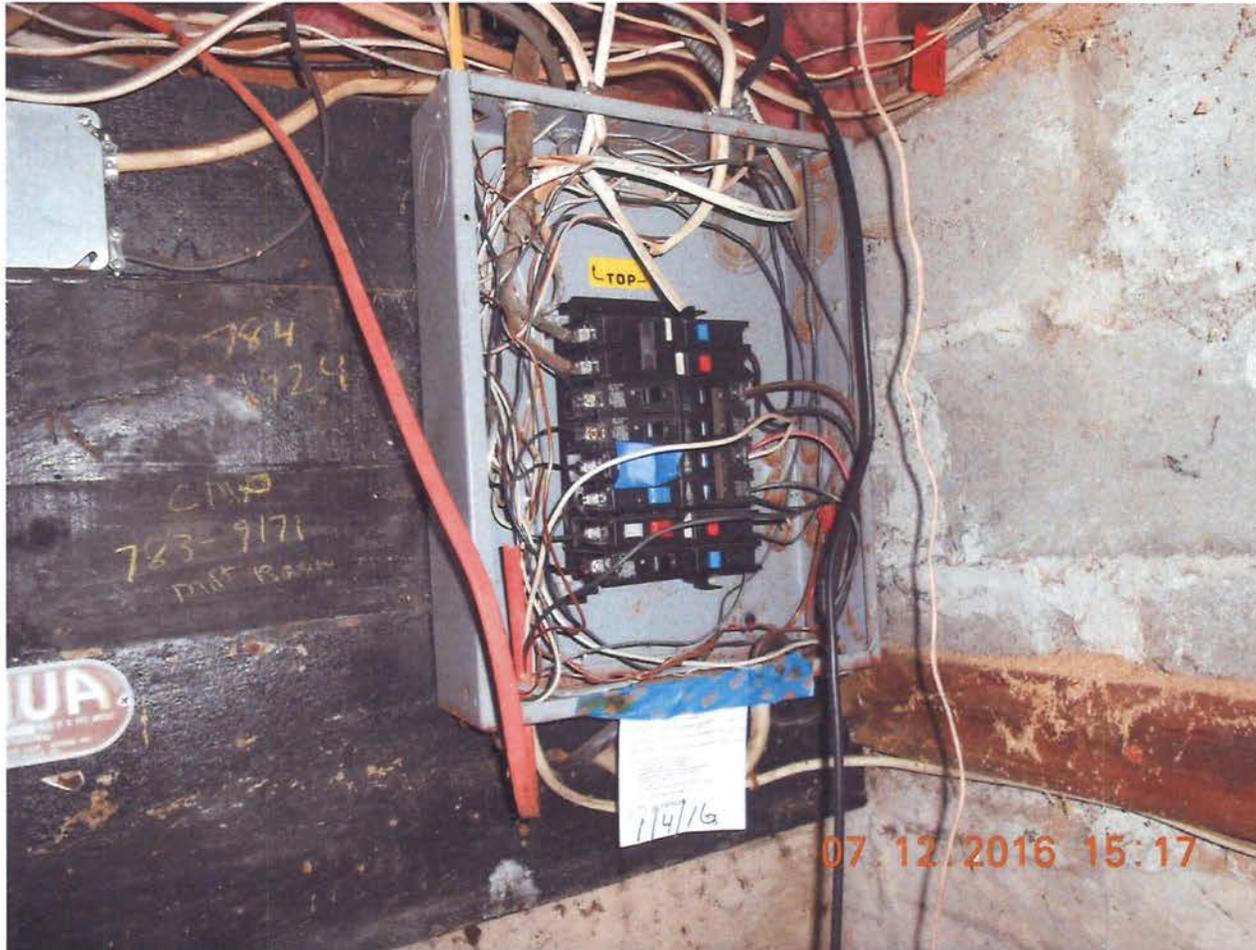


Photo # 22 shows the corroded and collapsed boiler vent pipe allowing for the hazardous byproduct s of combustion to enter the structure making for dangerous conditions.



Photo # 23 shows cut copper piping making the heating system inoperative.

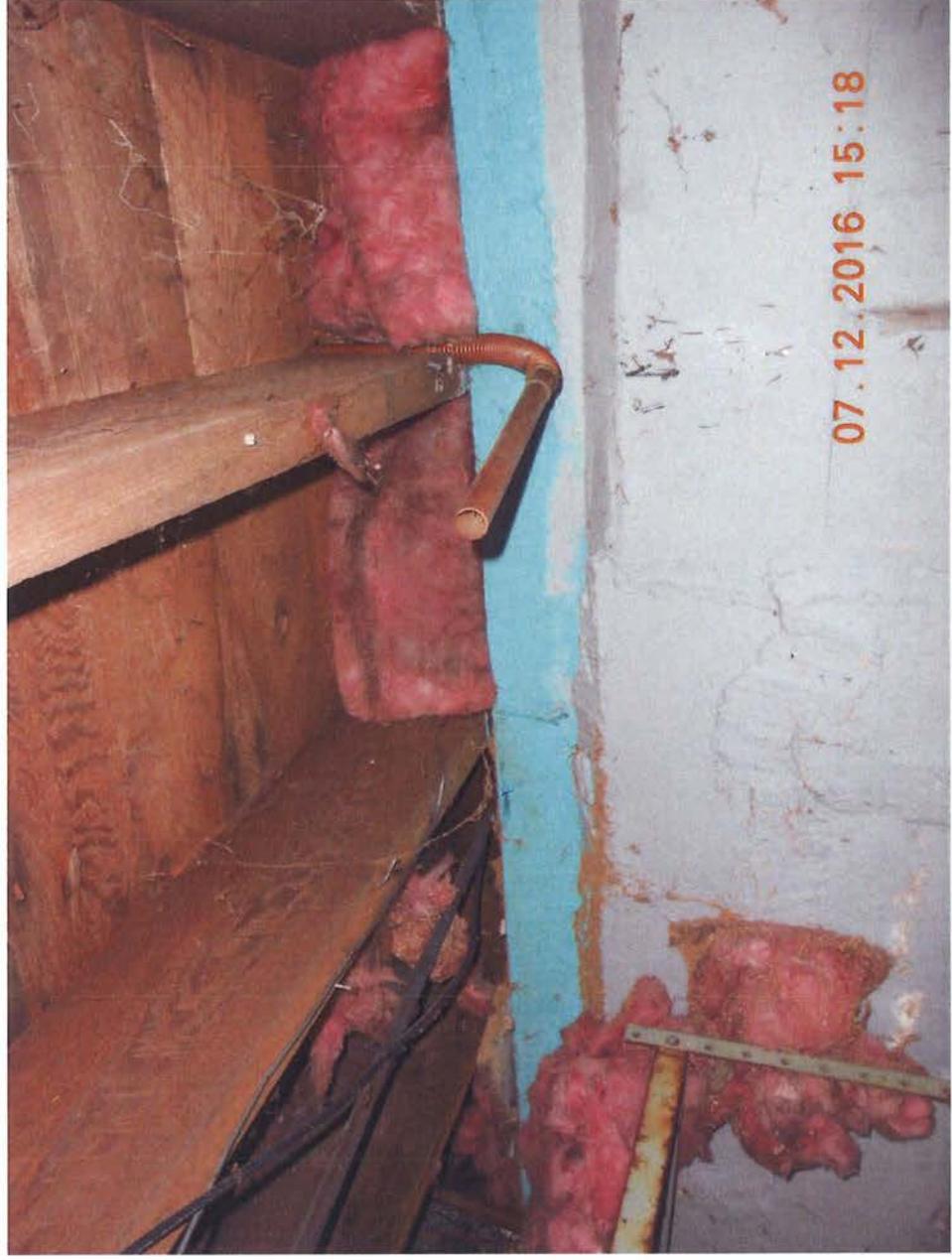


Photo # 24 shows the results of flooding where unrated electrical conductors have been submerged in violation of Code making for hazardous conditions.



Photo # 25 shows the dryer vented into the chimney cavity chase in violation of the appliances listing specifications and Code.

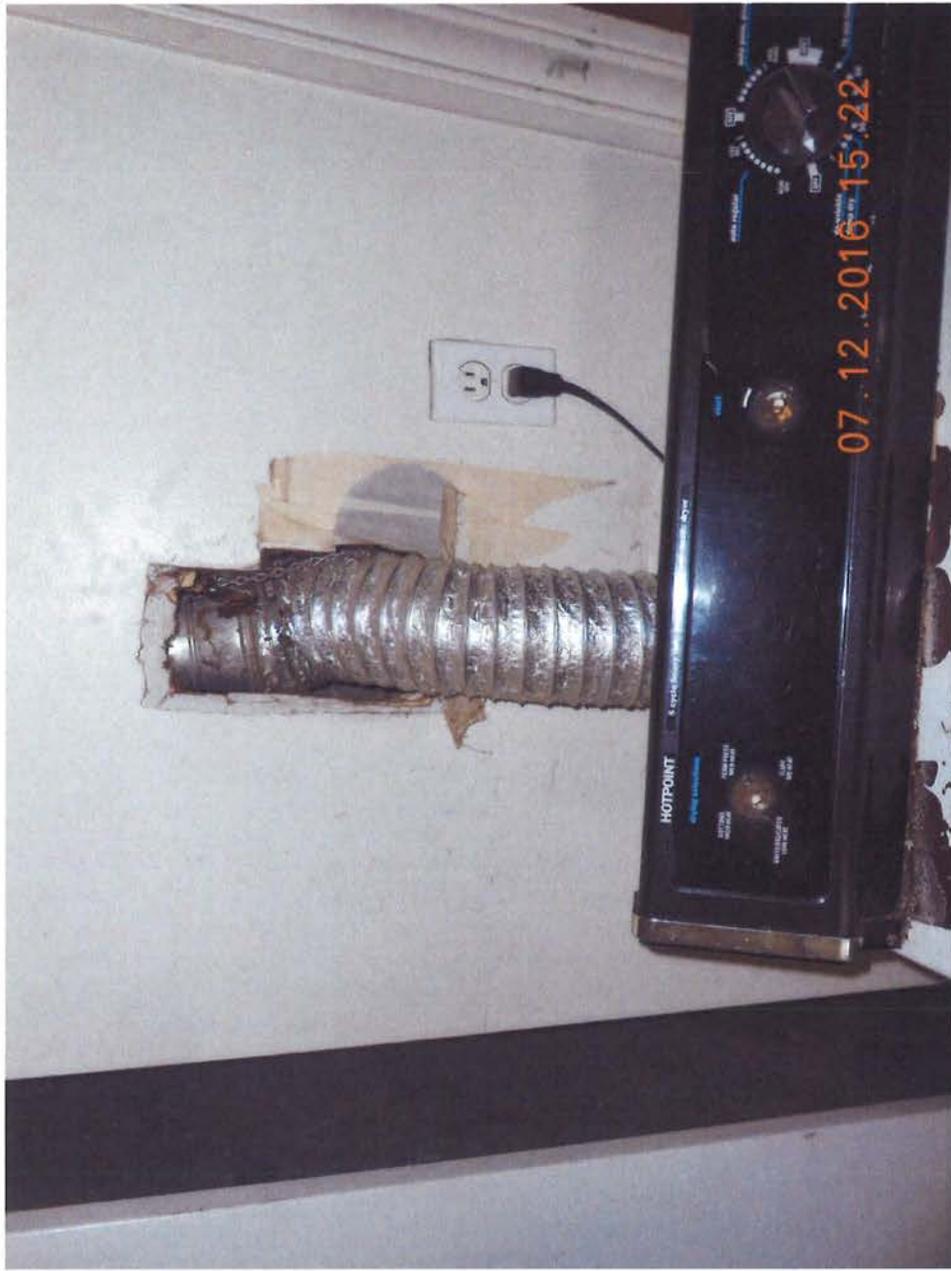


Photo # 26 shows the effects of the bearing material collapse likely due to infective soils preparation and/or footing structure making the structure unstable.



**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 15**

**SUBJECT:**

Order approving changes to the Solid Waste Fee Schedule and authorizing use of \$6,000 from the Solid Waste Repairs to Building Account to Implement Changes in the Scale Management Software to support the fee schedule changes.

**INFORMATION:**

This is a recommendation from the Public Works Committee to simplify the Solid Waste fee schedule. Please see the attached memorandum from Public Works Director David Jones for additional information.

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

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

To approve the Order approving changes to the Solid Waste Fee Schedule and authorizing use of \$6,000 from the Solid Waste Repairs to Building Account to Implement Changes in the Scale Management Software to support the fee schedule changes.



City of Lewiston Maine  
City Council Order  
September 6, 2016



**Order,** Approving changes to the Solid Waste Fee Schedule and Authorizing Use of \$6,000 from the Solid Waste Repairs to Building Account to Implement Changes in the Scale Management Software to Support the Fee Schedule Changes.

**Whereas,** the Public Works Committee recommended simplifying the Solid Waste fee system by eliminating individual commodity fees and going to a straight fee per weight system, with a recommended fee of \$93.00/ton of waste; and

**Whereas,** the Public Works Department identified changes needed to the Solid Waste Fee Schedule to implement this recommended change; and

**Whereas,** the Public Works Department has obtained a budget estimate of \$6,000 to adjust the Scale Management software to implement this change;

**Now, Therefore, Be It Ordered** that the attached Solid Waste Fee Schedule changes are approved and the use of \$6,000 from the Solid Waste Repairs to Building Account to implement the changes in the Scale Management Software needed to support the Fee Schedule changes is authorized.

# SOLID WASTE POLICY

## *Solid Waste - Fee Schedule*

The following schedule of fees shall be charged for use of the City's Solid Waste Facility (Facility) and services rendered by the City's Department of Public Works (DPW). ~~A Facility employee shall determine whether a vehicle entering the Facility contains a full or partial load and the fees listed below will be adjusted accordingly:~~

- A. Vehicles with an "ePass" or an "abbreviated ePass"(as defined in Section 62-11 of the City of Lewiston Code of Ordinances) will not be charged for waste disposal of those materials identified on the "ePass" or an "abbreviated ePass" up to the limit as set on the "ePass" or an "abbreviated ePass". When material is brought to the Facility and the "ePass" or an "abbreviated ePass" is presented, it will be entered into the Facility's Scale Management System to identify that material being disposed. Once all items of a particular type on the "ePass" or an "abbreviated ePass" have been used, any additional waste material brought to the Facility will be paid for at the current disposal rates—~~identified in the following sections.~~ Failure to present the "ePass" or an "abbreviated ePass" to the Scale House Attendant will result in charges for the disposal of the waste material.
- |  |                             |
|--|-----------------------------|
|  | "Abbreviated ePass" \$10.00 |
|  | First "ePass" \$20.00       |
|  | Second "ePass" \$40.00      |
- B. All vehicles, which do not have a valid ~~Punch~~ePass for the type of materials to be disposed and compaction vehicles shall be weighed and charged a unit price of: \$93.00/Ton
- The minimum disposal charge shall be: \$7.00
- C. All vehicles with special waste shall be weighed and charged (in addition to the ~~\$95.00~~\$93.00/ton disposal fee) a State surcharge of: \$2.00/Ton
- ~~All vehicles with special waste shall be weighed and charged (in addition to the \$95.00/ton disposal fee and the \$2.00 State surcharge) a City surcharge of: \$11.00/Ton~~
- D. All vehicles hauling commercial, or construction debris shall be subject to a minimum charge of: \$8.00
- E. ~~All vehicles containing only recyclables and/or scrap metal, as defined in Chapter 62 of the City Code of Ordinances:~~ NO FEE
- F. ~~Scale Weights (includes Commercial & Waste Haulers, as defined:~~ \$10.00/vehicle weight

## SOLID WASTE POLICY

G. ~~All vehicles not having a valid punch pass for the following waste materials will be charged at the identified rate:~~

<del>Wood Waste</del>	<del>\$ 90.00/Ton</del>
<del>Asphalt, bricks, concrete (without rebar)</del>	<del>6.00/Ton</del>
<del>Asphalt shingles and sheetrock (March—October)</del>	<del>79.00/Ton</del>
<del>Asphalt shingles and sheetrock (November—February)</del>	<del>90.00/Ton</del>
<del>Bulky Waste</del>	<del>79.00/Ton</del>
<del>20# Propane Tanks</del>	<del>3.00</del>
<del>Refrigerant containing appliances</del>	<del>11.00</del>
<del>Batteries (Non-Universal Waste)</del>	<del>NO FEE</del>
<del>Waste Oil</del>	<del>NO FEE</del>
<del>Florescent lights</del>	<del>NO FEE</del>

H. ~~All mixed loads containing recyclables mixed with solid waste as determined by the Superintendent or his designee:~~ \$180.00/Ton

I. ~~Tires from all commercial and residential vehicles will be accepted as follows:~~

<del>Up to 16" w/o rim</del>	<del>\$ 3.00/tire</del>
<del>Up to 16" w/rim</del>	<del>\$ 6.00/tire</del>
<del>&gt;16" to 24"</del>	<del>\$ 6.00/tire</del>
<del>over 24"</del>	<del>\$22.00/tire</del>

J. Exceptions: No fees shall be levied on the City (includes all City departments, agencies and school district) for the disposal of solid waste, as defined.

K. Waste Collection and Disposal from Multi-Unit Apartment Buildings, as defined in Section 62-11 of the City Code of Ordinances: \$170.00 per dwelling unit per year. In cases where the Multi-Unit Apartment Building is owner occupied the fee on the owner's dwelling unit will be waived.

L. One time application fee for Multi-Unit Apartment Buildings not receiving waste collection service provided by the City, as of July 1, 2006: \$100.00

# SOLID WASTE POLICY

## ~~Waste Disposal Permits – Chapter 62 Solid Waste~~

<del>Commercial permit</del>	<del>_____</del>	<del>\$ 55.00</del>
<del>Contractor annual permit</del>	<del>_____</del>	<del>55.00</del>
<del>Individual construction project permit</del>	<del>_____</del>	<del>11.00</del>
<del>Waste hauler permit</del>	<del>_____</del>	<del>110.00</del>

~~Note: This permit schedule is outlined in the City Code of Ordinances Chapter 62, Article I In General.~~

## **Penalties - Chapter 62 Solid Waste**

The first violation minimum fine is \$100. A second violation minimum fine for a violation occurring within six months of a first violation is \$210.00. A third or any subsequent violation occurring within six months of a first violation is \$420.00. In addition, where in the opinion of the superintendent the volume of waste material is considered excessive and or if the waste material is other than solid waste the minimum fine shall also include all costs of collection, transportation and disposal. Note: This penalty is outlined in the City Code of Ordinances Chapter 62 , Article I In General.

## **Hazardous Material - Chapter 62 Solid Waste**

A fine of \$1,055.00 for each offense. Note: This penalty is outlined in the City Code of Ordinances Chapter 62, Article III Hazardous Materials.

## **Solid Waste – Spring Cleanup Assistance Event**

The City will provide the Clean-Up Assistance Event (if funded), which will begin on the third Saturday in April and conclude on the fourth Saturday in April. During this event –

1. The Solid Waste Facility will be open on Saturday from 8:00 am to 4:00 pm. The Solid Waste Facility will be open during its regularly scheduled hours during the week. The Solid Waste Facility will be closed on Sunday.
2. During this event, only, tip fees and use of the ePass will be waived for Lewiston residents, only. Proof of residency – presentation of a current driver’s license, City issued tax bill and/or utility bill will be required to receive this service. Tip fees will not be waived for commercial accounts or owners of multi-unit apartment buildings as defined in Section 62-11 of the City Code Of Ordinance.
3. The following Solid Waste Materials must be brought to the Solid Waste Facility, by the resident, to receive this service. The City shall not provide curbside collection of the following listed waste materials, during this event. The following solid waste items brought to the Solid Waste Facility, during this event, will have tip fees/use of the ePass waived and shall be limited to –
  - a. Bulky Waste – includes old furniture, carpeting, mattresses, bedding, etc.
  - b. Construction and Demolition Debris – includes, but is not limited to, building

## SOLID WASTE POLICY

materials such as plaster and lath, plumbing fixtures, insulation, asphalt, wall board, pressure treated wood, and metal conduit, etc.

- c. Wood (does not include pressure treated wood) – includes, demolition wood, which is free of metal, sheetrock, insulation and other solid waste), brush and tree waste (does not include stumps), wood furniture, etc.
  - d. Scrap Metal – includes appliances – stoves, washing machines, dryers, etc. Scrap Metal does not include – engines of any kind, gear boxes, lawn mowers or tanks which have not been cut in half and are devoid of any residue.
  - e. Televisions/computer monitors/personal computers – no more than seven (7) of these items per customer.
  - f. Household refrigerators/freezers/wall mounted air-conditioning units, which contain a refrigerant. Commercial units will not be accepted.
  - g. No more than four (4) tires (up to 16” diameter, off the rim)
  - h. No more than two (2) 20# propane tanks.
4. During the week of the Spring Clean-Up Event (the last full week in April), The City’s Department of Public Works will collect woody yard debris~~brush~~ (butt ends are to face the street) from the City’s residential properties (as defined in Sec. 62-11 of this chapter).
- a. Quantities are limited to 3 yd<sup>3</sup> (one (1) standard pick-up truck load) per residence.
  - b. Residents must have all woody yard debris~~brush~~ placed curbside no later than the third Sunday in April.
  - c. Once Department of Public Works staff has cleared a street of curbside woody yard debris, they shall not return to that street to collect additional woody yard debris~~brush~~.
  - d. Curbside collection is restricted to woody yard debris ~~brush and tree waste~~ only. Wood/tree waste which shall not be collected includes – tree stumps (regardless of size), tree limbs greater than 12 inches diameter, demolition wood – fencing, decking, and/or wood from construction/demolition projects.



## PUBLIC WORKS DEPARTMENT

David A. Jones, P.E., Director

August 3, 2016

Mayor and Members of the City Council,

At the May 10, 2016 City Council meeting, we provided you information and the recommendations of the Public Works Committee regarding suggested changes for the Solid Waste Facility, the Solid Waste Fee Schedule, and Solid Waste Ordinances. As a reminder, here is a summary of the three recommendations:

1. Simplify the fee system by eliminating the individual commodity fees and going to a straight fee per weight system. The committee recommends \$93/ton of waste. This is \$2/ton less than the current fee at the landfill, but \$5/ton more than MMWAC charges to encourage use of that facility. We checked a number of commodities and found this system would not significantly change the cost to consumers, but would simplify the administration of the program. Examples include:

Type of waste (approx average weight)	Current Fee	Proposed Fee
Refrigerator (weighs an average of ~250 lbs)	\$ 11.00	\$ 11.63
Tires w/o rim (25-30 lbs)	\$ 3.00	\$ 1.28
Tires w/ rim (30-36 lbs)	\$ 6.00	\$ 1.53
Bulky Waste - Recliner Chair (105 lbs)	\$ 4.15	\$ 4.88
Bulky Waste - Sleeper Sofa (350 lbs)	\$ 13.83	\$ 16.28

2. Revise the ePass system as follows:
  - a. Reduce the ePass to disposal of 1,000 lbs. of waste materials (regardless of waste type)
  - b. Homeowners would be eligible to receive a free pass once they paid their March property tax bill (No additional pass would be available)
  - c. A renter could obtain the new ePass for \$20 (limited to 1 pass per year)
  - d. A landlord who is an owner occupant would be eligible for 1 free ePass per year for the unit they occupy, when they pay their March property taxes
  - e. Landlords of multi-unit apartment buildings on the City Collection Program (City Ordinance Sec 62-13) would be eligible to purchase 1 ePass per year for every 3 non-owner occupied units for \$20 for each ePass.
3. Cleanup Assistance Week at the landfill would be eliminated as homeowners can use their free ePass (see above) any time during the year. The Lewiston Public Works Department will continue to collect brush placed butt ends to facing the street each spring. Quantities are limited to no more than one (1) standard pick-up truck load per residence.

During the discussion that night, we all agreed there should be more public input solicited regarding recommendations 2 & 3, and we hope to be able to set up public meetings to address those in the next month or so. Staff also asked for some time to identify what internal changes were needed to implement recommendation 1.

For recommendation 1, we found we will need to change the scale management software in order to accommodate this change and our consultant has provided a budget estimate of \$6,000 to implement these changes. The FY2017 solid waste budget is tight, but staff would suggest we use funding from the Solid Waste Repairs to Building Account 4343-427500 if the City Council would like to proceed with implementation. We recommend you approve use of these funds as part of the attached order.

In addition, we also identified changes needed to the current Fee Schedule to implement recommendation 1. These are included in the package and as part of the order we recommend the Council approve.

Once more Public input is received for recommendations 2 & 3, we will return to the City Council with recommended changes needed implement them.

Sincerely,

David A. Jones, P.E.

Cc: E Barrett, K. Montejo, M. Bates, R. Stalford

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 16**

**SUBJECT:**

Resolve rescinding the current Worker's Compensation Safety Incentive Program.

**INFORMATION:**

In 2003, the City created a Worker's Compensation Safety Incentive program in which employees were awarded for extended periods of time without a lost time accident or injury. However, the goals of this program can be difficult to attain for some departments given the nature of their work since they deal with potentially greater physical hazards than others. The recommendation is to eliminate the current program and to establish an employee committee to create an incentive program that works for all employees regardless of their work exposure.

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

The City Administrator recommends the passage of this item.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Resolve rescinding the current Worker's Compensation Safety Incentive Program.



COUNCIL RESOLVE

**Resolve, Rescinding Current Workers Compensation Safety Incentive Program**

Whereas, beginning in 2003, the City has offered a Workers Compensation Safety Incentive Program under which all employees were eligible for awards; and

Whereas, if a department operated for a set period of time without a lost time accident, all of the employees of that department were eligible for a cash payment (or gift card) in recognition of their safety record, with the length of time and the amount of the award varying by department; and

Whereas, staff has recently been reviewing this program due to a number of issues including the administrative burden it places on Human Resources and Finance in tracking the program and that it rewards Part-time employees who, basically, have no impact on lost time; and

Whereas, in addition, questions exist whether the system is fair in that some groups, such as City Hall, regularly receive these awards given staffs working environment while other departments, with greater hazards, do not; and

Whereas, staff intends to convene a group of employees to evaluate how best to structure a safety incentive program for the future, recognizing the issues identified with the current program.

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

The current Workers Compensation Safety Incentive Program is hereby rescinded and staff is authorized to convene a group of employees to design a replacement program for the future.



## EXECUTIVE DEPARTMENT

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

August 31, 2016

To: Honorable Council Chair and Members of the City Council  
Fr: Edward A. Barrett  
Su: Rescinding the Current Workers Compensation Safety Incentive Program

Beginning in 2003, the City offered a Workers Compensation Safety Incentive Program under which all employees were eligible for awards. Basically, if a department operated for a set period of time without a lost time accident, all of the employees of that department were eligible for a cash payment (or gift card) in recognition of their safety record. The length of time and the amount of the award varied by department, given that some departments, such as Public Works, operate in a more challenging safety environment that do others, such as those in City Hall.

It appears that this program was reviewed by the City Council at the time it was implemented, although it also appears that implementation was by way of an administrative directive, rather than formal Council action.

Staff has recently been reviewing this program due to a number of issues including the administrative burden it places on Human Resources and Finance in tracking the program and that it rewards Part-time employees who, basically, have no impact on lost time. In addition, questions exist as to the fairness of the system in that some groups, such as City Hall, regularly receive these awards while other departments, with greater hazards, do not.

The annual cost of this program falls in the range of \$30,000 to \$45,000 per year.

Our plan is to pull together a group of employees to evaluate how best to structure a safety incentive program for the future, recognizing the issues we have identified with the current plan. Before doing so, however, we would like to rescind the current program given that a number of awards have recently been made and we are at a reasonable spot to place the program on hiatus.

A brief summary of the incentive structure is attached.

# SAFETY INCENTIVES

ALL EMPLOYEES SHALL BE ELIGIBLE FOR AWARDS, HOWEVER, SINCE THE VARIOUS DEPARTMENTS HAVE DIFFERENT SEVERITY EXPOSURES, THE AWARDS AND THE AMOUNT OF TIME WITHOUT A LOSS TIME ACCIDENT WILL VARY [NOTE: IN DEFINING A LOSS TIME ACCIDENT, THE MAINE WORKERS' COMPENSATION ACT PROVIDES FOR A 7-DAY WAITING PERIOD. THEREFORE, FOR THE PURPOSE OF DEFINING A LOSS TIME ACCIDENT, AN EMPLOYEE MUST BE OUT MORE THAN 7- CONSECUTIVE DAYS]

## AWARDS

### Public Works, Public Services Departments:

3-	months	without	loss	time	accident	--\$45	Check	for	All
6-	"	"	"	"	"	--1	Additional	vacation	
							Day	for	All
9-	"	"	"	"	"	--\$45	Check	for	All
12-	"	"	"	"	"	--\$100	Check	for	All
24-	"	"	"	"	"	--\$175	Check	for	All
36-	"	"	"	"	"	--\$225	Check	for	All

### Police Department:

3-	months	without	loss	time	accident	--(9)	\$50	Checks	Drawn	
6-	"	"	"	"	"	--(12)	\$50	Checks	Drawn	
9-	"	"	"	"	"	--(9)	\$50	Checks	Drawn	
12-	"	"	"	"	"	--	\$100	Checks	for	All
24-	"	"	"	"	"	--	\$175	Checks	for	All
36-	"	"	"	"	"	--	\$225	Checks	for	All

City Hall, Library & Recreation Department:

3-	months without loss time accident	--(3)	\$50 Checks Drawn
6-	" " " " "	--(6)	\$50 Checks Drawn
9-	" " " " "	--(3)	\$50 Checks Drawn
12-	" " " " "	--	\$100 Checks for All
24-	" " " " "	--	\$175 Checks for All
36-	" " " " "	--	\$225 Checks for All

Fire Department:

3-	months without loss time accident	--(9)	\$50 Checks Drawn
6-	" " " " "	--(12)	\$50 Checks Drawn
9-	" " " " "	-- (9)	\$50 Checks Drawn
12-	" " " " "	--	\$100 Checks for All
24-	" " " " "	--	\$175 Checks for All
36-	" " " " "	--	\$225 Checks for All

NOTE: Out of fairness for all, an employee's name may only be drawn once in a calendar year,

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 17**

**SUBJECT:**

Resolve to approve the new Auburn-Lewiston Advisory Cable TV Committee Bylaws.

**INFORMATION:**

There is a newly re-created Cable TV committee comprised of residents of Lewiston and Auburn. The new committee was established under the Interocal Agreement approved in 2015. This agenda item is for the adoption of their Committee bylaws.

**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 Resolve to approve the new Auburn-Lewiston Advisory Cable TV Committee Bylaws.



## COUNCIL RESOLVE

**Resolve,** To Approve the New Auburn-Lewiston Advisory Cable TV Committee By Laws.

WHEREAS the Auburn-Lewiston Advisory Cable TV Committee Interlocal Agreement was approved by both City Councils in 2015 and required that new By Laws be proposed by the Committee and submitted to both Auburn and Lewiston City Councils for approval; and

WHEREAS the new Auburn-Lewiston Advisory Cable TV Committee unanimously approved the proposed By-Laws at their August 4, 2016 meeting; and

WHEREAS the new By Laws reflect all stated requirements of the Auburn-Lewiston Advisory Cable TV Committee Interlocal Agreement;

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

The attached new Auburn-Lewiston Advisory Cable TV Committee By Laws be approved.



The Office of  
Deputy City Administrator  
Phil Nadeau  
**MEMORANDUM**

TO: Mayor and City Council  
FR: Phil Nadeau  
CC:  
RE: New Auburn-Lewiston Advisory Cable TV Committee By Laws  
DT: 9/6/16

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## **1. BACKGROUND**

The A-L Advisory Cable TV Committee voted to unanimously approve the proposed Committee By-Laws on 8/5/16. Chair Richard Wagner and our committee members have requested that the new By-Laws be acted upon as soon as possible.

A few highlights about the new By-Laws:

- There are no substantive changes to those By-Law requirements expressed in Section A. of the Interlocal Agreement.
- Much of the wordsmithing in Article III, Section A of the By-Laws preserves the original intent of Section A of the Interlocal Agreement: Eight total members on the committee--four from each city; Auburn committee appointment policies and ordinances take precedence for all Auburn appointments; Lewiston City Administrator will appoint a staff person, Mayor and Council will appoint an elected official, and Mayor will nominate and Council will appoint two remaining members; with the exception of the five members subject to the "blind draw" that staggers the inaugural member term, all future terms will be for two years with no member serving more than three consecutive terms.
- Tele-video conferencing for quorum purposes will be limited to one member voting by tele-video conference and a minimum number of three present to conduct an official meeting (no voting can occur); and all voting must require a quorum of five with a minimum of four present with one member permitted to vote by tele-video conferencing.
- All affirmative votes will require five votes.
- A minimum of three affirmative votes from one city must be cast by for any action impacting only that city.
- Language to fill vacancies and for removal of members (Section III.D.).
- All By-Law conditions expressed in Section A of the Interlocal Agreement have been satisfied.

## **2. RECOMMENDED ACTION**

To approve the proposed By-Laws.

**BY-LAWS  
OF THE  
AUBURN-LEWISTON ADVISORY CABLE TV COMMITTEE**

**I. MISSION, PURPOSE AND SCOPE**

A. Mission

The cities of Auburn and Lewiston, acknowledging a need and desire for the establishment of local public access, educational and government (PEG) channels, have established the Auburn-Lewiston Advisory Cable TV Committee (sometimes referred to as "Committee") whose primary mission is to provide policy oversight for the broadcasting of a variety of PEG programming utilizing both on site and community assets to operate Great Falls TV (sometimes referred to as "GFTV") as an open and accessible resource to all concerned.

B. Purpose and Scope

- 1) To oversee the operation and investment of available revenues in facilities, operations and equipment that provide GFTV viewers quality and dependable local cable television and internet streaming/archiving services;
- 2) To oversee the production and programming that is generated by both GFTV and other sources from within and outside of our community;
- 3) Advising the City Councils and the public on matters relating to the administration of GFTV policies and programming;
- 4) Encouraging other PEG access stations utilizing GFTV services to reflect its policies and values relative to content broadcasted on GFTV;
- 5) Relaying pertinent operations, programming and policy information to the City Councils and the public on a timely basis;
- 6) Acting on such matters as the City Councils or the Auburn City Manager/Lewiston City Administrator deem appropriate provided that such matters relate to GFTV services/operations;
- 7) Advocate for quality local programming within the context of available resources and revenues;
- 8) Advocate for the needs of GFTV viewers;
- 9) Raise the public awareness of the Committee, inform the community of the Committee's role, and solicit public opinion and needs.

## II. MEETINGS OF MEMBERS

### A. Monthly Meeting of Members

Unless otherwise posted, the regular Monthly Meeting of the Committee shall be held at Auburn Hall on the first Thursday of each month, at 6:00 P.M. for transacting business as may properly come before the Committee. The time and place of the Monthly Meeting and items to be acted upon/discussed shall be posted in the agenda and submitted to the City Clerks in both cities for public posting no later than three (3) business days prior.

### B. Special Meetings of Members

Special Meetings of the Committee shall be called by the Chair or upon the request of a majority of the Committee Members (sometimes referred to as "Members"). Notice for any Special Meeting must include the nature of the business to be acted upon/discussed by the Committee and must be submitted for public posting to the City Clerks in both cities no later than twenty-four hours prior to the meeting.

### C. Members Eligible to Vote

Those persons who have been formally appointed as Members shall be eligible to vote at all meetings in one of the following manners:

- 1) In person.
- 2) By telephone or videoconference

### D. Quorum of Members

An official meeting shall require a quorum consisting of no less than four (4) Members present at the meeting or three (3) Members present and no more than one (1) by telephone or videoconference. If no quorum is present, a majority of those present may adjourn and reschedule the meeting in accordance with the meeting notice provisions within these by-laws.

For purposes of voting, no less than four (4) members shall be present but a quorum of five (5) members (with no more than one Member by telephone or videoconference) shall be required (see Article III.C).

### E. Meetings of Members Open to Public

- 1) All meetings of the Committee shall be open to the public and shall be conducted in accordance with those public and confidential provisions outlined in Maine law.
- 2) Members of the public shall be welcomed as guests at any Regular or Special meeting of the Committee.
- 3) Members of the public may present written requests for information to any Committee Member at any time; a period of time during each Regular Meeting shall be made available for questions or comments from guests.

- 4) Guests shall have no vote on Committee matters but may be invited to participate in discussion of such matters.
- 5) Guest policies at Special Meetings shall be at the discretion of the Chair.

### III. MEMBERS

#### A. Tenure and Qualifications of Members

Four (4) Members from Auburn and four (4) Members from Lewiston shall be appointed in accordance with these By-Laws and the terms outlined in Auburn-Lewiston Local Cable TV Operations Interlocal Agreement (sometimes referred to as "Agreement") but all committee selection/appointment ordinances and policies for the City of Auburn shall take precedence:

- 1) One (1) City Councilor or Mayor from each city may be appointed to serve two (2) year terms (to correspond with Mayor/City Council elections), and may be reappointed to an unlimited number of consecutive terms; and
- 2) with the exception of the staff position who shall serve at the pleasure of the Lewiston City Administrator, the inaugural terms of the remaining five Committee Members shall be staggered as a one (1), two (2) and three (3) year term of service based on a blind draw conducted by the Chair of the Committee at the first inaugural meeting of the Committee. Terms for all five Members thereafter shall be two year terms; and
- 3) in Auburn, three (3) Committee Members shall be appointed by and serve no more than three (3) two (2) year terms; and
- 4) in Lewiston with the noted exception of the City Administrator staff position, the Mayor shall nominate two Members who shall be appointed by the City Council and serve no more than three (3) two (2) year terms.

In the event that a Member resigns, is removed for cause, dies or fails to be re-appointed, a new Member may be nominated by the Committee and submitted for approval by the applicable City Council to fill the vacancy. All appointments shall fill the remaining term of the vacated position or shall fill the vacancy in accordance with those provisions, ordinances or policies governing committee appointments for the applicable municipality.

All Members must be at least 18 years of age at the time of their appointment to serve as a Member.

#### B. Election and Appointment of Officers

At the inaugural meeting of the Committee, the Chair, Vice-Chair, and Secretary shall be chosen by a majority vote of the Committee with all future elections being conducted at the Regular Meeting scheduled the month prior to the expiration of terms for all Officers.

C. Voting Requirements and Email Communications

All legislative actions of the Auburn-Lewiston Cable TV Committee will require no less than five (5) affirmative votes. All voting actions must take place in accordance with the attendance and quorum requirements stated in Article II.D. of these by-laws.

No email voting is authorized but email may be used to communicate meeting notices, assess quorum availabilities, and other pertinent business information to Committee Members.

When a matter before the Committee only affects cable customers in one city, no less than three (3) Members representing the city involved must vote in the affirmative for passage.

D. Member Eligibility - Removal of Members - Vacancies

Residency shall be a requirement for all Members in both municipalities. Any action or cause resulting in a change of Member residency shall result in immediate ineligibility for Committee participation and immediate termination of Member's appointment to the Committee.

In the absence of submitting an excused absence request to the Chair, any Member who does not attend three (3) consecutive Committee meetings shall be deemed to have resigned voluntarily from the Committee, effective at the close of the third unattended meeting, unless the Committee, at the request of the Member and for good cause, shall have taken action to retain the Member.

Any Member may be removed with or without cause at any time by the affirmative vote of two-thirds of the City Council which appointed the Member or by a two-thirds vote of the Committee which must also be affirmed by a two-thirds vote of the applicable City Council. A new Member may be nominated by the Committee and submitted for approval to the applicable municipality to fill the vacancy. All such appointments shall fill the remaining term of the vacated position or shall fill the vacancy in accordance with those provisions, ordinances or policies governing committee appointments for the applicable municipality.

In the event that a Member resigns, is removed for cause, or dies, a new Member may be nominated by the Committee and submitted for approval by the applicable municipality to fill the vacancy. All such appointments shall fill the remaining term of the vacated position or shall fill the vacancy in accordance with those provisions, ordinances or policies governing committee appointments for the applicable municipality.

In the event of the removal or resignation of the Chair, the Vice-Chair shall become the interim Chair until the next Monthly Meeting at which time a person shall be elected to serve for the balance of the term of the removed Chair.

E. Roberts Rules

Roberts Rules of Order, Revised, shall govern the proceedings of all Committee meetings and its constituent parts except as provided in these By-Laws.

#### IV. OFFICERS

##### A. Officers

The Officers of the Committee (sometimes herein "Officers") shall consist of a Chair, Vice-Chair, and Secretary. No person may concurrently hold more than one office.

##### B. Term, Removal, Vacancy of Officers

The Officers shall be elected at the Inaugural Meeting of the Committee and shall hold office for one (1) year or until a successor is elected. No Officer may serve more than three consecutive terms in the same office. Any Officer may be removed by vote of the Committee with or without cause if it determines in its discretion that the best interests of the Committee would be served thereby.

A vacancy shall be filled by a vote of the Committee for the unexpired portion of the term.

##### C. Duties and Authority of the Chair

The Chair shall preside at all meetings of the Committee. Subject to the control of the Committee, the Chair shall be responsible for supervising and directing the affairs of the Committee and shall see that all orders and resolutions of the Committee are carried into effect. The Chair or a majority vote of the Committee may appoint Members and other public individuals to ad hoc committees to work on a variety of initiatives for the full Committee to consider. All ad hoc committee meetings shall be posted in accordance with the meeting notice and participation requirements listed in Section II of these By-Laws. The Chair or Committee authorizing the ad hoc committee may terminate the ad hoc committee at any time but must post the proposed action on the agenda of any Regular Meeting.

##### D. Duties and Authority of the Vice-Chair

The Vice-Chair shall perform such duties as shall from time to time be prescribed by the Committee or delegated by the Chair. In the absence of the Chair, the Vice-Chair shall act in his/her stead unless otherwise prescribed by the Committee.

##### E. Duties and Authority of Secretary

The Secretary shall be responsible for: keeping the minutes of the proceedings of Members in one or more books provided for that purpose; seeing that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; custody of the Committee records; keeping a register of the address of each Member and updating the same regularly; and in general performing all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him/her by the Chair or by the Committee.

## V. REPORTS AND BUDGETS

### A. Annual Report

The Committee shall issue an Annual Report which shall be distributed to Members and the public no later than 5 months following the end of the fiscal year. The Annual Report shall include, among other things, information as to:

- 1) Revenues and expenditures and a comparison of those amounts to the amounts budgeted;
- 2) The number of people trained in the use of the Committee's equipment;
- 3) The nature and amount of programming produced by the Committee;
- 4) The nature and amount of programming produced in cooperation or conjunction with the Committee;
- 5) The number of persons and/or organizations utilizing the community access programming facilities;
- 6) Actions taken to encourage broad-based utilization of the community access programming facilities;
- 7) Actions taken to coordinate the Committee's programs and activities with those of other public and private organizations involved in the production of community-based cable TV programming in Maine;
- 8) Complaints received about access operations, and actions taken by the Committee to resolve such complaints;
- 9) Grants/donations awarded to the Committee for programming;
- 10) The work of each or any sub-committee appointed by the Chair.

### B. Annual Budget

Working through the department head, the station manager and the Committee shall prepare a proposed budget for each new fiscal year which shall be made available to the Lewiston City Administrator and the Auburn City Manager no later than January 31<sup>st</sup> of each year.

## VI. AMENDMENT OF BY-LAWS

These By-laws may be amended only in the following manner: an amendment may be introduced on the agenda of any Regular Monthly Meeting of the Committee. All by-law amendments receiving an affirmative vote from the Committee will be submitted to the City Clerks of both cities for action by the City Councils.

Once notice has been received by the City Clerks, the Committee approved By-Law amendment must be posted in the agenda no later than sixty (60) days within receipt of the written Committee notice. The City Councils shall be required to vote on any By-Law amendment within sixty (60) days of posting on the agenda.

## VII. FRANCHISE AGREEMENT OVERSIGHT PROCEDURES

The powers and duties of the Committee shall be:

- A. By appropriate orders and directions of the Auburn or Lewiston City Councils, to take action to ensure cable television service franchisee(s) compliance with the terms and conditions of their respective present and future franchise agreements with the cities of Auburn and Lewiston.
- B. To investigate complaints made to the Committee by subscribers and others within the community with respect to the access to the facilities of franchisees, the charges made for installation, service and use of such facilities, equipment rental and other charges, the quality of service provided by franchisees, billing and other matters pertaining to such service and, where feasible, to assist in resolving such complaints by appropriate order or otherwise.
- C. To advise the City Councils on all matters affecting the provision of cable television service to present and future inhabitants of the community and to recommend appropriate changes in this chapter and regulations relating to cable television service.
- D. To review, evaluate and make recommendations to the Auburn and Lewiston City Councils with respect to renewal of existing franchises and to proposals for award of future franchises for cable television service to inhabitants and others within the village.
- E. To inspect the books, records and other information sources of any franchisee as permitted or required by the terms of any franchise agreement now or hereafter entered into by the cities of Auburn and Lewiston.
- F. To meet periodically with franchisees as provided by franchise agreements to discuss the manner in which such agreements are being implemented and such other topics as are of interest to the village and franchisees. The Committee may delegate this duty by its rule or regulation to a sub-committee or to one or more Members of the Committee.
- G. In cooperation with the Auburn and Lewiston Planning Boards, to conduct studies, surveys and investigations as necessary with respect to present or future provision of cable television service within the community as may be necessary to carry out the general purposes of this chapter.
- H. To maintain liaison and communication with franchisees, federal and state regulatory bodies and public and private agencies, institutions and individuals of local, state or national scope whose activities have an impact on the quality or availability of cable television service and who can be of assistance to the Committee.
- I. To coordinate, assist and unify efforts of private groups, institutions and individuals within the community to assist the Committee in the exercise of its powers and the discharge of its duties as expressed in these by-laws.
- J. To plan, coordinate and make arrangements for broadcast of a civic and informational nature and public emergency broadcasting and two-way voice and data transmission by the one or both cities as available, utilizing the facilities of present and future franchises in accordance with applicable state and federal regulations and the terms and conditions of the respective present and future franchise agreements.

K. To make recommendations with respect to the installation and use of service connections and radio-frequency distribution systems in buildings owned by both cities for the provision of cable television service to such buildings.

L. To carry out such other duties as may be assigned from time to time as mutually agreed to by the Auburn and Lewiston City Councils.

VIII. MISCELLANEOUS

A. Fiscal Year

The Corporation shall utilize a fiscal year ending June 30.

B. Web Page Posting.

All policies, agendas and meeting notices, along with other Committee business, franchise agreement, programming and other related Committee business shall be posted on the Committee's web page.

Approved by AL-ACTC 05-16

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 18**

**SUBJECT:**

Order authorizing the City Administrator to execute a Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME Council #93) Local 3855-00 on behalf of the Lewiston Professional Technical Unit.

**INFORMATION:**

The City Council is requested to ratify a three year agreement with AFSCME Council 93 representing the Lewiston Professional Technical Unit. This agreement is for the period of Fiscal Years 2015, 2016 and 2017.

Please see the attached memorandum from Deputy City Administrator Phil Nadeau for details regarding the highlights of the new agreement.

**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 the City Administrator to Execute a Collective Bargaining Agreement between the City of Lewiston and the American Federation of State, County and Municipal Employees (AFSCME Council #93) on behalf of the Lewiston Professional Technical Unit.



COUNCIL ORDER

**ORDER,** Authorizing the City Administrator to Execute a Collective Bargaining Agreement with the AFSCME Professional Technical Unit

Whereas, the City has been working for the last twenty-two months with the Unit negotiating team to reach agreement on a new collective bargaining agreement; and

Whereas, the negotiated agreement has been approved by the Unit membership; and

Whereas, the terms and conditions of the proposed agreement falls within the negotiating guidelines provided by the City Council;

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

The City Administrator is hereby authorized to execute the collective bargaining agreement for FY2015-16-17 for the AFSCME Professional Technical Unit in accordance with the terms and conditions outlined on the enclosed memorandum from Deputy City Administrator Phil Nadeau.



The Office of  
Deputy City Administrator  
Phil Nadeau  
**MEMORANDUM**

TO: Mayor and City Council

FR: Phil Nadeau

CC:

RE: AFSCME Professional Technical Unit Collective Bargaining Agreement

DT: 9.6.16

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## BACKGROUND

The city has been working for the last twenty-two months with the Professional Technical Unit negotiating team to develop a new collective bargaining agreement. The Unit membership voted to support the contract. Notable features of the proposed contract are as follows:

- One contract for three years: FY2015, FY2016, and FY2017  
COLA: FY2015 – 1.5% eff 1/1/15; FY2016 – 1.5% eff 7/1/15; FY2017 – 2.0% eff 7/1/16
- Health Insurance & New Wellness Program:
  - ✓ PPO 500 becomes primary insurance effective upon signing of contract
  - ✓ POS C optional if employee pays difference in cost to city
  - ✓ HRA: \$1000 for single; \$2000 for family effective upon signing of contract with increase to \$1200 for single and \$2400 for family effective 7/1/17
  - ✓ Minimum Employee health insurance payment: 15% for employees hired before 9/1/07; 20% for employees hired on or after 9/1/07 after 10% Wellness program rewards are achieved
  - ✓ New Wellness program with enhanced wellness standards to become effective in 2017
- Health screening annual leave time for all shifts
- Increasing sick leave accrual to 180 days and retirement payout to 80 days.
- Second shift differential of 0.45 per hour for Equipment Mechanic Leadperson
- Cell phone stipends for nine additional positions
- Optional annual cash-out of compensatory time

## RECOMMENDED ACTION

To approve the proposed contract.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 22**

**SUBJECT:**

Executive Session to discuss labor negotiations regarding the International Association of Firefighters, Local 785.

**INFORMATION:**

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

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

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Negotiations regarding the International Association of Firefighters, Local 785.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 6, 2016**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 23**

**SUBJECT:**

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

**INFORMATION:**

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

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

State statutes define the purposes for entering into an executive session.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 6, 2016

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 24**

**SUBJECT:**

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

**INFORMATION:**

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

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

State statutes define the purposes for entering into an executive session.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.